

***Eureka City Schools Board of Education***

2100 J Street, Eureka, CA 95501

**Regular Meeting (Room 116)**

7:00 PM

**May 23, 2017**

**AGENDA**

**A. CALL TO ORDER OF STUDY SESSION (5:00 p.m. - Room 116)**

**B. STUDY SESSION**

- (1) District-Wide Athletic and Coaches Code of Conduct and Coach Evaluation

Referred to the Board by:

Fred Van Vleck, Ed.D., Superintendent

- (2) Long-Term Facility Planning Update

Referred to the Board by:

Paul Ziegler, Assistant Superintendent of Business Services

**C. CALL TO ORDER OF OPEN SESSION**

**D. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

**E. CLOSED SESSION (Room 118)**

- (3) Employee discipline, dismissal, release, appoint, accept the resignation of or otherwise affect the employment status of a public employee (GC § 54957)

- (4) Conference with labor negotiator Superintendent Van Vleck regarding Eureka Teachers Association, Classified White and Blue Collar Units, and/or Unrepresented Employees (Confidential and Classified and Certificated Management) (GC § 54957.6)

- (5) Conference with Superintendent – Pending Litigation, One Case (GC § 54956.9)

**F. RECESS FOR EMPLOYEE RECEPTION (6:40 P.M. - Room 114)**

**G. RECONVENING OF OPEN SESSION (7:00 p.m. - Room 116)**

**H. REPORT OUT FROM CLOSED SESSION**

**I. PLEDGE OF ALLEGIANCE TO THE FLAG - Zoe Barnum**

**J. BOARD RECOGNITION**

- (6) Certificated Employee of the Year

**K. PUBLIC HEARING**

- (7) Notice of Public Hearing: Public Comment on Title VI Federal Grant Renewal Application for the 2017-18 School Year

**L. ADJUSTMENT TO THE AGENDA**

- (8) Approval of Agenda

**M. INFORMATION**

- (9) Student Reports  
(10) Superintendent's Reports  
(11) Board Members' Reports

**N. PUBLIC COMMENT ON NON-AGENDA ITEMS**

**\* IN ORDER TO ADDRESS THE BOARD, PLEASE COMPLETE THE GREEN SPEAKER'S FORM AT THE DOOR AND GIVE TO THE BOARD PRESIDENT.**

*Individual speakers shall be allowed three (3) minutes to address the Board on each non-agenda or agenda item. The Board shall limit the total time for public input on each item to twenty (20) minutes (BB 9323(b)).*

**O. CONSENT CALENDAR**

- (12) World History (TCI) Textbook Adoption  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*
- (13) December 2016 Special Board Policy Updates and Revision to BB 9150 - Student Board Members  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (14) Approve of Personnel Action Report #15  
*Referred to the Board by:*  
*Renae Will, Director of Personnel Services and Public Affairs*
- (15) Minutes of the Regular Meeting from May 4, 2017  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (16) Surplus Texts: Sopris West Language! 2009  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*
- (17) Adoption of the 2018-2019 Calendar  
*Referred to the Board by:*  
*Renae Will, Director of Personnel Services and Public Affairs*
- (18) Resolution #16-17-035, Revised Date for Observance of Abraham Lincoln's Birthday  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (19) Approve April 2017 Warrants  
*Referred to the Board by:*



*Paul Ziegler, Assistant Superintendent of Business Services*

- (20) Approve Bus Fleet Inspection Service Agreements for Cutten, Freshwater, and South Bay School Districts

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (21) Approve Waste Removal Agreement for Cutten School District and HCOE

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (22) Approve Waste Removal Agreement for Northcoast Children's Services

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (23) Approve Intent to Apply for the 2017-18 Agricultural Career Technical Education Incentive Grant – Eureka High School

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (24) Field Trip: Oaxaca Summer Language Immersion Program 2017 (July 7-28, 2017)

*Referred to the Board by:*

*Renae Will, Director of Personnel Services and Public Affairs*

- (25) Approve Grant Intent to Apply – Professional Development for Arts Educators

*Referred to the Board by:*

*Michael Davies-Hughes, Assistant Superintendent Educational Services*

- (26) Accept Grant Award Notification – Career Technical Education Incentive Grant

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (27) Ratification of Representatives to California Interscholastic Federation/North Coast Section (CIF/NCS) Leagues

*Referred to the Board by:*

*Fred Van Vleck, Ed.D., Superintendent*

- (28) Specify the Position of Painter (1 Position) As Short-Term Effective June 19, 2017 - August 18, 2017

*Referred to the Board by:*

*Renae Will, Director of Personnel Services and Public Affairs*

- (29) Specify the Positions of Summer Programs Cook, Senior Food Service Worker Secondary, Senior Food Service Worker Elementary, Food Service Worker, Food Service Delivery Driver as Short-Term Effective June 19, 2017 - August 11, 2017

*Referred to the Board by:*

*Renae Will, Director of Personnel Services and Public Affairs*

## **P. DISCUSSION**

- (30) Local Control Accountability Plan Update

*Referred to the Board by:*

*Michael Davies-Hughes, Assistant Superintendent Educational Services*

- (31) Student Board Member Interview Process and Board Representation

*Referred to the Board by:*

*Fred Van Vleck, Ed.D., Superintendent*

- (32) Enrollment Update

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (33) Governor's May Revise

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

- (34) Eureka City Schools Annual Public Hearing and Complaint Process Review

*Referred to the Board by:*

*Laurie Alexander, Director of Student Services*

- (35) December 2016 Regular Board Policy Updates

*Referred to the Board by:*

*Fred Van Vleck, Ed.D., Superintendent*

**Q. CLOSED SESSION (continued)**

**R. RECONVENING OF OPEN SESSION (continued)**

**S. REPORT OUT FROM CLOSED SESSION (continued)**

**T. ADJOURNMENT**

*Notice: Documents and materials relating to an open session agenda that are provided to the Board less than 72 hours prior to a regular meeting will be available for public inspection and copying at the Eureka City Schools District Office, Superintendent's Office (Room 108), 2100 J Street, Eureka, CA 95501.*

*Notice: Eureka City Schools adheres to the Americans with Disabilities Act. Should you require special accommodations or auxiliary aids and services in order to participate in the Board meeting, please contact the Superintendent's Office (Room 108) in writing three days prior to the meeting at 2100 J Street, Eureka, CA 95501.*

*Notice: Regular Board meetings are digitally recorded at the direction of the Board. Per Board policy, recordings may be erased or destroyed 30 days after the meeting.*

# EHS ATHLETICS



**SPRING 2017 UPDATE**

# ITEMS TO DISCUSS TONIGHT

- COACHES CHARACTER & ETHICS
- COACHING EVALUATIONS
- PARENT CODE OF CONDUCT
- STUDENT-ATHLETE LEADERSHIP DEVELOPMENT
- QUESTIONS



# EHS ATHLETIC DEPARTMENT MISSION STATEMENT



**To create an environment focused on pride, unity and and victory, Eureka High School is dedicated to be a dynamic *educational-athletic* organization. One that provides a high-quality experience for every athlete that promotes competitiveness, teamwork and self-discipline. We strive to provide meaningful learning opportunities for our athletes that will develop positive habits, attitudes and ethics. We believe it is our responsibility to facilitate a positive atmosphere where student athletes are able to gain all the benefits of participation to succeed both on and off the court/field. With the ultimate goal being to foster the value of participation without overemphasizing the importance of winning and to develop the highest version of themselves. We recognize that coaches are the people who most directly make this possible. It is our goal to provide all coaches with the the tools and support to succeed. We are committed to creating a culture of achievement and excellence in which coaches, parents, fans, officials, administrators and students-athletes work together to achieve our mission with Logger Pride.**

# INSIDEOUT INITIATIVE

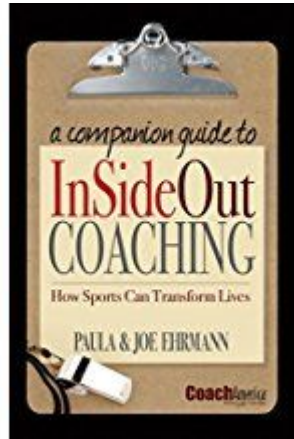
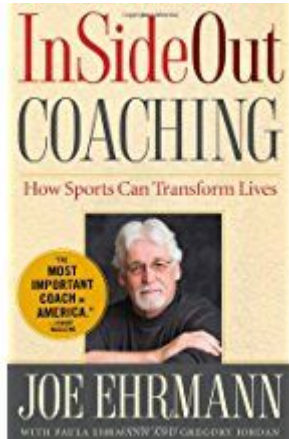




# COACHING CHARACTER & ETHICS

- Create meaningful change from the inside out - empower our coaches - some of the most influential people in our students' lives
- Blueprint for systemic change
- Awareness -Alignment - Action - Accountability
- The goal everyday is to play, plan, and prepare to win - but that is not the purpose ...human growth and development of students is
- Equip and support our coaches to be transformational coaches and get clear about what their why is
- Endless opportunities to take advantage of teachable moments and hold students accountable to a set of expectations but if the value is on the scoreboard then those opportunities will be overlooked
- Imagine if we can be the place in our community to not only develop better athletes - but really better citizens
- Athletics are the glue that keeps these students here - let's do it right

# COACHING CHARACTER & ETHICS



Next Steps:

Fall 2017 – Book in all head coaches' hands

Begin monthly coaches' meetings

Work with ECS, CIF, Boosters, & Community sponsors to launch initiative

Currently rewriting the EHS Coaches Handbook

**“Sports builds character only when it is intentionally modeled, taught, nurtured and developed.”**



# SUPPORT NEEDED



***...We recognize that coaches are the people who most directly make this possible. It is our goal to provide all coaches with the the tools and support to succeed.***

- **Training for our coaches - fund and support like professional development for teachers**
- **Community support**
- **Clear expectations for all coaches with an *effective coaching evaluation tool* that provides ongoing and regular feedback (in season, end of the season, self evaluation/reflection, and student-athlete reflection)**



# THE ROLE OF PARENTS IN ATHLETICS

## Parent Handbook

1. Goals and Roles
2. The 4 Roles
3. Expectations
4. Release them to the game
5. Learning how to watch
6. What athletes need from parents
7. One instructional voice
8. Time and Space
9. Model Poise and Confidence
10. Red Flags



**“When adults behave like children, children do not learn to become adults”**

# WHAT IF?



# THE ROLE OF PARENTS IN ATHLETICS



Mandatory attendance at pre-season meeting

Expectations and Protocols

“Culture Keeper”

If ejected from a game – view Positive Sport Parenting

Signage – need to place some accountability reminders

# STUDENT-ATHLETES



Code of Conduct with Handbook

Student Athlete Leadership Council (Athleadership)

## Athletic Department Internships

- Director of Student Culture
- Director of Student Section
- Event Manager/Announcer
- Graphic Designer
- Journalist/Photographer
- Marketing Director

# IN REVIEW



- INSIDEOUT COACHING INITIATIVE
- SUPPORT FOR COACHES – SUPPORTS, EVALUATIONS, TRAINING
- ROLE OF PARENTS
- STUDENT LEADERSHIP

QUESTIONS



GO LOGGERS



**PLEASE POST IMMEDIATELY**

**NOTICE OF PUBLIC HEARING**  
**EUREKA CITY SCHOOLS**

When: May 23, 2017 at 7:00 p.m.  
Where: 2100 J Street, Eureka, CA  
Contact: Fred Van Vleck, Ed.D., Superintendent (441-2414)

At their regularly scheduled meeting on May 23, 2017, at 7:00 p.m., the Eureka City Schools Governing Board will hold a public hearing to receive public comment on the Title VI Federal Grant Renewal Application for the 2017-18 School Year.

The grant application is available upon request from the Assistant Superintendent of Educational Services (tel: 441-3363).

*Posted: 05/12/17*  
(Remove on 05/24/17)

/mh



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: World History (TCI) Textbook Adoption

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to adopt the Teachers Curriculum Institute's (TCI) History Alive! World Connections (2013) curriculum (six years of digital access) and text for 10th grade World History at Eureka High School.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

An up-to-date text and curriculum is needed that is:

Student centered

"Considerate and digestible" in terms of accessibility

Common Core and ELD aligned, and fits the new framework for Social Science

Research based instructional theory

21st Century digital age (and "bridge" districts, that are not quite ready for completely digital materials)

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 4: STUDENT TRANSITION AND INITIAL ENROLLMENT

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

The current text was adopted in 1999. The new curriculum, Teachers Curriculum Institute's (TCI) History Alive! World Connections (2013), was brought to curriculum committee for review on April 13th, 2017. Curriculum committee recommended that it be brought to the Board for approval. The Board reviewed the materials at the May 4th, 2017 meeting.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Approximately \$45,000.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Jennifer Johnson, Eureka High School Principal  
Jennifer Dean-Mervinski-EHS Teacher, Social Studies  
Ruth Mitchell, Library Services Media Teacher

ATTACHMENTS:

Description

- ▣ Jamie Bush Materials Evaluation
- ▣ Jennifer Dean Material Evaluation
- ▣ Killingsworth Materials Evaluation
- ▣ TCI Quote

Eureka City Schools

INSTRUCTIONAL MATERIALS EVALUATION FORM  
Core & Supplemental Textbook/Materials Adoption

Title (text or materials)	TCI World Connections			Course Title	World History
Author				Course Grade Level	10
Publisher	TCI			Reviewer's Name:	J. Bush
Copyright Date		Price	\$	Review Date:	4/12/17

TEXT and/or Materials are to be used as:



Core Text/Material



Supplementary Text/Material

**YOUR Rating Score multiplied by the pre-assigned Ranking Value equals the Ranking Score**

1. CONTENT

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Judge the appropriateness of <i>reading and interest level</i> for the targeted grade level. ( <i>readability</i> )		✓				X 4	=	12
How well is this text or material aligned with the <i>State Standards</i> ?	✓					X 4	=	16
Assess the adequacy of all <i>Teacher Guide Materials</i> .	✓					X 4	=	16
TOTAL Content Ranking Score							=	44

COMMENTS:

Text is at grade level and descriptions paint vivid pictures of events/people. Maps, images, graphs, charts are helpful and enhance the learning. All lessons involve one or more of: simulations, project based learning, journal writing and primary documents

Continued on reverse

## 2. SUPPORT SYSTEMS

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Assess the quality of <i>enrichment activities</i> .		✓				X 2	=	6
Assess the quality of evaluation & test guides.	✓					X 2	=	8
Assess the opportunities for <i>cross-curricular</i> integration.	✓					X 2		8
Assess the opportunities for <i>critical thinking</i> skill development.	✓					X 2		8
Assess the applications in <i>technology</i> .		✓				X 2		6
Assess whether the format is appealing and "user friendly" considering the targeted grade level.	✓					X 2	=	8
TOTAL Support Systems Score							=	44

### COMMENTS:

Evaluations involved critical thinking, and supporting claims w/ credible evidence. Lessons require reading, writing, speaking, analysis and predicting skill development.

Please note any possible **controversial** elements within the text or materials being reviewed.

**Eureka City Schools**  
**INSTRUCTIONAL MATERIALS EVALUATION FORM**  
*Core & Supplemental Textbook/Materials Adoption*

<b>Title (text or materials)</b>	<b>World Connections</b>		<b>Course Title</b>	<b>World History and Geography</b>	
<b>Author</b>	<b>Teachers Curriculum Institute</b>		<b>Course Grade Level</b>	<b>10</b>	
<b>Publisher</b>	<b>Teachers Curriculum Institute</b>		<b>Reviewer's Name:</b>	<b>Jennifer Dean-Mervinsky</b>	
<b>Copyright Date</b>	<b>2013</b>	<b>Price</b>	<b>\$ Various</b>	<b>Review Date:</b>	<b>2/17/17</b>

TEXT and/or Materials are to be used as:

☒

Core Text/Material

☐

Supplementary Text/Material

*YOUR Rating Score multiplied by the pre-assigned Ranking Value equals the Ranking Score*

## 1. CONTENT

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Judge the appropriateness of <i>reading and interest level</i> for the targeted grade level. ( <b>readability</b> )	X					X 4	=	16
How well is this text or material aligned with the <i>State Standards</i> ?	X					X 4	=	16
Assess the adequacy of all <i>Teacher Guide Materials</i> .	X					X 4	=	16
<b>TOTAL Content Ranking Score</b>							=	48

## COMMENTS:

Text is comprehensible and engaging. It is Common Core and ELD aligned, which are the major shifts outlined in the new Framework for Social Science. Teacher materials are all online and are extremely clear, usable and teacher friendly. Presentations are easily edited and annotated. Student materials are varied for different learning modalities, including graphically organizers, matrices, charts, etc.

## 2. SUPPORT SYSTEMS

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Assess the quality of <i>enrichment activities</i> .	x					X 2	=	8
Assess the quality of evaluation & test guides.					n/a	X 2	=	Not available in pilot
Assess the opportunities for <i>cross-curricular</i> integration.					n/a	X 2		As good as any text would be...
Assess the opportunities for <i>critical thinking</i> skill development.	x					X 2		8
Assess the applications in <i>technology</i> .	x					X 2		8
Assess whether the format is appealing and “ <i>user friendly</i> ” considering the targeted grade level.	x					X 2	=	8
<b>TOTAL Support Systems Score</b>							=	32

### COMMENTS:

TCI has many enriching activities such as games, simulations, and other hands on activities that are student centered and the highlight of this curriculum. What comes as a surprise to many teachers who've used the older generation of TCi materials is the tech component. Extremely user friendly presentations are the highlight, with test practice games for students, online interactive notebook possibilities (great for ECS when we move into that platform of content delivery), and easy access to all resources, even the text, digitally for teachers and students.
Regarding assessments, as a regular user of TCI Econ Alive, I find the assessments to be outstanding in 2 ways: the teacher has online access to the particular content each student has mastered formatively (online reading challenges) and summatively and the free response are cognitively complex and require synthesis and applications to real life. Also, all assessment are easily edited online.

Please note any possible **controversial** elements within the text or materials being reviewed.

None.



**Eureka City Schools**  
**INSTRUCTIONAL MATERIALS EVALUATION FORM**  
**Core & Supplemental Textbook/Materials Adoption**

<b>Title</b> (text or materials)	History Alive! World Connections		<b>Course Title</b>	Modern World History
<b>Author</b>			<b>Course Grade Level</b>	10
<b>Publisher</b>	TCI		<b>Reviewer's Name:</b>	Jefferson Killingsworth
<b>Copyright Date</b>	2013	<b>Price</b>	\$	<b>Review Date:</b>

TEXT and/or Materials are to be used as:



Core Text/Material



Supplementary Text/Material

**YOUR Rating Score multiplied by the pre-assigned Ranking Value equals the Ranking Score**

**1. CONTENT**

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Judge the appropriateness of reading and interest level for the targeted grade level. (readability)	X					X 4	=	16
How well is this text or material aligned with the State Standards?	X					X 4	=	<del>16</del> 16
Assess the adequacy of all Teacher Guide Materials.					X	X 4	=	NA
<b>TOTAL Content Ranking Score</b>							=	32

**COMMENTS:**

Textbook/curriculum was closely aligned to common core & state standards. I believe the readability level of the textbook is more interesting and rigorous compared to current textbook.

Continued on reverse



## 2. SUPPORT SYSTEMS

AREAS TO REVIEW:	Your Rating Score					Ranking Value (Multiplier)		RANKING SCORE
	Excellent 4 pts	Good 3 pts	Fair 2 pts	Poor 1 pt	Not Applicable			
Assess the quality of <i>enrichment activities</i> .	X					X 2	=	8
Assess the quality of evaluation & test guides.					X	X 2	=	NA
Assess the opportunities for <i>cross-curricular</i> integration.		X				X 2		6
Assess the opportunities for <i>critical thinking</i> skill development.	X					X 2		8
Assess the applications in <i>technology</i> .		X				X 2		6
Assess whether the format is appealing and "user friendly" considering the targeted grade level.	X					X 2	=	8
<b>TOTAL Support Systems Score</b>							=	36

### COMMENTS:

Curriculum provided appropriate and engaging activities throughout the unit. Was unable to use the eval/test portion of the curriculum. Overall I believe it is an upgrade over the current textbook.

Please note any possible **controversial** elements within the text or materials being reviewed.

NA



Melissa Hodgson &lt;hodgsonm@eurekacityschools.org&gt;

**TCI - Quote**

1 message

info@teachtci.com &lt;info@teachtci.com&gt;

Tue, Apr 25, 2017 at 8:25 AM

Reply-To: messages.1312783.1282077.3f4d495fd4@messages.na1.netsuite.com

To: hodgsonm@eurekacityschools.org

TCI Store



Yippee! Ruth Mitchell sent you a message from TCI.  
Here is the "create a quote" from TCI.Ruth

We can't wait to make learning fun and memorable. Once you are ready to buy, please visit <http://shop.teachtci.com> to place your order.

Quote Date: 4/25/2017

Item Name	Program Name	Item #	Qty	Unit Price
Student Bundle	TB-9466-6	TB-9466-6	360	\$30600.00
Placards	History Alive! World Connections (c) 2013	947-3	5	\$375.00
Teacher Subscription	9459-06	9459-06	6	\$4950.00
Subtotal				\$35925.00
Shipping <sup>1</sup>				TBD
Sales Tax <sup>2</sup>				TBD
Total				\$35925.00

And now for the fine print.

**Shipping<sup>1</sup>:** TCI ships all in-stock items for regular domestic orders at the current rate of 5% of the order subtotal or \$5.00 minimum. Packages shipped to Alaska or Hawaii will be sent via 2-day air service at the current rate of 8% of the order subtotal or \$10.00 minimum. Orders can be shipped to any domestic location by 2-day air service at the rate of 8% of order subtotal or \$10.00 minimum. TCI requires 1-3 business days to process all orders, in addition to the time in transit. Delivery dates are not guaranteed. TCI cannot ship to P.O. Box addresses, including APO and FPO addresses. Call Customer Support for international shipping options. All orders ship FOB shipping point.

**Sales Tax<sup>2</sup>:** Sales tax will be applied as appropriate to CA, FL, IL, IN, KY, MI, MO, NJ, TX, VA, and WA orders. Our payment terms are net 30 days from invoice date. **Tax Exempt Status:** Have a tax exempt certificate on file with us? You don't need to do a thing. We'll review your order and automatically remove any sales tax. If you haven't ordered with us before and are tax-exempt, please email us at [info@teachtci.com](mailto:info@teachtci.com) with your school/district tax exempt certificate. Per the State Board of Equalization, TCI is unable to extend a district's exemption status to an individual paying by personal credit card or personal check, even if the purchase is for the benefit of the school.

**Payments:** All orders must be accompanied by a form of payment. We accept district and school purchase orders. Individual or personal orders must be prepaid by credit card, check, or money order.

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: December 2016 Special Board Policy Updates and Revision to BB 9150 - Student Board Members

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to review and approve the CSBA December 2016 Special Policy Updates and Revision to BB 9150 - Student Board Members.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

From time to time, relatively minor changes occur that affect the text of CSBA sample board policies, administrative regulations, and board bylaws but do not warrant reissuing the entire sample because the changes are limited. It is recommended that districts review the revisions and incorporate them in district materials as appropriate. Although the revisions are minor, the district should still use its normal adoption process to adopt the board policies, administrative regulations, and/or board bylaws affected by these revisions. The following Board Policies, Administrative Regulations and Board Bylaws have various changes due to changes in laws, new laws, court decisions, and clarification:

**December 2016 Special Board Policy Updates**

BP 3470 - Debt Issuance and Management

**Revision**

BB 9150 - Student Board Members

**STRATEGIC PLAN/PRIORITY AREA:**

Governance and Policy updating is not reflected in the Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

The first reading of these policies occurred on May 4, 2017. This is the second reading of the policies.

**HOW MUCH***(list the revenue amount \$ and/or the expense amount \$)*

There is no revenue or expense related to this agenda item.

**WHO***(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D., Superintendent

**ATTACHMENTS:**

Description

- ▣ Final Proposed Wording - BB 9150 Student Board Members (2nd Reading)
- ▣ CSBA Special December Updates (2nd Reading)

# **Eureka City SD**

## **Board Bylaw**

### **Student Board Members**

BB 9150

#### **Board Bylaws**

In order to enhance communication between the Board of Education and the student body and to engage students in the district's educational programs and operations, the Board encourages the involvement of high school students in district governance. The inclusion of one or more student representatives on the Board shall be ordered upon receipt of a student petition in accordance with Education Code 35012 or may be ordered at any time at the discretion of the Board.

#### **Petition**

High school students may submit a petition to the Board requesting the appointment of at least one student Board member. This petition, or a separate petition submitted after students have been appointed to the Board, also may include a request to allow preferential voting for student Board members. (Education Code 35012)

Preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. (Education Code 35012)

To be eligible for consideration by the Board, the petition for student representation or the petition for preferential voting shall contain the signatures of no less than 500 regularly enrolled high school students, or no less than 10 percent of the number of regularly enrolled high school students, whichever is less. (Education Code 35012)

Within 60 days of receiving a student petition, or at the next regularly scheduled Board meeting if no meeting is held within those 60 days, the Board shall order the inclusion of a student member on the Board or shall act to allow preferential voting for the student Board member, as applicable. (Education Code 35012)

Once established, the student Board member position shall remain in effect until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. (Education Code 35012)

#### **Selection of Student Board Member**

Student Board members shall be selected in accordance with procedures prescribed by the Board.

One representative to the Board of Education will be selected by a panel comprised of the student body president (unless they are a candidate for the position), one student body member, one past representative (if available), one Board member, Superintendent and the Student Activities Director. The selected candidate will then be approved by the student council. New representative(s) will be selected in the spring of the school year prior to service. The term of office shall be July 1 to June 30. The representatives will be invited to workshops to familiarize themselves with the Board.

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

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

### Role and Responsibilities of Student Board Members

A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

A student Board member shall be recognized at Board meetings as a full member and shall be seated with other members of the Board. In addition, a student Board member shall receive all materials presented to other Board members except those related to closed sessions, and he/she may participate in questioning witnesses and discussing issues. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

When a student petition has requested preferential voting rights for student Board members or when the Board has granted preferential voting rights, a student Board member may cast preferential votes on all matters except those subject to closed session discussion. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

(cf. 9324 - Minutes and Recordings)

A student Board member may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. (Education Code 35012)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

(cf. 9323.2 - Actions by the Board)

A student Board member shall be entitled to be reimbursed for mileage to the same extent as other members of the Board but shall not receive compensation for attendance at Board meetings. (Education Code 35012)

(cf. 3350 - Travel Expenses)

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

### Student Board Member Development

As necessary, the Superintendent or designee shall, at district expense, provide learning opportunities to student Board members, through trainings, workshops, and conferences, to enhance their knowledge, understanding, and performance of their Board responsibilities.

The Superintendent or designee may periodically provide an orientation for student Board member candidates to give them an understanding of the responsibilities and expectations of Board service.

### Legal Reference:

#### EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; student members

#### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

### Management Resources:

#### WEB SITES

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

California Association of Student Councils: <http://www.casc.net>

California Association of Student Leaders: <http://www.caslboard.com>

National School Boards Association: <http://www.nsba.org>

### Bylaw EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: June 2, 2016 Eureka, California

**CSBA MANUAL MAINTENANCE SERVICE CHECKLIST – December 2016**  
**SPECIAL RELEASE**

District Name: EUREKA CITY SCHOOLS

Contact Name: Micalyn Harris

Phone: (707) 441-2414

Email: [harrismicalyn@eurekacityschools.org](mailto:harrismicalyn@eurekacityschools.org)

<b>POLICY</b>	<b>TITLE</b>	<b>OPTIONS/BLANKS</b>	<b>ADOPT DATE</b>
BP 3470	Debt Issuance and Management	<b>NEW</b>  <b>(w/ECS Revisions – see attached)</b>	05/23/17



# CSBA Sample

## Board Policy

### Business and Noninstructional Operations

BP 3470(a)

#### DEBT ISSUANCE AND MANAGEMENT

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

*(cf. 3000 - Concepts and Roles)*

*(cf. 3460 - Financial Reports and Accountability)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7210 - Facilities Financing)*

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

*(cf. 3312 - Contracts)*

*(cf. 3600 - Consultants)*

*(cf. 9270 - Conflict of Interest)*

**DEBT ISSUANCE AND MANAGEMENT** (continued)**Goals**

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

*(cf. 0000 - Vision)*

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

*(cf. 7000 - Concepts and Roles)*

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

### **Authorized Purposes for the Issuance of Debt**

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

*(cf. 3100 - Budget)*

*(cf. 3110 - Transfer of Funds)*

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

### **Authorized Types of Debt**

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
  - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
  - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)

**DEBT ISSUANCE AND MANAGEMENT (continued)**

- c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
- 2. Long-Term Debt
  - a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)  
  
(*cf. 7214 - General Obligation Bonds*)
  - b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)  
  
(*cf. 7212 - Mello Roos Districts*)
- 3. Lease financing, including certificates of participation (COPs)
  - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
  - b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
- 4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
- 5. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

### **Relationship of Debt to District Facilities Program and Budget**

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

### **Structure of Debt Issues**

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

### **Method of Sale**

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

### **Investment of Proceeds**

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

*(cf. 3430 - Investing)*

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

### **Refunding/Restructuring**

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

### **Internal Controls**

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

*(cf. 3314 - Payments for Goods and Services)*

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

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

### **Records/Reports**

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory

**DEBT ISSUANCE AND MANAGEMENT** (continued)

Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

*Legal Reference: (see next page)*



## **DEBT ISSUANCE AND MANAGEMENT (continued)**

### *Legal Reference:*

#### EDUCATION CODE

5300-5441 *Conduct of elections*  
15100-15262 *Bonds for school districts and community college districts*  
15264-15276 *Strict accountability in local school construction bonds*  
15278-15288 *Citizen's oversight committees*  
15300-15425 *School Facilities Improvement Districts*  
17150 *Public disclosure of non-voter-approved debt*  
17400-17429 *Leasing of district property*  
17450-17453.1 *Leasing of equipment*  
17456 *Sale or lease of district property*  
17596 *Duration of contracts*  
42130-42134 *Financial reports and certifications*

#### ELECTIONS CODE

1000 *Established election dates*

#### GOVERNMENT CODE

8855 *California Debt and Investment Advisory Commission*  
53311-53368.3 *Mello-Roos Community Facilities Act*  
53410-53411 *Bond reporting*  
53506-53509.5 *General obligation bonds*  
53550-53569 *Refunding bonds of local agencies*  
53580-53595.55 *Bonds*  
53850-53858 *Tax and revenue anticipation notes*  
53859-53859.08 *Grant anticipation notes*

#### CALIFORNIA CONSTITUTION

Article 13A, Section 1 *Tax limitation*

Article 16, Section 18 *Debt limit*

#### UNITED STATES CODE, TITLE 15

78o-4 *Registration of municipal securities dealers*

#### UNITED STATES CODE, TITLE 26

54E *Qualified Zone Academy Bonds*

#### CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 *Prohibition against fraud or deceit*

240.15c2-12 *Municipal securities disclosure*

#### CODE OF FEDERAL REGULATIONS, TITLE 26

1.103 *Interest on state and local bonds*

1.141 *Private activity bonds*

1.148 *Arbitrage and rebate*

1.149 *Hedge bonds*

1.6001-1 *Records*

*Management Resources: (see next page)*

## **DEBT ISSUANCE AND MANAGEMENT (continued)**

### *Management Resources:*

#### CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

#### GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

An Elected Official's Guide to Debt Issuance, 2nd Ed., 2016

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

#### INTERNAL REVENUE SERVICE PUBLICATIONS

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

#### U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS

Internal Control System Checklist

#### WEB SITES

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

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

Internal Revenue Service: <https://www.irs.gov>

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):

<http://www.emma.msrb.org>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Securities and Exchange Commission: <https://www.sec.gov>

**Policy Reference UPDATE Service**

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*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve of Personnel Action Report #15

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

Not applicable.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Not applicable.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 2: RECRUITMENT, SELECTION, PROFESSIONAL DEVELOPMENT, AND RETENTION OF QUALITY STAFF

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Not applicable.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Renae Will, Director of Personnel Services and Public Relations

**ATTACHMENTS:**

Description

- ▣ Personnel Report #15

**EUREKA CITY SCHOOLS  
PERSONNEL REPORT NO. 15  
May 23, 2017**

The following personnel are submitted to the Board of Education of the Eureka City Schools for approval:

**CERTIFICATED PERSONNEL**

**RETIREMENTS**

Arglye, Lawrence	Teacher, 1.0 FTE, (Center for Independent Study, Lincoln), eff. 6/17/17
Cameron, Angela	Teacher, 1.0 FTE, (Washington), eff. 6/17/17
Carrick, Marie	Teacher, 1.0 FTE, (Washington), eff. 6/17/17
Cartwright, Jerry	Teacher, 1.0 FTE, (Washington), eff. 6/17/17
Catton, Stephen	Teacher, 1.0 FTE, (Lafayette), eff. 6/17/17
Crnich, Stephanie	Teacher, 1.0 FTE, (Washington), eff. 6/17/17
Henshaw, Ben	Teacher, 1.0 FTE, (Eureka High School), eff. 6/17/17
Holland, Nicole	Teacher, 1.0 FTE, (Alice Birney), eff. 6/17/17
Honsal, Kathleen	Associate Principal, 1.0 FTE, (Eureka High School), eff. 6/30/17
Levy, Bernie	Teacher, 1.0 FTE, (Zane), eff. 6/17/17
Meister, Jeri	Speech/Language Pathologist, 1.0 FTE, (District Wide), eff. 6/17/17
Perreira, Quinteria	Teacher, 1.0 FTE, (Winship), eff. 6/17/17

**RESIGNATIONS**

Flowers, Mary	Temporary ELD Intervention Teacher, 0.6 FTE, (Alice Birney), eff. 5/26/17
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**ASSIGNMENTS**

Claypool, Margaret	Temporary Teacher, 1.0 FTE, (Winship), eff. 5/8/17 – 6/16/17
McLaughlin, Holly	Probationary I Teacher, 1.0 FTE (Washington), eff. 8/21/17

**CHANGE OF STATUS**

Horowitz, G. Shellye	From: Middle School Principal, 1.0 FTE, (Winship) To: Counseling Services Director, 1.0 FTE, (EHS), eff. 7/1/17
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**DAY-TO-DAY SUBSTITUTES**

Claypool, Margaret	Day-to-Day Substitute Teacher, eff. 4/21/2017 – 6/16/2017
Hodges, Jason	Day-to-Day Substitute Teacher, eff. 5/1/2017 – 6/16/2017
Scheffler, Rachael	Day-to-Day Substitute Teacher, eff. 4/14/2017 – 6/16/2017
Woolfson, Janine	Day-to-Day Substitute Teacher, eff. 3/15/2017 – 6/16/2017

## **CLASSIFIED PERSONNEL**

### **APPOINTMENTS**

Le, Genie	Food Service Secretary/Eligibility Specialist (CK) 8 hrs/day, eff. 4/26/17
Preslar, Allen	Monitor (Grant) 3.25 hrs/day, eff. 5/8/17
Younger, Eric	Food Service Delivery Driver (Corp Yard) 8 hrs/day, eff. 5/16/17

### **SPECIAL APPOINTMENTS**

Roth, Barbara	Literacy Technician (Grant) 3.5 hrs/day, eff. 5/1/17, short term position eff. 5/1/17 – 6/16/17 utilizing site funds
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*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Minutes of the Regular Meeting from May 4, 2017

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the minutes from the regular meeting on May 4, 2017.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Not applicable.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Not applicable.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D. - Superintendent

**ATTACHMENTS:**

Description

- ▣ Draft Mtg Mins - 05.04.17

**Eureka City Schools Board of Education**

2100 J Street, Eureka, CA 95501

**Regular Meeting**

7:00 PM

**May 4, 2017**

**MINUTES**

**A. CALL TO ORDER OF STUDY SESSION (Room 114)**

President Ollivier called the study session to order at 5:02 p.m.

Members Present: Johnson, Ollivier, Davis, Taplin, Duncan

Members Absent: None

Staff Present: Van Vleck, Ziegler, Davies-Hughes, Alexander, Will, Harris

**B. STUDY SESSION**

(1) Annual Report on Advancement Via Individual Determination (AVID)

*Referred to the Board by:*

*Michael Davies-Hughes, Assistant Superintendent Educational Services*

Kristina Christiansen, Director for Advanced Via Individual Determination (AVID), presented the Annual AVID Report to the Board. AVID is a schoolwide transformation focused on leadership, systems, instruction and culture. AVID works with the LCAP to promote college and career readiness. AVID started at ECS in 2005-06 and was initially a single elective class. In 2017-18 AVID will have five elective classes at EHS, one class at Zane and one class at Winship. AVID elementary will also be implemented at Grant Elementary School in grades 4 and 5. By next year, 75% EHS teachers will have received some form of AVID training. A copy of the ECS Dashboard, relating to AVID, was provided to the Board.

The ECS AVID program has been given the sign of distinction by AVID, meaning AVID practices have been implemented throughout the school, not just in the elective class. The ECS AVID team will be moving towards becoming an AVID National Demonstration School. Christiansen provided the Board with an update on AVID at each site. Students involved in the AVID programs at Winship and EHS shared the AVID techniques they are using at their schools and what the AVID family means to them. Tara Sanchez, an AVID teacher, spoke about how AVID has impacted her teaching style and has a positive impact on students.

(2) Food Services Department Update

*Referred to the Board by:*

*Paul Ziegler, Assistant Superintendent of Business Services*

Laura Chase, Director of Food Services, introduced Danielle Johns, the new part-time Director of Food Services and part-time culinary teacher at Zoe Barnum. An update was provided to the Board on the staff at Central Kitchen and which employee covers which school site.

Chase shared about partnerships with local associations, such as the Cattlemen's Association, which was resulted in special menu items such



as Cattlemen's Chili. Alice Birney students also made the award-winning salsa in the local Salsa Recipe Competition, which is now being sold at Eureka Natural Foods. The Fresh Fruit and Vegetable Program at Alice Birney is also going well and students are enjoying the fresh fruit and vegetables being provided. Food Services staff have been receiving training from Chef Tony on food preparation and safety. The Nutrislice website is also up and running which provides current and upcoming menus, along with nutritional values, for the food being served at ECS sites. This summer, Food Services will be hosting a Summer Meal Program which will meet a need in the community and offer free breakfast and lunch to anyone under the age of 18.

**C. CALL TO ORDER OF OPEN SESSION**

**D. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

No public comment.

**E. CLOSED SESSION (Closed to Public) (Room 118)**

President Ollivier moved the meeting to closed session.

Members Present: Johnson, Ollivier, Davis, Duncan, Taplin

Members Absent: None

Staff Present: Van Vleck, Ziegler, Davies-Hughes, Alexander, Will

- (3) Employee discipline, dismissal, release, appoint, accept the resignation of or otherwise affect the employment status of a public employee (GC § 54957)
- (4) Conference with labor negotiator Superintendent Van Vleck regarding Eureka Teachers Association, Classified White and Blue Collar Units, and/or Unrepresented Employees (Confidential and Classified and Certificated Management) (GC § 54957.6)
- (5) Conference with Superintendent – Pending Litigation, One Case (GC § 54956.9)
- (6) Conference with Superintendent – Litigation, Timothy Regan v. ECS, et al., One Case (GC § 54956.9)

**F. RECONVENING OF OPEN SESSION**

President Ollivier reconvened the meeting at 7:07 p.m.

Members Present: Johnson, Ollivier, Davis, Taplin, Duncan, Wotherspoon

Members Absent: None

Staff Present: Van Vleck, Ziegler, Davies-Hughes, Alexander, Will, Harris

**G. REPORT OUT FROM CLOSED SESSION**

No action to report on Closed session Items E(3), E(4), E(5) or E(6).

**H. PLEDGE OF ALLEGIANCE TO THE FLAG – Grant Elementary School**

Students from Grant Elementary School led the Board in the flag salute and provided an update on their favorite things about Grant School.

## **I. ADJUSTMENTS TO THE AGENDA**

- (7) Approval of the Agenda - No adjustments to the Agenda.

*It was M/S by Johnson/Taplin to approve the Agenda. Student Board Representative: aye 1, no 0, absent 0. Governing Board: ayes 5, noes 0, absent 0. Motion carried.*

## **J. INFORMATION**

- (8) Student Reports – None.

- (9) Superintendent's Report - Van Vleck introduced Tammi Wagner as the new Principal at Lafayette Elementary School. ECS is getting ready to start the process of approving the next Student Board Member and Henry Wotherspoon's last Board meeting will be June 8, 2017. Van Vleck congratulated Wotherspoon as one of the five finalists for the Innovate Business Challenge on May 25, 2017.

- (10) Board Members' Report

- Wotherspoon reported the new issue of the EHS Bark has been printed and copies were provided to the Board members. The EHS Players will have their dinner theater, Flowers for One, on May 12<sup>th</sup> and 13<sup>th</sup> and tickets can be purchased at the EHS Finance Office. Three of the five finalists for the Innovate Business Challenge are from EHS and Wotherspoon is excited to represent EHS again this year.
- Johnson recently had lunch at Lafayette Elementary School and enjoyed the Cattlemen's Chili. She enjoyed visiting with students and staff.
- Taplin attended the reception for the WASC team at Zoe and states it was very interesting. She also attended the parade and was very proud of the representation of ECS schools.
- Ollivier was pleased to receive a letter from Washington Elementary School noting it was selected as a California Honor Roll Recipient. She is proud of the success and performance of Washington Elementary School. The Washington Carnival is next week, May 12, 2017, and there will be lots of fun things to do.
- Davis also attended the reception for the visiting WASC team. She notes the WASC team's hard work to come and perform these visits. She appreciates the WASC team's collaboration and ability to convey best practices to other schools. She also appreciates the amazing teachers that work with the PTA the wonderful things they do for the community and students.
- Duncan has been very busy with baseball and coaching his kids. He is excited to be able to have both his children on the same team this year.

## **K. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Pat Person, Library/Media Tech at Grant, addressed the Board regarding the virtual author Skype held last week. This was an exciting event and students enjoyed coming up with questions to ask the authors. It was an exciting experience for the students to be able to participate in this process in this interactive way.

Ruth Mitchell addressed the Board regarding the Human Library series coming to EHS. This is the first year of this two-day event. The purpose is to develop exposure and create discussion relating to diversity and human rights. This type of communicate creates open and honest conversations leading to greater tolerance within the community.

David Demant, ETA President, invited the Board to the ETA End-of-Year Celebration and Retirement Reception on June 1, 2017 from 4:00-6:00 p.m. at the Elk's Lodge in Eureka.

## **L. CONSENT CALENDAR**

It was M/S by Taplin/Johnson to approve the following Consent Calendar items:

- (11) Minutes of the Regular Meeting from April 13, 2017  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (12) Approval of Personnel Action Report #14  
*Referred to the Board by:*  
*Renae Will, Director of Personnel Services and Public Affairs*
- (13) Approve Inventory Transfer Form for the 2017 Transit Wagon Purchased by the North Coast Agriculture Partners (NCAP) for the Eureka High School Agriculture Program  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (14) Approve Memorandum of Understanding Between Fortuna Union High School District as Financial Agent for North Coast Agriculture Partners and Eureka City Schools  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (15) Resolution 16-17-030, Recognizing May 9, 2017 as "Dia del Maestro/Day of the Teacher"  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (16) Resolution 16-17-031, Recognizing May 21-27, 2017 as "Classified School Employee Week"  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (17) Quarterly Report to the Governing Board as Mandated by the State, In Regards to the Williams Lawsuit  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*
- (18) Memorandum of Understanding between Eureka City Schools (ECS) and College of the Redwoods (CR) concerning Adult Education Funds  
*Referred to the Board by:*  
*Paul Ziegler, Assistant Superintendent of Business Services*

- (19) Field Trip: EHS Backpacking Club Field Trip to Lost Coast/Punta Gorda Lighthouse on May 19-21, 2017  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*
- (20) Specify the Positions of Painter (2 positions) and Grounds Maintenance Specialist as Short Term Effective June 19, 2017 - August 18, 2017  
*Referred to the Board by:*  
*Renae Will, Director of Personnel Services and Public Affairs*
- (21) Resolution 16-17-034 in Support of SB 751 - Fix the Reserve Cap  
*Referred to the Board by:*  
*Fred Van Vleck, Ed.D., Superintendent*

*Student Board Representative: aye 1, no 0, absent 0. Governing Board: ayes 5, noes 0, absent 0. Motion carried.*

#### **M. DISCUSSION/ACTION**

- (22) Resolution #16-17-032, Authorization for Negotiated Sale of Tax Revenue Anticipation Notes (TRAN)  
*Referred to the Board by:*  
*Paul Ziegler, Assistant Superintendent of Business Services*

Ziegler addressed the Board regarding Tax Revenue Anticipation Notes (TRAN). Adopting the resolution does not obligate the District to enter into the TRAN but it provides the District the option. Ziegler believes the TRAN will need to be utilized this year. It is Ziegler's recommendation the Board adopt the Resolution authorizing the use of the TRAN.

It was M/S by Davis/Johnson to take action and approve Resolution #16-17-032, Authorization for Negotiated Sale of Tax Revenue Anticipation Notes (TRAN). Student Board Representative: aye 1, no 0, absent 0. Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (23) Elimination of Classified Position - Instructional Assistant Special Ed III (Resolution 16-17-033)  
*Referred to the Board by:*  
*Renae Will, Director of Personnel Services and Public Affairs*

Will addressed the Board regarding the elimination of one classified position (Instructional Assistant Special Ed III). The student in this position no longer requires the support of this instructional aide and the employee in this position has already moved into another open SCIA position.

It was M/S by Johnson/Taplin to take action and approve Elimination of Classified Position - Instructional Assistant Special Ed III (Resolution 16-17-033). Student Board Representative: aye 1, no 0, absent 0. Governing Board: ayes 5, noes 0, absent 0. Motion carried.

- (24) New Classified Blue Collar Job Description - Summer Programs Cook  
Referred to the Board by:  
Renae Will, Director of Personnel Services and Public Affairs

The Summer Programs Cook position is being created to oversee the new Summer Program that Food Services will be running. The Summer Program was discussed during Study Session and will provide breakfast and lunch to children in the community.

It was M/S by Johnson/Taplin to take action and approve the New Classified Blue Collar Job Description - Summer Programs Cook. Student Board Representative: aye 1, no 0, absent 0. Governing Board: ayes 5, noes 0, absent 0. Motion carried.

## N. DISCUSSION

- (25) Annual District English Learner Advisory Committee (DELAC) Report  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*

Davies-Hughes introduced Donna Doherty to present to the Board on the District's English Learner Advisory Committee (DELAC). Doherty has been a teacher at EHS for 30 years and believes DELAC has a huge impact on services to students. Doherty provided information to the Board on DELAC membership (consisting of parents, administrative, support staff and site representatives), DELAC responsibilities and accomplishments. Accomplishments of the DELAC Committee include increased attendance at the meetings (including variety and diversity), review of reports received from sites on the needs and successes relating to DELAC, met with FPM auditor, received reports on EL data, FPM findings, EL budget and the LCAP. The DELAC also collaborated to create suggestions and input for the LCAP writing committee.

- (26) Annual Report on ECS Instructional Coaching  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*

Kristin Sobilo presented to the Board on the instructional coaching team at ECS. The instructional coaching team is focused on student learning and the primary objective and goal is to deliver high-quality education and professional development. As of May 2017, 76% of ECS teacher have completed one coaching cycle this year (at least six coaching sessions). Sobilo reviewed the coaching cycle process with the Board, which includes (1) CCSS (includes determining a behavior goal, establishing learning targets, selecting formative assessments), (2) Student Centered (student work drives discussion, delivery of lesson, coach modeling), and (3) Reflection (how did the students learn the goals, what steps need to be taken). The instructional team has modeled content in over 50 classes this year.

- (27) World History (TCI) Textbook Adoption  
*Referred to the Board by:*  
*Michael Davies-Hughes, Assistant Superintendent Educational Services*

Jennifer Johnson, as part of the Curriculum Committee, introduced the World History (TCI) textbook to the Board. The current world history text book is out-of-date and it needs to be updated. TCI brings in many primary source documents and electronic resources to the students, such as a digital version of the book. TCI works on the premise of an active and engaged classroom and helps keep the students involved. TCI is also a cultural and relevant curriculum, which is relevant to the climate grant, settlement agreement, etc. It is the Curriculum Committee's recommendation the Board adopts the TCI textbook. The Board requests this item be brought back as a Consent item.

- (28) December 2016 Special Board Policy Updates and Revision to BB 9150 - Student Board Members

*Referred to the Board by:*

*Fred Van Vleck, Ed.D., Superintendent*

This is the first reading of the December 2016 Special Board Policy Updates from CSBA and also revision to Board Bylaw 9150 – Student Board Members. The Board requests this item be brought back as a Consent item.

**O. CLOSED SESSION**

Closed session did not continue.

**P. RECONVENING OF OPEN SESSION**

Not applicable.

**Q. REPORT OUT FROM CLOSED SESSION**

Closed session did not continue.

**R. ADJOURNMENT**

President Ollivier adjourned the meeting at 8:30 p.m.

Respectfully submitted,

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Fred Van Vleck, Ed.D.  
Secretary of the Board of Education

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Recording Secretary, Micalyn Harris

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CLERK OF THE BOARD

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DATE

The next regular meeting will be held on May 23, 2017 at 7:00 p.m. in the Boardroom #116 at 2100 J Street, Eureka, CA.

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Surplus Texts: Sopris West Language! 2009

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to approve the surplus of Sopris West Language! Intervention materials Kindergarten through 5th grade.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

These materials have been replaced by the Fountas and Pinnell Leveled Literacy Intervention (LLI) curriculum and are not longer in use at the elementary schools. The Fountas and Pinnell (LLI) curriculum was adopted on December 8, 2016.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 1: ENGLISH LANGUAGE ARTS AND MATH PROGRAMS

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

N/A

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no cost to this item.

**WHO** *(list the name of the contact person(s), job title, and site location)*

**ATTACHMENTS:**

Description

- ▣ Disposal Form

Eureka City Schools  
Sale and Disposal of Books – Board Policy 3270

When district-owned books become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify them to the Governing Board, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. contain information rendered inaccurate or incomplete by new discoveries or technologies
2. have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas
3. contain demeaning, stereotyping or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or persons with physical or mental disabilities
4. have been inspected and discovered to be damaged beyond use or repair.

School: Alice Birney Elementary, Grant Elementary, Lafayette Elementary, Washington Elementary, ECS District Office

Date of Request: May 23, 2017

Number of Obsolete or un-needed books: Approximately 200 textbooks and workbooks plus teacher materials for the 4 elementary school Intervention teachers.

Estimated Value: -0-

Explanatory comments and recommendation:

These Sopris West Language! materials have been replaced by the Fountas and Pinnell  
Leveled Literacy Intervention (LLI) System and are no longer in use at the elementary schools.  
The Fountas and Pinnell LLI System was adopted on December 8, 2016.

Signature of Principal: \_\_\_\_\_

Date of Governing Board Action: May 23, 2017



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Adoption of the 2018-2019 Calendar

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to adopt the attached 2018-2019 school calendars.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The calendar was negotiated and agreed upon by the Eureka Teachers Association and Eureka City Schools.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Annual adoption.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

N/A

**WHO** *(list the name of the contact person(s), job title, and site location)*

Rena Will, Director of Personnel

**ATTACHMENTS:**

Description

- ▣ Draft 2018-19 CAL
- ▣ Draft 2018-19 HOLIDAY CAL
- ▣ Draft 2018-19 Quarter CAL

Eureka City Schools  
2018-2019  
DRAFT

Month	Mon	Tue	Wed	Thu	Fri	Days Taught	Holidays
August 22 to September 14 <b>First Month</b>	{20} {21} 27 [3] 10	28 4 11	22 5 12	23 6 13	24 7 14	17	{2-Staff Dev Days} <b>School Starts 8/22/18</b>  Labor Day 9/3/18
September 17 to October 12 <b>Second Month</b>	17 24 1	18 25 2	19 26 3	20 27 4	21 28 5	20	
October 15 to November 9 <b>Third Month</b>	15 22 29 5	16 23 30 6	17 24 31 7	18 25 1 8	19 26 2 9	18	Staff Dev 11/1/18 & 11/2/18
November 12 to December 7 <b>Fourth Month</b>	12 19 26 3	13 20 27 4	14 21 28 5	15 22 29 6	16~ (23) 30 7	14	Veteran's Day Observed 11/12/18 Thanksgiving Break 11/19/18-11/23/18
December 10 to January 4 <b>Fifth Month</b>	10 17 (24) 31	11 18 [25] [1]	12 19 26 2	13 20 27 3	14 21 28 4	10	Winter Break 12/24/18-1/4/19
January 7 to February 1 <b>Sixth Month</b>	7 14 [21] 28	8 15 22 29	9 16 23 30	10 17 24 31	11 18 25 1	19	Martin Luther King Day 1/21/19
February 4 to March 1 <b>Seventh Month</b>	4 11 [18] 25	5 12 (19) 26	6 13 20 27	7 14 21 28	8 15 22 1	15	Presidents' Week 2/18/19-2/22/19
March 4 to March 29 <b>Eighth Month</b>	4 11 18 25	5 12 19 26	6 13 20 27	7 14 21 28	8~ 15 22 29	19	Staff Dev 3/22/19
April 1 to April 26 <b>Ninth Month</b>	1 8 15 22	2 9 16 23	3 10 17 24	4 11 18 25	5 12 19 26	15	Spring Break 4/22/19-4/26/19
April 29 to May 24 <b>Tenth Month</b>	29 6 13 20	30 7 14 21	1 8 15 22	2 9 16 23	3 10 17 24	20	
May 27 to June 13 <b>Eleventh Month</b>	[27] 3 10	28 4 11	29 5 12	30 6 13~	31 7 {14}	13	Memorial Day 5/27/19 <b>Last Day of Instruction 6/13/19</b>

\_ Staff Development

{ } Duty Day

~ End of Trimester

} End of Quarter

[ ] Legal Holiday

( ) Local Holiday

{ } Possible pre-school duty day

[ ] No School

[ ] No School-Non Instructional Days

**Trimester**

**Elementary School**

~1st Tri 59 Days

8/22/18 - 11/16/18

~2nd Tri 59 Days

11/26/18 - 3/8/19

~3rd Tri 62 Days

3/11/19 - 6/13/19

180 Days

**Quarter / Semester**

**Middle School / High School**

} 1st Qtr 47 Days

8/22/18 - 10/26/18

} 2nd Qtr 46 Days

10/29/18 - 1/25/19

} 3rd Qtr 44 Days

1/28/19 - 4/5/19

} 4th Qtr 43 Days

4/8/19 - 6/13/19

180 Days

*\*Note: By a majority vote of teachers, with concurrence of the Principal, post-school duty day (6/14/19) may be replaced by an additional pre-school duty day (8/21/18).*

## **EUREKA CITY SCHOOLS**

### **SCHEDULE OF HOLIDAYS FOR CLASSIFIED, CONFIDENTIAL, AND MANAGEMENT PERSONNEL**

2018-2019 SCHOOL YEAR

July 4, 2018	Fourth of July	(Wednesday)
September 3, 2018	Labor Day	(Monday)
November 12, 2018	Veterans' Day Observed	(Monday)
November 22, 2018	Thanksgiving Day	(Thursday)
November 23, 2018	Local Holiday	(Friday)
December 24, 2018	Christmas Eve Observed	(Monday)
December 25, 2018	Christmas Holiday	(Tuesday)
January 1, 2019	New Year's Holiday	(Tuesday)
January 21, 2019	Martin Luther King Day	(Monday)
February 18, 2019	Presidents' Day (Washington)	(Monday)
February 19, 2019	Local Holiday (Lincoln Observed)	(Tuesday)
May 27, 2019	Memorial Day	(Monday)

**EUREKA CITY SCHOOLS  
2018-2019 SCHOOL CALENDAR**

<b>SCHOOL MONTH</b>			<b>TEACHING DAYS</b>
	Aug. 20	Pre-Service Day	
1	Aug. 22 - Sept. 14	Labor Day, Sept. 3	17
2	Sept. 17 - Oct. 12		20
3	Oct. 15 - Nov. 09	Staff Development, Nov. 1 & Nov. 2 Veteran's Day, Nov. 12-Observed	18
<b>END OF FIRST QUARTER, OCTOBER 26, 2018 (47 DAYS)</b>			
<b>END OF FIRST TRIMESTER, NOVEMBER 16, 2018 (59 DAYS)</b>			
4	Nov. 12 - Dec. 07	Thanksgiving Break, Nov. 19 -23	14
5	Dec. 10- Jan. 04	Winter Break, Dec. 24 - Jan. 04 New Years Holiday, Jan. 1	10
<b>END OF SECOND QUARTER, JANUARY 25, 2019 (46 DAYS)</b>			
<b>END OF FIRST SEMESTER (93 DAYS)</b>			
6	Jan. 07 - Feb. 01	Martin Luther King, Jan. 21	19
7	Feb. 04 - March 01	Presidents' Week, Feb. 18 - 22 End of Second Trimester, March 8	15
8	March 04 - March 29	Staff Development, March 22	19
<b>END OF THIRD QUARTER, APRIL 05, 2019 (44 DAYS)</b>			
<b>END OF SECOND TRIMESTER MARCH 8, 2019 (59 DAYS)</b>			
9	April 01 - April 26	Spring Break April 22-26	15
10	April 29- May 24		20
11	May 27 -June 13	Memorial Day, May 27 Last Day of School, June 13 Graduation Day, June 14 Post Service Day, June 14	13
<b>END OF FOURTH QUARTER, JUNE 13, 2019 (43 DAYS)</b>			
<b>END OF SECOND SEMESTER (87 DAYS)</b>			
<b>END OF THIRD TRIMESTER, JUNE 13, 2019 (62 DAYS)</b>			

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Resolution #16-17-035, Revised Date for Observance of Abraham Lincoln's Birthday

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve Resolution #16-17-035, revising the date for the observance of Abraham Lincoln's Birthday by the closure of Eureka City Schools on February February 19, 2019, in the 2018-2019 School Year.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The 2018-19 school calendar does not close school on Monday or Friday of the week in which February 12 occurs, in observance of Lincoln's birthday. Except for Veteran's Day, the Governing Board may revise the date upon which the schools of the district close in observance of any of the holidays identified in Education Code 37220 by adoption of a resolution. This resolution authorizes the closure of Eureka City School District on February 19, 2019 in honor of Lincoln's birthday.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Eureka City Schools' annual adoption of resolutions changing the closure of school in observance of Abraham Lincoln began in the spring of 1995 when the adopted school calendar included school closure during the remainder of the week of President Day.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no cost associated with this action.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D., Superintendent

**ATTACHMENTS:**

## Description

- RESO 16-17-035

**Eureka City Schools**  
**RESOLUTION #16-17-035**  
**OBSERVANCE OF LINCOLN'S BIRTHDAY**

**WHEREAS,** the Eureka City Schools Board of Trustees has adopted the 2018-2019 School Calendar; and

**WHEREAS,** Education Code requires that the public schools shall close on the Monday or Friday of the week in which February 12 occurs, known as "Lincoln Day";

**WHEREAS,** the adopted 2018-19 School Calendar observes Lincoln's Birthday by closing Eureka City Schools on February 19, 2019 in the 2018-2019 school year; and

**WHEREAS,** California Education Code #37220(e) reads: "The governing board of a school district, by adoption of a resolution, may revise the date upon which the schools of the district close in observation of any holiday".

**NOW, THEREFORE, BE IT RESOLVED,** the schools of the district will hold exercises in memory of Abraham Lincoln and George Washington on Monday, February 18 2019, and will observe Lincoln's Birthday by closing Eureka City Schools on Tuesday, February 19, 2019.

This Resolution was passed by the Eureka City School District Board of Trustees on the 23rd day of May 2017.

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Lisa Ollivier, Board President

(RESOLUTIONlincolns birthday/mh)



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve April 2017 Warrants

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the attached list of warrants issued during the month of April, 2017.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Education Code section 17605 allows the District's Board to "adopt a rule, delegating to any officer or employee...the authority to purchase supplies, materials, apparatus, equipment, and services" that do not exceed the amount specified in section 20111 of the Public Contract Code. However, Education Code 35161 requires the Board to retain "ultimate responsibility over the performance of those powers or duties so delegated". As a result, it is recommended that the Governing Board ratify or approve actions taken by the designees.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This issue was discussed at the February 27, 2014 Board meeting. It was agreed that the Warrant listings would come to the Board for review and approval on a monthly basis.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

For April 2017, the District issued 290 warrants totaling \$1,115,083.55.

**WHO** *(list the name of the contact person(s), job title, and site location)*



Paul Ziegler, Assistant Superintendent of Business Services

ATTACHMENTS:

Description

- ▣ April 2017 Warrants



## **Eureka City Schools**

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Inspiring academic Excellence, Creativity, and the confidence to Succeed – ECS

### **Business Services Warrant Listings**

***Board Meeting Date:*** May 23, 2017

***Time Period:*** April 1, 2017 through April 30, 2017

***Batch Number Sequence:*** 0227 - 0244

***Number of Warrants:*** 290

***Total Warrant Amount:*** \$1,115,083.55

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170179	ALMQUIST LUMBER CO	OPEN PURCHASE ORDER	\$485.87
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$485.87
	PO-170052	BAY TANK & BOILER WORKS	OPEN PURCHASE ORDER	\$10.00
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$10.00
	PO-171110	CASH & CARRY	OPEN PURCHASE ORDER	\$159.41
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$159.41
	PO-171585	COMMUNIQUE INTERPRETING INC.	INTERPRETING SERVICES	\$1,303.75
			INTERPRETING SERVICES	
			** TOTAL PAYMENT AMOUNT:	\$1,303.75
	PV-171541	DOYLE, BRIAN	PV171541	\$27.23
			** TOTAL PAYMENT AMOUNT:	\$27.23
	PV-171542	DUTRA, LAURIE	PV171542	\$108.28
			** TOTAL PAYMENT AMOUNT:	\$108.28
	PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$500.05
			EHS Athletics	
			** TOTAL PAYMENT AMOUNT:	\$500.05
	PO-170106	FASTENAL COMPANY	OPEN PURCHASE ORDER	\$67.81
			OPEN PURCHASE ORDER	
	PO-170106	FASTENAL COMPANY	OPEN PURCHASE ORDER	\$23.38
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$91.19
	PV-171543	FERGUSON ENTERPRISES #3007	PV171543	\$15.64
			** TOTAL PAYMENT AMOUNT:	\$15.64
	PO-170588	FIN-N-FEATHER	EHS Lottery	\$36.57
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$36.57
	PO-171716	FUNKHOUSER, WILLIAM	Reimburse Bill Funkhouser	\$17.12
			Reimburse Bill Funkhouser	
			** TOTAL PAYMENT AMOUNT:	\$17.12

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170272	GOSSELIN AND SONS	OPEN PURCHASE ORDER	\$410.47
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$410.47
	PV-171544	HAMM, JOHN J	PV171544	\$26.49
			** TOTAL PAYMENT AMOUNT:	\$26.49
	PO-170105	HENSELL MATERIALS	OPEN PURCHASE ORDER	\$13.34
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$13.34
	PO-171461	HUMBOLDT WASTE MANAGEMENT AUT	OPEN PURCHASE ORDER	\$278.92
			OPEN PURCHASE ORDER	
	PO-171461	HUMBOLDT WASTE MANAGEMENT AUT	OPEN PURCHASE ORDER	\$366.18
			OPEN PURCHASE ORDER	
	PO-171461	HUMBOLDT WASTE MANAGEMENT AUT	OPEN PURCHASE ORDER	\$274.24
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$919.34
	PO-170187	INTERSTATE BATTERY SYSTEM	OPEN PURCHASE ORDER	\$129.83
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$129.83
	PV-171545	JACKSON, PATRICIA	PV171545	\$17.98
			** TOTAL PAYMENT AMOUNT:	\$17.98
	PO-171695	JB JORDAN & ASSOCIATES	Bond Proposal	\$2,630.00
			Bond Proposal	
			** TOTAL PAYMENT AMOUNT:	\$2,630.00
	PV-171546	JOHNS, DANIELLE	PV171546	\$15.35
			** TOTAL PAYMENT AMOUNT:	\$15.35
	PV-171547	JOHNSON, DEBORAH L.	PV171547	\$35.68
			** TOTAL PAYMENT AMOUNT:	\$35.68
	PO-171729	LOZANO SMITH LLP	Legal Fees	\$4,583.50
			Legal Fees	
			** TOTAL PAYMENT AMOUNT:	\$4,583.50
			**** BATCH TOTAL AMOUNT:	\$11,537.09

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF. NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PV-171539	CHASE, LAURA	PV171539	\$47.13
		** TOTAL PAYMENT AMOUNT:	\$47.13
PV-171540	COUNTY OF HUMBOLDT	PV171540	\$6,782.00
		** TOTAL PAYMENT AMOUNT:	\$6,782.00
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$609.45
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$691.49
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$549.24
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$35.46
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$434.47
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$633.21
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$507.04
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$336.49
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$53.99
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$486.49
		3RD OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$4,337.33
PO-170049	EUREKA GLASS CO.	OPEN PURCHASE ORDER	\$557.36
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$557.36
PO-170273	FRANZ FAMILY BAKERIES	OPEN PURCHASE ORDER	\$252.85
		OPEN PURCHASE ORDER	
PO-170273	FRANZ FAMILY BAKERIES	OPEN PURCHASE ORDER	\$418.82
		OPEN PURCHASE ORDER	
PO-170273	FRANZ FAMILY BAKERIES	OPEN PURCHASE ORDER	\$84.50
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$756.17
PO-171611	HENDERSON, WILLIAM J.,	SPEECH AND LANGUAGE SERVI	\$5,875.00
		SPEECH AND LANGUAGE SERVI	
		** TOTAL PAYMENT AMOUNT:	\$5,875.00

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

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REF,
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PV-171548  KARANPOULOS, JAMES        PV171548                $4.28

                ** TOTAL PAYMENT AMOUNT:                $4.28

                **** BATCH TOTAL AMOUNT:                $18,359.27
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Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170188	EUREKA NAPA AUTO	OPEN PURCHASE ORDER	\$10.22
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$10.22
	PV-171551	MATTHEWS, KATHLEEN	PV171551	\$47.08
			** TOTAL PAYMENT AMOUNT:	\$47.08
	PO-171696	MERIDETH-SUTKE, MICHELLE	Reimbursement-Michelle Me	\$59.63
			Reimbursement-Michelle Me	
			** TOTAL PAYMENT AMOUNT:	\$59.63
	PO-170171	MILLER FARMS NURSERY	OPEN PURCHASE ORDER	\$72.48
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$72.48
	PO-170056	MISSION LINEN & UNIFORM SERVI	OPEN PURCHASE ORDER	\$37.80
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$37.80
	PO-171711	MONTANA, GARETT	Reimbursement for Sport E	\$43.06
			Reimbursement for Sport E	
			** TOTAL PAYMENT AMOUNT:	\$43.06
	PV-171552	NYLANDER, MOLLY	PV171552	\$53.78
			** TOTAL PAYMENT AMOUNT:	\$53.78
	PV-171553	OWNSBEY, KRISTA	PV171553	\$14.12
			** TOTAL PAYMENT AMOUNT:	\$14.12
	PV-171554	PELLEY, MOLLY	PV171554	\$112.40
			** TOTAL PAYMENT AMOUNT:	\$112.40
	PO-170107	PLATT ELEC SUPPLY INC	OPEN PURCHASE ORDER	\$79.29
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$79.29
	PO-170805	REDWOOD MUSIC MART	OPEN PURCHASE ORDER	\$85.88
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$85.88
	PV-171555	ROSS, KELBY	PV171555	\$29.85
			** TOTAL PAYMENT AMOUNT:	\$29.85

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PV-171556 ROTH, HEAVEN              PV171556                  $29.53
                                     ** TOTAL PAYMENT AMOUNT:    $29.53

PO-171703 SCHOLASTIC BOOK FAIRS-13  BOOK FAIR                 $2,204.41
                                     BOOK FAIR
                                     ** TOTAL PAYMENT AMOUNT:    $2,204.41

PO-170174 SHAFER'S HARDWARE          OPEN PURCHASE ORDER       $3.26
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:    $3.26

PO-171728 SHASTA CASCADE CASBO       Registration Fees          $135.00
                                     Registration Fees
                                     ** TOTAL PAYMENT AMOUNT:    $135.00

PO-171581 SYSCO                     OPEN PURCHASE ORDER       $3,315.88
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:    $3,315.88

PO-170519 VERIZON WIRELESS           CELL PHONE EPD             $85.09
                                     CELL PHONE EPD

PO-170521 VERIZON WIRELESS           CELL PHONES                $342.09
                                     CELL PHONES

PO-170582 VERIZON WIRELESS           CELL PHONE ED SERVICES     $38.01
                                     CELL PHONE ED SERVICES

PO-170619 VERIZON WIRELESS           CELL PHONES                $304.07
                                     CELL PHONES
                                     ** TOTAL PAYMENT AMOUNT:    $769.26

PV-171560 WEAVER, ENID              PV171560                  $48.69
                                     ** TOTAL PAYMENT AMOUNT:    $48.69

PV-171561 WILL, RENAE              PV171561                  $55.96
                                     ** TOTAL PAYMENT AMOUNT:    $55.96

                                     **** BATCH TOTAL AMOUNT:    $7,207.58
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Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PV-171550	MANN, BECKI	PV171550	\$50.45
		** TOTAL PAYMENT AMOUNT:	\$50.45
CM-170150	MENDES SUPPLY	CM170150	\$70.34-
PO-170015	MENDES SUPPLY	OPEN PURCHASE	\$83.29
		OPEN PURCHASE	
PO-170102	MENDES SUPPLY	OPEN PURCHASE ORDER	\$253.03
		OPEN PURCHASE ORDER	
PO-171338	MENDES SUPPLY	2017 GYM FLOOR FINISH	\$1,996.98
		2017 GYM FLOOR FINISH	
		** TOTAL PAYMENT AMOUNT:	\$2,262.96
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$11.61
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$25.67
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$17.90
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$9.42
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$7.62
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$16.86
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$10.55
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$10.57
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$28.63
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$12.14
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$5.00
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$15.23
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$15.19
		reimbursement - TJ Murphy	
PO-171710	MURPHY, TJ	reimbursement - TJ Murphy	\$34.17
		reimbursement - TJ Murphy	
		** TOTAL PAYMENT AMOUNT:	\$220.56
PO-170066	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$113.82
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$3.23
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$229.34
		OPEN PURCHASE ORDER	

Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$35.22
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$24.93
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$3.69
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$10.84
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$3.85
		OPEN PURCHASE ORDER	
PO-170339	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$31.07
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$455.99
CM-170151	PRO PACIFIC FRESH	CM170151	\$19.75-
PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$1,679.89
		OPEN PURCHASE ORDER	
PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$1,145.07
		OPEN PURCHASE ORDER	
PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$909.71
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$3,714.92
PO-170117	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$100.32
		OPEN PURCHASE ORDER	
PO-170117	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$284.62
		OPEN PURCHASE ORDER	
PO-170117	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$1,184.11
		OPEN PURCHASE ORDER	
PO-170117	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$553.34
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$2,122.39
PO-170039	SECURITY CONTRACTOR SERVICES	OPEN PURCHASE ORDER	\$370.70
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$370.70
PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$24.93
		OPEN PURCHASE ORDER	
PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$30.68
		OPEN PURCHASE ORDER	
PO-170767	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$10.83
		OPEN PURCHASE ORDER	
PO-170767	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$50.17
		OPEN PURCHASE ORDER	
PO-171698	STAPLES CREDIT PLAN	Main office order - folde	\$134.40
		Main office order - folde	
		** TOTAL PAYMENT AMOUNT:	\$251.01

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171557	STRINGHAM, ELAINE	PB171557	\$11.98
			** TOTAL PAYMENT AMOUNT:	\$11.98
	CM-170152	U.S. BANK CORPORATE PAYMNT SY	CM170152	\$31.99-
	CM-170153	U.S. BANK CORPORATE PAYMNT SY	CM170153	\$31.99-
	CM-170154	U.S. BANK CORPORATE PAYMNT SY	CM170154	\$31.99-
	CM-170155	U.S. BANK CORPORATE PAYMNT SY	CM170155	\$31.99-
	PV-171558	U.S. BANK CORPORATE PAYMNT SY	PV171558	\$3,521.09
			** TOTAL PAYMENT AMOUNT:	\$3,393.13
	PV-171559	WELCH, AMY	PV171559	\$14.77
			** TOTAL PAYMENT AMOUNT:	\$14.77
			**** BATCH TOTAL AMOUNT:	\$12,868.86

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171563	AMARO, DEIRDRE	PV171562	\$20.76
			MARCH MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$20.76
	PV-171564	CAPITAL ONE COMMERCIAL/COSTCO	PV171564	\$20.36
			COSTCO 3/1/17 F/C	
	PV-171565	CAPITAL ONE COMMERCIAL/COSTCO	PV171565	\$23.05
			COSTCO 1/14/17 F/C	
	PV-171566	CAPITAL ONE COMMERCIAL/COSTCO	PV171566	\$71.88
			COSTCO 6/14/16 F/C	
			** TOTAL PAYMENT AMOUNT:	\$115.29
	PO-170238	CITY OF EUREKA	POLICE SERVICES	\$3,570.00
			POLICE SERVICES	
			** TOTAL PAYMENT AMOUNT:	\$3,570.00
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$37.50
			OPEN PURCHASE ORDER	
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$7.50
			OPEN PURCHASE ORDER	
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$14.00
			OPEN PURCHASE ORDER	
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$14.00
			OPEN PURCHASE ORDER	
	PV-171567	CRYSTAL SPRINGS BOTTLED WATER	PV171567	\$14.00
			** TOTAL PAYMENT AMOUNT:	\$87.00
	PO-170188	EUREKA NAPA AUTO	OPEN PURCHASE ORDER	\$196.99
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$196.99
	PO-170048	EUREKA OXYGEN	OPEN PURCHASE ORDER	\$80.72
			OPEN PURCHASE ORDER	
	PO-170048	EUREKA OXYGEN	OPEN PURCHASE ORDER	\$164.04
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$244.76
	PO-171562	FOLLETT SCHOOL SOLUTIONS INC	School climate books	\$246.87
			School climate books	
			** TOTAL PAYMENT AMOUNT:	\$246.87
	PO-171727	KIESELHORST, JOSH	Reimbursement	\$23.85
			Reimbursement	
			** TOTAL PAYMENT AMOUNT:	\$23.85

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170086	MENDES SUPPLY	OPEN PURCHASE ORDER	\$55.61
			OPEN PURCHASE ORDER	
	PO-171654	MENDES SUPPLY	WAREHOUSE ORDER	\$2,341.70
			WAREHOUSE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$2,397.31
	PV-171568	MILLER, HEATHER	PV171568	\$363.73
			** TOTAL PAYMENT AMOUNT:	\$363.73
	PO-170055	POWELL LANDSCAPE MATERIALS	OPEN PUURCHASE ORDER	\$108.50
			OPEN PUURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$108.50
	PV-171570	QUILL CORPORATION	PV171570	\$98.63
			** TOTAL PAYMENT AMOUNT:	\$98.63
	PV-171572	TUPPER, GAY MARIE	PV171572	\$15.84
			MARCH MILES	
			** TOTAL PAYMENT AMOUNT:	\$15.84
	PV-171573	TYLER, JOAN BRIDGIT	PV171573	\$6.64
			** TOTAL PAYMENT AMOUNT:	\$6.64
	PV-171574	U.S. BANK CORPORATE PAYMNT SY	PV171574	\$180.00
			CLASSIFIED AD - RENAE WIL	
	PV-171575	U.S. BANK CORPORATE PAYMNT SY	PV171575	\$317.49
			INDIAN ED CONF.	
	PV-171576	U.S. BANK CORPORATE PAYMNT SY	PV171576	\$17.80
			ASES SNACKS - RAMONES	
	PV-171582	U.S. BANK CORPORATE PAYMNT SY	PV171582	\$399.99
			BUS TRANSMISSION	
	PV-171583	U.S. BANK CORPORATE PAYMNT SY	PV171583	\$44.41
			REDWOOD ELECT. FUSE HOLDE	
	PV-171584	U.S. BANK CORPORATE PAYMNT SY	PV171584	\$101.00
			TENNIS NET - EHS	
	PV-171585	U.S. BANK CORPORATE PAYMNT SY	PV171585	\$84.53
			OFFICE SUPPLIES - STAPLES	
	PV-171586	U.S. BANK CORPORATE PAYMNT SY	PV171586	\$38.87
			STOPWATCHES	
	PV-171587	U.S. BANK CORPORATE PAYMNT SY	PV171587	\$64.78
			TIME TIMERS	
			** TOTAL PAYMENT AMOUNT:	\$1,248.87

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
**** BATCH TOTAL AMOUNT:				\$8,745.04

Board of Trustees Meeting .... 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-171190	AT&T	ZANE/TELEPHONE	\$126.20
		ZANE/TELEPHONE	
PO-171313	AT&T	TECH DEPT/TELEPHONE	\$90.73
		TECH DEPT/TELEPHONE	
PO-171314	AT&T	ALICE BIRNEY/TELEPHONE	\$111.42
		ALICE BIRNEY/TELEPHONE	
PO-171315	AT&T	GRANT/TELEPHONE	\$38.51
		GRANT/TELEPHONE	
PO-171316	AT&T	LAFAYETTE/TELEPHONE	\$60.02
		LAFAYETTE/TELEPHONE	
PO-171317	AT&T	WASHINGTON/TELEPHONE	\$117.60
		WASHINGTON/TELEPHONE	
PO-171318	AT&T	WINSHIP/TELEPHONE	\$129.14
		WINSHIP/TELEPHONE	
PO-171319	AT&T	EHS/TELEPHONE	\$728.31
		EHS/TELEPHONE	
PO-171320	AT&T	EHS-ATHLETICS/TELEPHONE	\$35.75
		EHS-ATHLETICS/TELEPHONE	
PO-171321	AT&T	JACOBS/TELEPHONE	\$22.95
		JACOBS/TELEPHONE	
PO-171321	AT&T	JACOBS/TELEPHONE	\$18.69
		JACOBS/TELEPHONE	
PO-171322	AT&T	ZOE/TELEPHONE	\$145.10
		ZOE/TELEPHONE	
PO-171323	AT&T	WINZLER/TELEPHONE	\$19.66
		WINZLER/TELEPHONE	
PO-171324	AT&T	DISTRICT WIDE/TELEPHONE	\$37.71
		DISTRICT WIDE/TELEPHONE	
PO-171324	AT&T	DISTRICT WIDE/TELEPHONE	\$35.97
		DISTRICT WIDE/TELEPHONE	
PO-171324	AT&T	DISTRICT WIDE/TELEPHONE	\$3,692.54
		DISTRICT WIDE/TELEPHONE	
PO-171326	AT&T	ASE CONNECTIONS	\$945.27
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$859.42
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$861.70
		ASE CONNECTIONS	
PO-171326	AT&T	ASE CONNECTIONS	\$264.89
		ASE CONNECTIONS	

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171326	AT&T	ASE CONNECTIONS	\$483.14
			ASE CONNECTIONS	
	PO-171326	AT&T	ASE CONNECTIONS	\$442.69
			ASE CONNECTIONS	
	PO-171326	AT&T	ASE CONNECTIONS	\$2,604.28
			ASE CONNECTIONS	
			** TOTAL PAYMENT AMOUNT:	\$16,180.19
	PO-170177	CAMPTON ELECTRIC	OPEN PURCHASE ORDER	\$26.97
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$26.97
	PO-170792	PACIFIC PAPER	Open PO Pacific Paper	\$31.12
			Open PO Pacific Paper	
	PO-170792	PACIFIC PAPER	Open PO Pacific Paper	\$111.73
			Open PO Pacific Paper	
			** TOTAL PAYMENT AMOUNT:	\$142.85
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$37.58
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$5.45
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$78.46
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$121.49
	PV-171571	TREWARTHA, JENNY	PV171571	\$105.93
			MARCH MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$105.93
	PV-171577	U.S. BANK CORPORATE PAYMNT SY	PV171577	\$54.24
			RUG	
	PV-171578	U.S. BANK CORPORATE PAYMNT SY	PV171578	\$25.75
			POSTAGE - BREAKFAST GRANT	
	PV-171579	U.S. BANK CORPORATE PAYMNT SY	PV171579	\$55.41
			FOOD FOR STUDENTS/BOARD D	
	PV-171580	U.S. BANK CORPORATE PAYMNT SY	PV171580	\$21.66
			TABLE CLOTHS FOR ELEMENTA	
			** TOTAL PAYMENT AMOUNT:	\$157.06
			**** BATCH TOTAL AMOUNT:	\$16,734.49



Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170565	AMERICAN STAR	Security Services	\$2,386.00
			Security Services	
			** TOTAL PAYMENT AMOUNT:	\$2,386.00
	PO-170123	CITY OF EUREKA	WASHINGTON WATER BILL	\$352.91
			WASHINGTON WATER BILL	
	PO-170123	CITY OF EUREKA	WASHINGTON WATER BILL	\$92.80
			WASHINGTON WATER BILL	
	PO-170123	CITY OF EUREKA	WASHINGTON WATER BILL	\$106.40
			WASHINGTON WATER BILL	
	PO-170123	CITY OF EUREKA	WASHINGTON WATER BILL	\$144.11
			WASHINGTON WATER BILL	
	PO-170127	CITY OF EUREKA	DISTRICT OFFICE WATER BIL	\$281.61
			DISTRICT OFFICE WATER BIL	
			** TOTAL PAYMENT AMOUNT:	\$977.83
	PO-171706	DOCUMENT TRACKING SERVICES	Open PO Document Tracking	\$482.16
			Open PO Document Tracking	
			** TOTAL PAYMENT AMOUNT:	\$482.16
	PO-170182	FERGUSON ENTERPRISES INC	OPEN PURCHASE ORDER	\$30.48
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$30.48
	PO-170129	HUMBOLDT COMM SERVICES DIST	WINSHIP MIDDLE WATER BILL	\$209.54
			WINSHIP MIDDLE WATER BILL	
	PO-170131	HUMBOLDT COMM SERVICES DIST	GRANT WATER BILL	\$228.76
			GRANT WATER BILL	
			** TOTAL PAYMENT AMOUNT:	\$438.30
	PO-170374	HUMBOLDT GRASSFED BEEF	Humboldt Grassfed Beef	\$718.00
			Humboldt Grassfed Beef	
			** TOTAL PAYMENT AMOUNT:	\$718.00
	PO-170503	PARADIGM HEALTH CARE SERVICES	INVOICES	\$635.32
			INVOICES	
			** TOTAL PAYMENT AMOUNT:	\$635.32
	PO-170107	PLATT ELEC SUPPLY INC	OPEN PURCHASE ORDER	\$24.07
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$24.07
	PO-170181	PPG ARCHITECTURAL FINISHES	OPEN PURCHASE ORDER	\$10.85
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$10.85

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170174	SHAHER'S HARDWARE	OPEN PURCHASE ORDER	\$311.83
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$311.83
	PO-171602	SIERRA SCHOOL EQUIPMENT CO	ROOM DIVIDERS	\$2,332.75
			ROOM DIVIDERS	
			** TOTAL PAYMENT AMOUNT:	\$2,332.75
	PV-171589	SORDEN, JEANA	PV171589	\$26.96
			SORDEN - MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$26.96
	PO-170511	STAR PAGE	OPEN PURCHASE ORDER	\$8.95
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$8.95
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$2,176.02
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$168.22
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$2,344.24
			**** BATCH TOTAL AMOUNT:	\$10,727.74

Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171478	COSTCO	Open PO	\$127.57
		Open PO	
PO-171478	COSTCO	Open PO	\$78.69
		Open PO	
		** TOTAL PAYMENT AMOUNT:	\$206.26
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$351.41
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$404.67
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$143.39
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$383.48
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$294.83
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$264.75
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$444.86
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$410.47
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$387.58
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$145.89
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$315.40
		3RD OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$3,546.73
PV-171588	FUNKHOUSER, WILLIAM	PV171588	\$57.78
		MARCH MILEAGE	
		** TOTAL PAYMENT AMOUNT:	\$57.78
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$124.33
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$89.46
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$25.51
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$15.70
		OPEN PURCHASE ORDER	
PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$11.27
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$266.27

Board of Trustees Meeting 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-171699	PLATT ELEC SUPPLY INC	Bond Invoice	\$34.90
		Bond Invoice	
		** TOTAL PAYMENT AMOUNT:	\$34.90
PO-170055	POWELL LANDSCAPE MATERIALS	OPEN PUURCHASE ORDER	\$48.83
		OPEN PUURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$48.83
PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$2,020.02
		OPEN PURCHASE ORDER	
PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$2,049.96
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$4,069.98
PO-171602	SIERRA SCHOOL EQUIPMENT CO	ROOM DIVIDERS	\$5,094.08
		ROOM DIVIDERS	
PO-171602	SIERRA SCHOOL EQUIPMENT CO	ROOM DIVIDERS	\$2,332.75
		ROOM DIVIDERS	
PO-171602	SIERRA SCHOOL EQUIPMENT CO	ROOM DIVIDERS	\$2,332.75
		ROOM DIVIDERS	
		** TOTAL PAYMENT AMOUNT:	\$9,759.58
PO-171739	SONOMA COUNTY OFFICE OF	Legal Fees	\$45.00
		Legal Fees	
		** TOTAL PAYMENT AMOUNT:	\$45.00
PO-171741	UNIVERSITY OF OREGON	INVOICE	\$12,580.31
		INVOICE	
		** TOTAL PAYMENT AMOUNT:	\$12,580.31
		**** BATCH TOTAL AMOUNT:	\$30,615.64

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171590	AGLIOL0, KRISTY	PV171590	\$55.89
			REPL. CHECK	
			** TOTAL PAYMENT AMOUNT:	\$55.89
	PV-171593	ALEXANDER, LAURIE	PV171593	\$362.66
			CHICO JOB FAIR	
			** TOTAL PAYMENT AMOUNT:	\$362.66
	PV-171592	BROWN, RUTH	PV171592	\$24.61
			** TOTAL PAYMENT AMOUNT:	\$24.61
	PV-171591	BROWNFIELD, QUINCY	PV171591	\$31.25
			FEB. MILES	
			** TOTAL PAYMENT AMOUNT:	\$31.25
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$130.48
			EHS WATER BILL	
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$146.14
			EHS WATER BILL	
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$142.02
			EHS WATER BILL	
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$253.09
			EHS WATER BILL	
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$130.48
			EHS WATER BILL	
	PO-171768	CITY OF EUREKA	EHS WATER BILL	\$130.48
			EHS WATER BILL	
			** TOTAL PAYMENT AMOUNT:	\$932.69
	PV-171602	GAIERA, HEATHER	PV171602	\$173.34
			MARCH MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$173.34
	PV-171603	SANDERS, LAURIE G	PV171603	\$46.87
			MARCH MILES	
			** TOTAL PAYMENT AMOUNT:	\$46.87
	PO-171738	US RECYCLERS	Lighting Invoice	\$1,207.00
			Lighting Invoice	
			** TOTAL PAYMENT AMOUNT:	\$1,207.00
	PV-171604	WAGNER, TAMMI	PV171604	\$33.00
			MARCH MILEAGE	
	PV-171605	WAGNER, TAMMI	PV171605	\$19.42
			FEB. MILES	
	PV-171606	WAGNER, TAMMI	PV171606	\$20.70
			JAN. MILEAGE	
	PV-171607	WAGNER, TAMMI	PV171607	\$11.40
			DEC. MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$84.52

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting . . . 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
		**** BATCH TOTAL AMOUNT:	\$2,918.83

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PV-171598 KEKA, BRITTNEY           PV171598                $44.94
                                     ** TOTAL PAYMENT AMOUNT:    $44.94

PV-171599 LANE, KRISTINE           PV171599                $434.42
                                     CASBO TRAINING
                                     ** TOTAL PAYMENT AMOUNT:    $434.42

PV-171600 OPPENHEIMER FUNDS DIST.  MAY DEPOSIT              $150.00
                                     MAY OPPENHEIMER FUND
                                     ** TOTAL PAYMENT AMOUNT:    $150.00

PV-171601 SPARKS, MARY             PV171601                $50.55
                                     MARCH MILEAGE
                                     ** TOTAL PAYMENT AMOUNT:    $50.55

PV-171594 VAN VLECK, FRED          PV171594                $71.00
                                     CSBA ANN'L ELECTION CONF.

PV-171595 VAN VLECK, FRED          PV171595                $500.00
                                     LEAGUE OF WOMEN'S VOTERS

PV-171596 VAN VLECK, FRED          PV171596                $120.00
                                     ROTARY CLUB

PV-171597 VAN VLECK, FRED          PV171597                $140.00
                                     LIMITED EDITION
                                     ** TOTAL PAYMENT AMOUNT:    $831.00

                                     **** BATCH TOTAL AMOUNT:    $1,510.91

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Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PV-171608 SAUER, ALETTA            PV171608                $1,871.52
                                     DECA STATE CONF
** TOTAL PAYMENT AMOUNT:          $1,871.52
                                     **** BATCH TOTAL AMOUNT:    $1,871.52
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Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171743	CA DECA	EHS Perkins	\$85.00
			EHS Perkins	
			** TOTAL PAYMENT AMOUNT:	\$85.00
	PO-171690	LAKESHORE BASICS	WINZLER ORDER	\$213.55
			WINZLER ORDER	
			** TOTAL PAYMENT AMOUNT:	\$213.55
	PO-170171	MILLER FARMS NURSERY	OPEN PURCHASE ORDER	\$80.05
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$80.05
	PO-170090	PRESSED PAPERBOARD	OPEN PURCHASE ORDER	\$1,165.82
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$1,165.82
	PO-171586	RIFKIN CO., A.	EHS James Reilly Trust	\$60.06
			EHS James Reilly Trust	
			** TOTAL PAYMENT AMOUNT:	\$60.06
	PO-170267	SPURR	WINZLER	\$236.79
			WINZLER	
	PV-171614	SPURR	PV171614	\$4,443.89
			SPURR	
	PV-171615	SPURR	PV171615	\$1,261.53
			SPURR	
	PV-171616	SPURR	PV171616	\$9,540.14
			SPURR	
	PV-171617	SPURR	PV171617	\$1,633.43
			SPURR	
	PV-171618	SPURR	PV171618	\$3,770.71
			SPURR	
	PV-171619	SPURR	PV171619	\$2,385.58
			SPURR	
	PV-171620	SPURR	PV171620	\$769.33
			SPURR	
			** TOTAL PAYMENT AMOUNT:	\$24,041.40
	PO-170082	THERMO FLUIDS	OPEN PURCHASE ORDER	\$107.40
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$107.40
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$302.11
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$7.97
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$7.97
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$318.05

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171628	TIMES PRINTING CO	WAREHOUSE ORDER	\$414.47
			WAREHOUSE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$414.47
			**** BATCH TOTAL AMOUNT:	\$26,485.80

Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171239	ADVANCED SECURITY SYSTEMS	SERVICING INVOICES	\$95.00
		SERVICING INVOICES	
		** TOTAL PAYMENT AMOUNT:	\$95.00
PV-171609	CALIF. SCHOOL DENTAL COALITIO	PV171609	\$38,681.00
		** TOTAL PAYMENT AMOUNT:	\$38,681.00
PV-171610	CALIF. SCHOOL VISION COALITIO	PV171610	\$6,923.00
		VISION	
		** TOTAL PAYMENT AMOUNT:	\$6,923.00
PO-171644	CDW COMPUTER CENTERS INC.	Bond Quote	\$27,489.76
		Bond Quote	
PO-171715	CDW COMPUTER CENTERS INC.	COW	\$16,434.04
		COW	
PO-171715	CDW COMPUTER CENTERS INC.	COW	\$866.88
		COW	
		** TOTAL PAYMENT AMOUNT:	\$44,790.68
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$88.70
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$553.94
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$553.94
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$553.94
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$177.16
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$138.49
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$276.97
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$276.97
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$276.97
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$415.46
		EHS Athletics	
PO-171663	ENTERPRISE RENT-A-CAR	EHS Athletics	\$177.16
		EHS Athletics	
		** TOTAL PAYMENT AMOUNT:	\$3,489.70
PV-171611	NEOFUNDS BY NEOPOST	PV171611	\$5,167.66
		POSTAGE	
		** TOTAL PAYMENT AMOUNT:	\$5,167.66

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171621	SISC III	PV171621	\$328,728.50
			SISCIII	
			** TOTAL PAYMENT AMOUNT:	\$328,728.50
	PO-170246	SPURR	GRANT	\$639.34
			GRANT	
	PO-170248	SPURR	WASHINGTON	\$792.84
			WASHINGTON	
	PO-170251	SPURR	EHS	\$790.42
			EHS	
	PO-170251	SPURR	EHS	\$409.58
			EHS	
	PO-170252	SPURR	TECH CENTER	\$184.75
			TECH CENTER	
	PO-170253	SPURR	DISTRICT	\$2,504.80
			DISTRICT	
	PO-170253	SPURR	DISTRICT	\$2,138.93
			DISTRICT	
	PO-170253	SPURR	DISTRICT	\$1,156.06
			DISTRICT	
			** TOTAL PAYMENT AMOUNT:	\$6,304.60
	PV-171612	STATE BOARD OF EQUALIZATION	PV171612	\$41.78
			1ST QTR 2017 FUEL TAX	
			** TOTAL PAYMENT AMOUNT:	\$41.78
			**** BATCH TOTAL AMOUNT:	\$434,221.92

Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171569	U.S. BANK CORPORATE PAYMNT SY	LIBRARY BOOKS	\$302.81
		LIBRARY BOOKS	
		** TOTAL PAYMENT AMOUNT:	\$302.81
		**** BATCH TOTAL AMOUNT:	\$302.81

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PO-170263 U.S. BANK CORPORATE PAYMNT SY OPEN PURCHASE ORDER      $18.25
                                           OPEN PURCHASE ORDER
PO-170263 U.S. BANK CORPORATE PAYMNT SY OPEN PURCHASE ORDER      $28.25
                                           OPEN PURCHASE ORDER
PO-170263 U.S. BANK CORPORATE PAYMNT SY OPEN PURCHASE ORDER      $84.95
                                           OPEN PURCHASE ORDER
PO-171466 U.S. BANK CORPORATE PAYMNT SY culturally responsive boo   $70.28
                                           culturally responsive boo
PO-171523 U.S. BANK CORPORATE PAYMNT SY WAREHOUSE ORDER           $106.36
                                           WAREHOUSE ORDER
PO-171533 U.S. BANK CORPORATE PAYMNT SY Dollar tree scissor order   $92.88
                                           Dollar tree scissor order
PO-171538 U.S. BANK CORPORATE PAYMNT SY Markerboard people order    $237.00
                                           Markerboard people order
PO-171539 U.S. BANK CORPORATE PAYMNT SY Amazon - Wooden rulers w/    $23.97
                                           Amazon - Wooden rulers w/
PO-171561 U.S. BANK CORPORATE PAYMNT SY School Climate grant book   $235.00
                                           School Climate grant book
PO-171561 U.S. BANK CORPORATE PAYMNT SY School Climate grant book    $13.84
                                           School Climate grant book
PO-171561 U.S. BANK CORPORATE PAYMNT SY School Climate grant book    $2.99-
                                           School Climate grant book
PO-171561 U.S. BANK CORPORATE PAYMNT SY School Climate grant book    $15.71
                                           School Climate grant book
PO-171561 U.S. BANK CORPORATE PAYMNT SY School Climate grant book    $14.90
                                           School Climate grant book
PO-171564 U.S. BANK CORPORATE PAYMNT SY CLIMATE GRANT              $190.85
                                           CLIMATE GRANT
PO-171584 U.S. BANK CORPORATE PAYMNT SY Calculator caddy - buihne    $28.68
                                           Calculator caddy - buihne
PO-171618 U.S. BANK CORPORATE PAYMNT SY CNA-SCRUBS                 $665.94
                                           CNA-SCRUBS
PO-171619 U.S. BANK CORPORATE PAYMNT SY CNA PINS                    $269.97
                                           CNA PINS
PO-171657 U.S. BANK CORPORATE PAYMNT SY LODGING                     $172.36
                                           LODGING
PO-171657 U.S. BANK CORPORATE PAYMNT SY LODGING                     $172.26
                                           LODGING
PO-171665 U.S. BANK CORPORATE PAYMNT SY PRESSURE WASHER             $440.21
                                           PRESSURE WASHER
                                           ** TOTAL PAYMENT AMOUNT:      $2,878.67
                                           **** BATCH TOTAL AMOUNT:      $2,878.67
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Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170075	A-Z BUS SALES INC.	OPEN PURCHASE ORDER	\$448.46
			OPEN PURCHASE ORDER	
	PO-170075	A-Z BUS SALES INC.	OPEN PURCHASE ORDER	\$37.31
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$485.77
	PO-171754	BAKER, BETH	REimburse Beth Baker	\$40.67
			REimburse Beth Baker	
	PO-171754	BAKER, BETH	REimburse Beth Baker	\$8.93
			REimburse Beth Baker	
			** TOTAL PAYMENT AMOUNT:	\$49.60
	PO-171686	CAPITAL ONE COMMERCIAL/COSTCO	OPEN PURCHASE ORDER	\$80.24
			OPEN PURCHASE ORDER	
	PO-171686	CAPITAL ONE COMMERCIAL/COSTCO	OPEN PURCHASE ORDER	\$45.97
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$126.21
	PO-171110	CASH & CARRY	OPEN PURCHASE ORDER	\$95.37
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$95.37
	PO-171585	COMMUNIQUE INTERPRETING INC.	INTERPRETING SERVICES	\$900.00
			INTERPRETING SERVICES	
	PO-171585	COMMUNIQUE INTERPRETING INC.	INTERPRETING SERVICES	\$425.00
			INTERPRETING SERVICES	
			** TOTAL PAYMENT AMOUNT:	\$1,325.00
	PO-171742	E.L.ACHIEVE INC.	E.L Achieve for Grant	\$171.86
			E.L Achieve for Grant	
			** TOTAL PAYMENT AMOUNT:	\$171.86
	PO-170182	FERGUSON ENTERPRISES INC	OPEN PURCHASE ORDER	\$2,068.86
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$2,068.86
	PO-171461	HUMBOLDT WASTE MANAGEMENT AUT	OPEN PURCHASE ORDER	\$20.00
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$20.00
	PO-170051	MENDES SUPPLY	OPEN PURCHASE ORDER	\$119.83
			OPEN PURCHASE ORDER	
	PO-171337	MENDES SUPPLY	2017 SUMMER CHEMICALS	\$103.01
			2017 SUMMER CHEMICALS	
	PO-171338	MENDES SUPPLY	2017 GYM FLOOR FINISH	\$1,339.63
			2017 GYM FLOOR FINISH	
			** TOTAL PAYMENT AMOUNT:	\$1,562.47

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PO-171775 OTIS ELEVATOR CO.        Maintenance Agreement      $516.12
                                     Maintenance Agreement
                                     ** TOTAL PAYMENT AMOUNT:   $516.12

PO-171733 PEARSON CLINICAL ASSESSMENT SCREENING TEST            $678.73
                                     SCREENING TEST
                                     ** TOTAL PAYMENT AMOUNT:   $678.73

PO-171537 PRO PACIFIC FRESH        OPEN PURCHASE ORDER       $1,600.03
                                     OPEN PURCHASE ORDER
PO-171537 PRO PACIFIC FRESH        OPEN PURCHASE ORDER       $1,251.14
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:   $2,851.17

PO-171776 SCHOOL SERVICES OF CALIFORNIA Contracted Services      $2,315.89
                                     Contracted Services
                                     ** TOTAL PAYMENT AMOUNT:   $2,315.89

PO-171413 U.S. BANK EQUIPMENT FINANCE US BANK EQUIP FINANCE     $961.69
                                     US BANK EQUIP FINANCE
PV-171632 U.S. BANK EQUIPMENT FINANCE PV171632                  $78.20
                                     3/24/17 F/C
                                     ** TOTAL PAYMENT AMOUNT:   $1,039.89

PO-170551 WESTERN CHAIN SAW EQUIPMENT OPEN PURCHASE ORDER       $17.35
                                     OPEN PURCHASE ORDER
PO-170551 WESTERN CHAIN SAW EQUIPMENT OPEN PURCHASE ORDER       $33.12
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:   $50.47

                                     **** BATCH TOTAL AMOUNT:   $13,357.41

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Board of Trustees Meeting .... 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171325	AT&T	AT&T INTERNET & CIRCUITS	\$1,709.20
		AT&T INTERNET & CIRCUITS	
		** TOTAL PAYMENT AMOUNT:	\$1,709.20
PO-170273	FRANZ FAMILY BAKERIES	OPEN PURCHASE ORDER	\$377.30
		OPEN PURCHASE ORDER	
PO-170273	FRANZ FAMILY BAKERIES	OPEN PURCHASE ORDER	\$331.60
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$708.90
PO-170715	LAKEMARY CENTER	EDUCATIONAL/RESIDENTIAL S	\$20,260.00
		EDUCATIONAL/RESIDENTIAL S	
		** TOTAL PAYMENT AMOUNT:	\$20,260.00
PV-171623	MATCHEN, DANETTE	pvl71623	\$23.50
		refund lunch \$	
		** TOTAL PAYMENT AMOUNT:	\$23.50
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$680.62
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$140.83-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$11.75-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$33.42-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$3.32-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$113.47-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$64.82-
		OPEN PURCHASE ORDER	
PO-170065	NILSEN FEED	OPEN PURCHASE ORDER	\$53.14
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$366.15
PO-171717	ORIENTAL TRADING CO.	Indian Ed supplies	\$47.94
		Indian Ed supplies	
		** TOTAL PAYMENT AMOUNT:	\$47.94
PO-171032	RAY MORGAN	CONTRACTED SERVICES	\$127.83
		CONTRACTED SERVICES	
PO-171033	RAY MORGAN	CONTRACTED SERVICES	\$173.83
		CONTRACTED SERVICES	
PO-171088	RAY MORGAN	CONTRACTED SERVICES	\$304.26
		CONTRACTED SERVICES	
PO-171089	RAY MORGAN	CONTRACTED SERVICES	\$69.52
		CONTRACTED SERVICES	
PO-171090	RAY MORGAN	CONTRACTED SERVICES	\$41.78
		CONTRACTED SERVICES	

Board of Trustees Meeting 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171091	RAY MORGAN	CONTRACTED SERVICES	\$511.43
		CONTRACTED SERVICES	
PO-171093	RAY MORGAN	CONTRACTED SERVICES	\$31.60
		CONTRACTED SERVICES	
PO-171094	RAY MORGAN	CONTRACTED SERVICES	\$ .87
		CONTRACTED SERVICES	
PO-171095	RAY MORGAN	CONTRACTED SERVICES	\$358.19
		CONTRACTED SERVICES	
PO-171096	RAY MORGAN	CONTRACTED SERVICES	\$57.69
		CONTRACTED SERVICES	
PO-171097	RAY MORGAN	CONTRACTED SERVICES	\$404.64
		CONTRACTED SERVICES	
PO-171098	RAY MORGAN	CONTRACTED SERVICES	\$42.93
		CONTRACTED SERVICES	
PO-171106	RAY MORGAN	CONTRACTED SERVICES	\$78.59
		CONTRACTED SERVICES	
PV-171633	RAY MORGAN	PV171633	\$33.23
		COPIER CONTRACT	
PV-171634	RAY MORGAN	PV171634	\$82.10
		RAY MORGAN COPIER	
		** TOTAL PAYMENT AMOUNT:	\$2,318.49
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$1,367.65
		OPEN PURCHASE ORDER	
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$94.78
		OPEN PURCHASE ORDER	
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$857.65
		OPEN PURCHASE ORDER	
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$2,842.72
		OPEN PURCHASE ORDER	
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$286.96
		OPEN PURCHASE ORDER	
PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$2,959.89
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$8,409.65
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$325.00
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$7,816.67
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$3,779.16
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$9,900.12
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$4,233.33
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$3,775.00
		BEHAVIORAL AIDE	
PO-170109	TRUMPET BEHAVIORAL HEALTH LLC	BEHAVIORAL AIDE	\$8,650.04

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

=====			
REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
		BEHAVIORAL AIDE	
		** TOTAL PAYMENT AMOUNT:	\$38,479.32
		**** BATCH TOTAL AMOUNT:	\$72,323.15

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171644	ALLISON, WILLIAM	PV171644	\$69.98
			MARCH MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$69.98
	PO-171771	AMERICAN FIDELITY ASSURANCE	Contracted Services	\$1,550.55
			Contracted Services	
			** TOTAL PAYMENT AMOUNT:	\$1,550.55
	PO-171325	AT&T	AT&T INTERNET & CIRCUITS	\$47.37
			AT&T INTERNET & CIRCUITS	
			** TOTAL PAYMENT AMOUNT:	\$47.37
	PO-171732	BROOKES PUBLISHING CO	ASSESSMENT	\$621.44
			ASSESSMENT	
			** TOTAL PAYMENT AMOUNT:	\$621.44
	PO-171752	CAMPTON ELECTRIC	STAGE ORDER	\$203.44
			STAGE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$203.44
	PO-171757	CDW COMPUTER CENTERS INC.	presenter bulbs	\$986.30
			presenter bulbs	
			** TOTAL PAYMENT AMOUNT:	\$986.30
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$5.00
			OPEN PURCHASE ORDER	
	PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$5.00
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$10.00
	PV-171643	HODGSON, MELISSA	PV171643	\$66.34
			DEC-MARCH MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$66.34
	PO-170963	MAIL FINANCE	POSTAGE MACHINE RENTAL	\$1,549.23
			POSTAGE MACHINE RENTAL	
			** TOTAL PAYMENT AMOUNT:	\$1,549.23
	PO-170188	NAPA AUTO PARTS	OPEN PURCHASE ORDER	\$24.93
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$24.93
	PV-171645	RHOADS-BROOKS, KIM	PV171645	\$16.00
			SCHOOL CLIMATE MTG EXP.	
			** TOTAL PAYMENT AMOUNT:	\$16.00

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171626	U.S. BANK CORPORATE PAYMNT SY	PV171626	\$4.97
			U.S. BANK S/C	
	PV-171627	U.S. BANK CORPORATE PAYMNT SY	PV171627	\$337.03
			F.V CREDIT CARD	
			** TOTAL PAYMENT AMOUNT:	\$342.00
	PO-170348	U.S. BANK EQUIPMENT FINANCE	COPIER LEASES	\$165.39
			COPIER LEASES	
			** TOTAL PAYMENT AMOUNT:	\$165.39
			**** BATCH TOTAL AMOUNT:	\$5,652.97

Board of Trustees Meeting .... 05/04/2017

=====			
REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-170734	BRINK'S INCORPORATED	* OPEN PURCHASE ORDER	\$164.26
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$164.26
PO-171759	CAMPTON ELECTRIC	Bond Invoice	\$29.61
		Bond Invoice	
PO-171760	CAMPTON ELECTRIC	Bond Invoice	\$1,384.46
		Bond Invoice	
		** TOTAL PAYMENT AMOUNT:	\$1,414.07
PO-171028	CITY OF EUREKA	OPEN PO for City of Eureka	\$74,122.04
		OPEN PO for City of Eureka	
		** TOTAL PAYMENT AMOUNT:	\$74,122.04
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$15.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$14.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$45.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$37.50
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$15.00-
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$15.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$60.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$45.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$29.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$35.00
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$22.50
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$37.50
		OPEN PURCHASE ORDER	
PO-170354	CRYSTAL SPRINGS BOTTLED WATER	OPEN PURCHASE ORDER	\$14.00
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$354.50
PV-171642	GAIERA, HEATHER	PV171642	\$855.96
		CROCKER ART MUSEUM WKSHOP	
		** TOTAL PAYMENT AMOUNT:	\$855.96

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
CM-170156 U.S. BANK CORPORATE PAYMNT SY CM170156                $182.28-
                                PEARSON CREDIT
PV-171628 U.S. BANK CORPORATE PAYMNT SY PV171628                $667.30
                                K. S. CREDIT CARD
PV-171629 U.S. BANK CORPORATE PAYMNT SY PV171629                $1,304.74
                                L. A. CREDIT CARD
PV-171630 U.S. BANK CORPORATE PAYMNT SY PV171630                $317.45
                                J. J. CREDIT CARD
PV-171631 U.S. BANK CORPORATE PAYMNT SY PV171631                $1,050.49
                                M. H. CREDIT CARD
PV-171635 U.S. BANK CORPORATE PAYMNT SY PV171635                $1,175.08

PV-171636 U.S. BANK CORPORATE PAYMNT SY PV171636                $475.84
                                PZ LODGING
PV-171637 U.S. BANK CORPORATE PAYMNT SY PV171637                $10.00
                                ADVERTISING
PV-171638 U.S. BANK CORPORATE PAYMNT SY PV171638                $20.00
                                ADVERTISING
PV-171639 U.S. BANK CORPORATE PAYMNT SY PV171639                $254.88
                                TRAVEL & CONF.
PV-171640 U.S. BANK CORPORATE PAYMNT SY PV171640                $86.23
                                MATERIALS & SUPPLIES
PV-171646 U.S. BANK CORPORATE PAYMNT SY PV171646                $623.10
                                FIRST AID SUPP
PV-171647 U.S. BANK CORPORATE PAYMNT SY PV171647                $179.22
                                RST/SDC SUPPLIES
PV-171648 U.S. BANK CORPORATE PAYMNT SY PV171648                $59.66
                                STUDENT SERVICES SUPPLIES
PV-171649 U.S. BANK CORPORATE PAYMNT SY PV171649                $1,442.02
                                PSYCH ASSESSMENTS
PV-171650 U.S. BANK CORPORATE PAYMNT SY PV171650                $126.18
                                BLC SUPPLIES
                                ** TOTAL PAYMENT AMOUNT:                $7,609.91

                                **** BATCH TOTAL AMOUNT:                $84,520.74

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Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171751	ANTHONY, DENISE	EHS Lottery	\$586.97
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$586.97
	PO-170071	ANTICH AUTOMOTIVE	OPEN PURCHASE ORDER	\$258.95
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$258.95
	PO-170423	BLAKEMORE, LEIGH	EHS Lottery	\$160.49
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$160.49
	PO-171786	CASBO	REGISTRATION	\$305.00
			REGISTRATION	
			** TOTAL PAYMENT AMOUNT:	\$305.00
	PO-170169	CDE	Open P.O	\$1,510.60
			Open P.O	
			** TOTAL PAYMENT AMOUNT:	\$1,510.60
	PO-171780	CSBA	INVOICE	\$200.00
			INVOICE	
			** TOTAL PAYMENT AMOUNT:	\$200.00
	PO-170509	DEPT. OF JUSTICE	OPEN PURCHASE ORDER	\$420.00
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$420.00
	PO-171792	DIVISION OF STATE ARCHITECT	DSA Fees	\$1,446.48
			DSA Fees	
			** TOTAL PAYMENT AMOUNT:	\$1,446.48
	PO-171763	EUREKA BOOKS	INVOICE	\$194.65
			INVOICE	
			** TOTAL PAYMENT AMOUNT:	\$194.65
	PO-171713	FERGUSON ENTERPRISES INC	WATERSENTRY PLUS FLTR LK	\$186.35
			HYDRATION SYSTEM FILTERS	
			** TOTAL PAYMENT AMOUNT:	\$186.35
	PO-170635	FREY, NANCY	OPEN PURCHASE ORDER	\$89.08
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$89.08
	PO-171788	GARRISON, MEGHAN	Reimburse Meghan for Lead	\$75.00
			Reimburse Meghan for Lead	
			** TOTAL PAYMENT AMOUNT:	\$75.00



Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171684	GOPHER SPORTS	BALLance Stability Ball C	\$163.76
			BALLance Stability Ball C	
			** TOTAL PAYMENT AMOUNT:	\$163.76
	PO-171778	MONE, CAROL	EHS Lottery	\$7.71
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$7.71
	PO-171749	MORRIS, CYNTHIA	FINGERPRINTS	\$35.00
			FINGERPRINTS	
			** TOTAL PAYMENT AMOUNT:	\$35.00
	PO-170188	NAPA AUTO PARTS	OPEN PURCHASE ORDER	\$19.52
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$19.52
	PV-171653	PACIFIC GAS AND ELECTRIC CO	PV171653	\$376.14
			PG&E - WINZLER	
			** TOTAL PAYMENT AMOUNT:	\$376.14
	PO-170099	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$20.60
			OPEN PURCHASE ORDER	
	PO-170099	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$8.67
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$29.27
	PO-170805	REDWOOD MUSIC MART	OPEN PURCHASE ORDER	\$25.00
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$25.00
	PV-171654	ROTH, BARBARA	PV171654	\$30.00
			FINGERPRINT REIMB.	
			** TOTAL PAYMENT AMOUNT:	\$30.00
	PO-171736	SCHOOL SPECIALTY	ART GRANT ORDER	\$132.29
			CLIMATE GRANT	
	PO-171736	SCHOOL SPECIALTY	ART GRANT ORDER	\$8.33
			CLIMATE GRANT	
			** TOTAL PAYMENT AMOUNT:	\$140.62
	PO-170508	SHRED AWARE	SHREDDING	\$148.00
			SHREDDING	
			** TOTAL PAYMENT AMOUNT:	\$148.00
	CM-170158	STAPLES CREDIT PLAN	CM170158	\$54.36-
			STAPLES CREDIT	
	PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$325.49
			OPEN PURCHASE ORDER	
	PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$9.73
			OPEN PURCHASE ORDER	

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170209	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$122.54
			OPEN PURCHASE ORDER	
	PO-170209	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$11.52
			OPEN PURCHASE ORDER	
	PV-171659	STAPLES CREDIT PLAN	PV171659	\$54.36
			STAPLES - WINZLER	
			** TOTAL PAYMENT AMOUNT:	\$469.28
	PV-171655	VOGEL, PHIL	PV171655	\$507.50
			** TOTAL PAYMENT AMOUNT:	\$507.50
			**** BATCH TOTAL AMOUNT:	\$7,385.37

Board of Trustees Meeting .... 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-170632	DARLINGTON, JENNIFER	OPEN PURCHASE ORDER	\$98.57
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$98.57
PO-171044	DINSMORE CONSTRUCTION CO.	Contractor Fee	\$3,110.25
		Contractor Fee	
		** TOTAL PAYMENT AMOUNT:	\$3,110.25
PO-170715	LAKEMARY CENTER	EDUCATIONAL/RESIDENTIAL S	\$19,300.00
		EDUCATIONAL/RESIDENTIAL S	
PO-170715	LAKEMARY CENTER	EDUCATIONAL/RESIDENTIAL S	\$20,260.00
		EDUCATIONAL/RESIDENTIAL S	
		** TOTAL PAYMENT AMOUNT:	\$39,560.00
PO-171761	MATSON & VALLERGA ARCHITECTS	Architect Fee	\$8,795.63
		Architect Fee	
		** TOTAL PAYMENT AMOUNT:	\$8,795.63
PO-171764	MITCHELL, RUTH	EHS Lottery	\$14.05
		EHS Lottery	
PO-171764	MITCHELL, RUTH	EHS Lottery	\$13.95
		EHS Lottery	
PO-171764	MITCHELL, RUTH	EHS Lottery	\$17.73
		EHS Lottery	
PO-171764	MITCHELL, RUTH	EHS Lottery	\$11.42
		EHS Lottery	
		** TOTAL PAYMENT AMOUNT:	\$57.15
CM-170160	PACIFIC GAS AND ELECTRIC CO	CM170160	\$18.17-
PO-170119	PACIFIC GAS AND ELECTRIC CO	ALICE BIRNEY	\$1,706.04
		ALICE BIRNEY	
PO-170137	PACIFIC GAS AND ELECTRIC CO	WINSHIP	\$2,528.99
		WINSHIP	
PO-170138	PACIFIC GAS AND ELECTRIC CO	DISTRICT OFFICE	\$1,618.83
		DISTRICT OFFICE	
PO-170138	PACIFIC GAS AND ELECTRIC CO	DISTRICT OFFICE	\$376.46
		DISTRICT OFFICE	
PO-170139	PACIFIC GAS AND ELECTRIC CO	TECH CENTER	\$1,395.35
		TECH CENTER	
PO-170140	PACIFIC GAS AND ELECTRIC CO	JACOBS	\$156.80
		JACOBS	
PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$1,452.81
		EHS	
PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$95.39
		EHS	
PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$1,615.53
		EHS	
PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$233.19
		EHS	

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$265.95
			EHS	
	PO-170141	PACIFIC GAS AND ELECTRIC CO	EHS	\$10,463.76
			EHS	
	PO-170142	PACIFIC GAS AND ELECTRIC CO	ZANE	\$3,086.45
			ZANE	
	PO-170142	PACIFIC GAS AND ELECTRIC CO	ZANE	\$97.91
			ZANE	
	PO-170143	PACIFIC GAS AND ELECTRIC CO	WASHINGTON	\$69.53
			WASHINGTON	
	PO-170143	PACIFIC GAS AND ELECTRIC CO	WASHINGTON	\$1,402.82
			WASHINGTON	
	PO-170143	PACIFIC GAS AND ELECTRIC CO	WASHINGTON	\$292.86
			WASHINGTON	
	PO-170144	PACIFIC GAS AND ELECTRIC CO	LINCOLN/ZOE	\$1,128.40
			LINCOLN/ZOE	
	PO-170145	PACIFIC GAS AND ELECTRIC CO	LAFAYETTE	\$1,588.27
			LAFAYETTE	
	PO-170146	PACIFIC GAS AND ELECTRIC CO	GRANT	\$1,469.44
			GRANT	
	PO-170146	PACIFIC GAS AND ELECTRIC CO	GRANT	\$11.34
			GRANT	
	PV-171652	PACIFIC GAS AND ELECTRIC CO	PV171652	\$3,891.08
			PG&E (CORP YD)	
			** TOTAL PAYMENT AMOUNT:	\$34,929.03
	PO-171712	RIO GRANDE ALBUQUERQUE	EHS Sup/Con	\$33.95
			EHS Sup/Con	
	PO-171712	RIO GRANDE ALBUQUERQUE	EHS Sup/Con	\$223.78
			EHS Sup/Con	
			** TOTAL PAYMENT AMOUNT:	\$257.73
	PO-171529	SCHOOL NURSE SUPPLY	STUDENT SERVICES ORDER	\$112.33
			STUDENT SERVICES ORDER	
			** TOTAL PAYMENT AMOUNT:	\$112.33
	PO-171762	SHN CONSULTING ENGINEERS	Survey Fee	\$4,768.00
			Survey Fee	
	PO-171791	SHN CONSULTING ENGINEERS	Preliminary Tests	\$6,294.77
			Preliminary Tests	
	PO-171791	SHN CONSULTING ENGINEERS	Preliminary Tests	\$3,453.98
			Preliminary Tests	
			** TOTAL PAYMENT AMOUNT:	\$14,516.75

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170091	TRANSCENDIA, INC.	OPEN PURCHASE ORDER	\$237.26
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$237.26
			**** BATCH TOTAL AMOUNT:	\$101,674.70

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$450.42
			OPEN PURCHASE ORDER	
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$428.17
			OPEN PURCHASE ORDER	
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$39.60-
			OPEN PURCHASE ORDER	
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$16.00-
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$822.99
	PV-171658	SILVA, MICHELE	PV171658	\$106.57
			SILVA - MILEAGE	
			** TOTAL PAYMENT AMOUNT:	\$106.57
	CM-170161	SYSCO	CM170161	\$340.54-
			SYSCO CREDIT	
	CM-170162	SYSCO	CM170162	\$91.65-
			SYSCO CREDIT	
	CM-170163	SYSCO	CM170163	\$86.74-
			SYSCO CREDIT MEMO	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$2,365.48
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$3,167.92
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$1,411.24
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$659.13
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$917.77
			OPEN PURCHASE ORDER	
	PO-171581	SYSCO	OPEN PURCHASE ORDER	\$822.16
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$8,824.77
			**** BATCH TOTAL AMOUNT:	\$9,754.33

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting 05/04/2017

REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$725.91
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$187.72
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$463.51
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$33.72
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$519.69
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$615.00
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$494.66
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$180.73
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$70.72
		3RD OPEN PURCHASE ORDER	
PO-171723	CRYSTAL CREAMERY	3RD OPEN PURCHASE ORDER	\$642.72
		3RD OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$3,934.38
PO-171420	REMI VISTA INC	OPEN PURCHASE ORDER	\$4,800.00
		OPEN PURCHASE ORDER	
PV-171657	REMI VISTA INC	PV171657	\$14,650.00
		REMIVISTA MAR. SERVICES	
		** TOTAL PAYMENT AMOUNT:	\$19,450.00
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$153.07
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$278.53
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$180.20
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$246.12
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$427.38
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$1,576.50
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$1,046.73
		OPEN PURCHASE ORDER	
PO-171785	S & L FOOD SALES CO.	OPEN PURCHASE ORDER	\$1,539.15
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$5,447.68

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
		**** BATCH TOTAL AMOUNT:	\$28,832.06



## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

=====			
REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			

BATCH CONTAINS NO PAYMENT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170057	ADVANCED SECURITY SYSTEMS	OPEN PURCHASE ORDER	\$73.50
			OPEN PURCHASE ORDER	
	PO-170057	ADVANCED SECURITY SYSTEMS	OPEN PURCHASE ORDER	\$30.00
			OPEN PURCHASE ORDER	
	PO-170087	ADVANCED SECURITY SYSTEMS	OPEN PURCHASE ORDER	\$60.00
			OPEN PURCHASE ORDER	
	PO-170368	ADVANCED SECURITY SYSTEMS	ADULT ED. QUARTERLY ALARM	\$73.50
			ADULT ED. QUARTERLY ALARM	
	PO-170368	ADVANCED SECURITY SYSTEMS	ADULT ED. QUARTERLY ALARM	\$73.50
			ADULT ED. QUARTERLY ALARM	
	PO-170368	ADVANCED SECURITY SYSTEMS	ADULT ED. QUARTERLY ALARM	\$73.50
			ADULT ED. QUARTERLY ALARM	
			** TOTAL PAYMENT AMOUNT:	\$384.00
	PV-171660	ALEXANDER, LAURIE	PV171660	\$365.54
			TRAVEL - JOB FAIR	
			** TOTAL PAYMENT AMOUNT:	\$365.54
	PO-170179	ALMQUIST LUMBER CO	OPEN PURCHASE ORDER	\$108.28
			OPEN PURCHASE ORDER	
	PO-170179	ALMQUIST LUMBER CO	OPEN PURCHASE ORDER	\$294.06
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$402.34
	PO-170397	B & B PORTABLE TOILETS	EHS Lottery	\$230.29
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$230.29
	PO-171777	BSN SPORTS	EHS Lottery	\$163.79
			EHS Lottery	
			** TOTAL PAYMENT AMOUNT:	\$163.79
	PO-170113	CASH & CARRY	OPEN PURCHASE ORDER	\$102.79
			OPEN PURCHASE ORDER	
	PO-170113	CASH & CARRY	OPEN PURCHASE ORDER	\$157.26
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$260.05
	PO-170169	CDE	Open P.O	\$299.00
			Open P.O	
	PO-170169	CDE	Open P.O	\$241.80
			Open P.O	
			** TOTAL PAYMENT AMOUNT:	\$540.80
	PO-170200	CITY OF EUREKA	WINZLER WATER BILL	\$115.17
			WINZLER WATER BILL	
			** TOTAL PAYMENT AMOUNT:	\$115.17

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PO-170218 COASTAL BUSINESS SYSTEM INC,  OPEN PURCHASE ORDER      $124.02
                                           OPEN PURCHASE ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $124.02

PO-171585 COMMUNIQUE INTERPRETING INC.  INTERPRETING SERVICES    $900.00
                                           INTERPRETING SERVICES
                                           ** TOTAL PAYMENT AMOUNT:    $900.00

PO-170176 DON'S RENT ALL                OPEN PURCHASE ORDER      $224.70
                                           OPEN PURCHASE ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $224.70

PO-170676 ELLIS ART AND ENGINEERING      Open PO ELLIS For Art gra $26.58
                                           Open PO ELLIS For Art gra
                                           ** TOTAL PAYMENT AMOUNT:    $26.58

PO-170182 FERGUSON ENTERPRISES #3007     OPEN PURCHASE ORDER      $171.43
                                           OPEN PURCHASE ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $171.43

PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $314.76
                                           OPEN PURCHASE ORDER
PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $420.71
                                           OPEN PURCHASE ORDER
PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $233.73
                                           OPEN PURCHASE ORDER
PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $359.94
                                           OPEN PURCHASE ORDER
PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $253.99
                                           OPEN PURCHASE ORDER
PO-171461 HUMBOLDT WASTE MANAGEMENT AUT OPEN PURCHASE ORDER      $211.92
                                           OPEN PURCHASE ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $1,795.05

PO-170719 JOHNSON'S MOBILE SOLUTIONS     Equipment Rental          $33.85
                                           Equipment Rental
                                           ** TOTAL PAYMENT AMOUNT:    $33.85

PO-171740 LAKESHORE BASICS               WINZLER ORDER             $550.02
                                           WINZLER ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $550.02

                                           **** BATCH TOTAL AMOUNT:    $6,287.63
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Board of Trustees Meeting .... 05/04/2017

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REF.				
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT	
=====				
PO-170279	ADVANCED SECURITY SYSTEMS	ALICE BIRNEY ALARM BILLIN	\$73.50	
		ALICE BIRNEY ALARM BILLIN		
PO-170279	ADVANCED SECURITY SYSTEMS	ALICE BIRNEY ALARM BILLIN	\$73.50	
		ALICE BIRNEY ALARM BILLIN		
PO-170279	ADVANCED SECURITY SYSTEMS	ALICE BIRNEY ALARM BILLIN	\$30.00	
		ALICE BIRNEY ALARM BILLIN		
PO-170279	ADVANCED SECURITY SYSTEMS	ALICE BIRNEY ALARM BILLIN	\$73.50	
		ALICE BIRNEY ALARM BILLIN		
PO-170279	ADVANCED SECURITY SYSTEMS	ALICE BIRNEY ALARM BILLIN	\$105.00	
		ALICE BIRNEY ALARM BILLIN		
PO-170357	ADVANCED SECURITY SYSTEMS	MARSHALL/ DO QUARTERLY AL	\$73.50	
		MARSHALL/ DO QUARTERLY AL		
PO-170357	ADVANCED SECURITY SYSTEMS	MARSHALL/ DO QUARTERLY AL	\$73.50	
		MARSHALL/ DO QUARTERLY AL		
PO-170357	ADVANCED SECURITY SYSTEMS	MARSHALL/ DO QUARTERLY AL	\$73.50	
		MARSHALL/ DO QUARTERLY AL		
PO-170357	ADVANCED SECURITY SYSTEMS	MARSHALL/ DO QUARTERLY AL	\$73.50	
		MARSHALL/ DO QUARTERLY AL		
PO-170358	ADVANCED SECURITY SYSTEMS	LINCOLN/ZOE QUARTERLY ALA	\$88.50	
		LINCOLN/ZOE QUARTERLY ALA		
PO-170358	ADVANCED SECURITY SYSTEMS	LINCOLN/ZOE QUARTERLY ALA	\$73.50	
		LINCOLN/ZOE QUARTERLY ALA		
PO-170359	ADVANCED SECURITY SYSTEMS	TECH CENTER QUARTERLY ALA	\$73.50	
		TECH CENTER QUARTERLY ALA		
PO-170360	ADVANCED SECURITY SYSTEMS	LOCKSHOP QUARTERLY ALARM	\$73.50	
		LOCKSHOP QUARTERLY ALARM		
PO-170361	ADVANCED SECURITY SYSTEMS	GRANT QUARTERLY ALARM BI	\$73.50	
		GRANT QUARTERLY ALARM BI		
PO-170361	ADVANCED SECURITY SYSTEMS	GRANT QUARTERLY ALARM BI	\$73.50	
		GRANT QUARTERLY ALARM BI		
PO-170362	ADVANCED SECURITY SYSTEMS	LAFAYETTE QUARTERLY ALAR	\$72.50	
		LAFAYETTE QUARTERLY ALAR		
PO-170363	ADVANCED SECURITY SYSTEMS	WINSHIP QUARTERLY ALARM	\$73.50	
		WINSHIP QUARTERLY ALARM		
PO-170363	ADVANCED SECURITY SYSTEMS	WINSHIP QUARTERLY ALARM	\$45.00	
		WINSHIP QUARTERLY ALARM		
PO-170363	ADVANCED SECURITY SYSTEMS	WINSHIP QUARTERLY ALARM	\$105.00	
		WINSHIP QUARTERLY ALARM		
PO-170363	ADVANCED SECURITY SYSTEMS	WINSHIP QUARTERLY ALARM	\$73.50	
		WINSHIP QUARTERLY ALARM		
PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$105.00	
		ZANE QUARTERLY ALARM BIL		
PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$73.50	
		ZANE QUARTERLY ALARM BIL		
PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$73.50	
		ZANE QUARTERLY ALARM BIL		
PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$73.50	
		ZANE QUARTERLY ALARM BIL		
PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$87.00	
		ZANE QUARTERLY ALARM BIL		

Board of Trustees Meeting 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$58.50
			ZANE QUARTERLY ALARM BIL	
	PO-170364	ADVANCED SECURITY SYSTEMS	ZANE QUARTERLY ALARM BIL	\$79.50
			ZANE QUARTERLY ALARM BIL	
	PO-170365	ADVANCED SECURITY SYSTEMS	WASHINGTON QUARTERLY ALA	\$73.50
			WASHINGTON QUARTERLY ALA	
	PO-170365	ADVANCED SECURITY SYSTEMS	WASHINGTON QUARTERLY ALA	\$73.50
			WASHINGTON QUARTERLY ALA	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$73.50
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$73.50
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$72.00
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$72.00
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$73.50
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$72.00
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$88.50
			EHS QUARTERLY ALARM BILL	
	PO-170366	ADVANCED SECURITY SYSTEMS	EHS QUARTERLY ALARM BILL	\$71.97
			EHS QUARTERLY ALARM BILL	
	PO-170369	ADVANCED SECURITY SYSTEMS	JACOBS GYM QUARTERLY ALAR	\$73.50
			JACOBS GYM QUARTERLY ALAR	
	PO-170369	ADVANCED SECURITY SYSTEMS	JACOBS GYM QUARTERLY ALAR	\$73.50
			JACOBS GYM QUARTERLY ALAR	
	PO-170369	ADVANCED SECURITY SYSTEMS	JACOBS GYM QUARTERLY ALAR	\$30.00
			JACOBS GYM QUARTERLY ALAR	
	PV-171662	ADVANCED SECURITY SYSTEMS	PV171662	\$1.00
	PV-171663	ADVANCED SECURITY SYSTEMS	PV171663	\$ .03
	PV-171664	ADVANCED SECURITY SYSTEMS	PV171664	\$73.50
			EHS ALARM	
			** TOTAL PAYMENT AMOUNT:	\$3,021.00
	PO-170115	CAPITAL ONE COMMERCIAL/COSTCO	OPEN PURCHASE ORDER	\$45.51
			OPEN PURCHASE ORDER	
	PO-170115	CAPITAL ONE COMMERCIAL/COSTCO	OPEN PURCHASE ORDER	\$18.47
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$63.98

Board of Trustees Meeting .... 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-171621	CDW COMPUTER CENTERS INC.	CDWG Quote #HQLH889 - Mic	\$17,004.20
		CDWG Quote #HQLH889 - Mic	
PO-171787	CDW COMPUTER CENTERS INC.	Purchase mice for CAASPP	\$347.20
		Purchase mice for CAASPP	
		** TOTAL PAYMENT AMOUNT:	\$17,351.40
PO-171769	CENTRAL RESTAURANT PRODUCTS	CULINARY ORDER	\$8,501.90
		CULINARY ORDER	
		** TOTAL PAYMENT AMOUNT:	\$8,501.90
PO-170122	CITY OF EUREKA	LINCOLN/ZOE WATER BILL	\$188.92
		LINCOLN/ZOE WATER BILL	
PO-170124	CITY OF EUREKA	ZANE MIDDLE SCH WATER BIL	\$865.49
		ZANE MIDDLE SCH WATER BIL	
PO-170124	CITY OF EUREKA	ZANE MIDDLE SCH WATER BIL	\$163.44
		ZANE MIDDLE SCH WATER BIL	
PO-170130	CITY OF EUREKA	ALICE BIRNEY WATER BILL	\$2,135.41
		ALICE BIRNEY WATER BILL	
PO-170201	CITY OF EUREKA	TECH CENTER WATER BILL	\$142.02
		TECH CENTER WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$388.56
		EHS WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$274.48
		EHS WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$367.17
		EHS WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$787.06
		EHS WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$46.64
		EHS WATER BILL	
PO-171768	CITY OF EUREKA	EHS WATER BILL	\$851.23
		EHS WATER BILL	
		** TOTAL PAYMENT AMOUNT:	\$6,210.42
PO-170172	EUREKA ACE HARDWARE	OPEN PURCHASE ORDER	\$8.60
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$8.60
PO-170106	FASTENAL COMPANY	OPEN PURCHASE ORDER	\$9.34
		OPEN PURCHASE ORDER	
PO-170106	FASTENAL COMPANY	OPEN PURCHASE ORDER	\$79.39
		OPEN PURCHASE ORDER	
PO-170106	FASTENAL COMPANY	OPEN PURCHASE ORDER	\$37.73
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$126.46

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171813	LOVFALD, SANDY	EHS CTE	\$300.14
			EHS CTE	
	PO-171813	LOVFALD, SANDY	EHS CTE	\$561.83
			EHS CTE	
			** TOTAL PAYMENT AMOUNT:	\$861.97
			**** BATCH TOTAL AMOUNT:	\$36,145.73

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PV-171668	AMERICAN FAMILY LIFE	PV171668	\$76.92
			AMERICAN FAMILY LIFE	
			** TOTAL PAYMENT AMOUNT:	\$76.92
	PO-171818	ENTOURAGE YEARBOOKS	YEARBOOK PAYMENT	\$2,149.44
			YEARBOOK PAYMENT	
			** TOTAL PAYMENT AMOUNT:	\$2,149.44
	PO-170188	EUREKA NAPA AUTO	OPEN PURCHASE ORDER	\$21.53
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$21.53
	PO-171797	MAYO, MICHELLE	Reimbursement	\$44.90
			Reimbursement	
			** TOTAL PAYMENT AMOUNT:	\$44.90
	PO-170620	MENDES SUPPLY	OPEN PURCHASE ORDER	\$97.69
			OPEN PURCHASE ORDER	
	PO-171338	MENDES SUPPLY	2017 GYM FLOOR FINISH	\$1,339.63
			2017 GYM FLOOR FINISH	
	PO-171338	MENDES SUPPLY	2017 GYM FLOOR FINISH	\$1,339.63
			2017 GYM FLOOR FINISH	
	PO-171794	MENDES SUPPLY	BLEACH	\$37.26
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$2,814.21
	PO-170191	O'REILLY AUTO PARTS	OPEN PURCHASE ORDER	\$14.56
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$14.56
	PO-170066	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$113.82
			OPEN PURCHASE ORDER	
	PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$13.01
			OPEN PURCHASE ORDER	
	PO-170180	PIERSON BLDG CENTER	OPEN PURCHASE ORDER	\$114.94
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$241.77
	PO-170055	POWELL LANDSCAPE MATERIALS	OPEN PUURCHASE ORDER	\$43.40
			OPEN PUURCHASE ORDER	
	PO-170055	POWELL LANDSCAPE MATERIALS	OPEN PUURCHASE ORDER	\$43.40
			OPEN PUURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$86.80
	PO-170181	PPG ARCHITECTURAL FINISHES	OPEN PURCHASE ORDER	\$16.05
			OPEN PURCHASE ORDER	
	PO-170181	PPG ARCHITECTURAL FINISHES	OPEN PURCHASE ORDER	\$280.84
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$296.89



## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$897.03
			OPEN PURCHASE ORDER	
	PO-171537	PRO PACIFIC FRESH	OPEN PURCHASE ORDER	\$118.56
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$1,015.59
	PO-171215	RAY MORGAN CO.	CONTRACTED SERVICES	\$219.31
			CONTRACTED SERVICES	
			** TOTAL PAYMENT AMOUNT:	\$219.31
	PO-171586	RIFKIN CO., A.	EHS James Reilly Trust	\$60.06
			EHS James Reilly Trust	
			** TOTAL PAYMENT AMOUNT:	\$60.06
	PO-171802	RYAN REAL ESTATE	Contracted Services	\$3,000.00
			Contracted Services	
			** TOTAL PAYMENT AMOUNT:	\$3,000.00
			**** BATCH TOTAL AMOUNT:	\$10,041.98

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

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REF.			
NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
=====			
PO-170580	FARM STORE	Open Purchase Order	\$279.01
		Open Purchase Order	
PO-170580	FARM STORE	Open Purchase Order	\$146.46
		Open Purchase Order	
PO-170580	FARM STORE	Open Purchase Order	\$100.00-
		Open Purchase Order	
PO-170580	FARM STORE	Open Purchase Order	\$100.00-
		Open Purchase Order	
		** TOTAL PAYMENT AMOUNT:	\$225.47
PO-170086	MENDES SUPPLY	OPEN PURCHASE ORDER	\$110.66
		OPEN PURCHASE ORDER	
PO-170086	MENDES SUPPLY	OPEN PURCHASE ORDER	\$132.80
		OPEN PURCHASE ORDER	
PO-170086	MENDES SUPPLY	OPEN PURCHASE ORDER	\$9.77
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$253.23
PO-170056	MISSION LINEN & UNIFORM SERVI	OPEN PURCHASE ORDER	\$37.80
		OPEN PURCHASE ORDER	
PO-170056	MISSION LINEN & UNIFORM SERVI	OPEN PURCHASE ORDER	\$37.80
		OPEN PURCHASE ORDER	
PO-170056	MISSION LINEN & UNIFORM SERVI	OPEN PURCHASE ORDER	\$37.80
		OPEN PURCHASE ORDER	
		** TOTAL PAYMENT AMOUNT:	\$113.40
PO-170571	MULTIPLICITY THERAPEUTIC SERV	BEHAVIORAL CONSULTATION	\$9,380.00
		BEHAVIORAL CONSULTATION	
PO-170571	MULTIPLICITY THERAPEUTIC SERV	BEHAVIORAL CONSULTATION	\$7,352.50
		BEHAVIORAL CONSULTATION	
PO-170571	MULTIPLICITY THERAPEUTIC SERV	BEHAVIORAL CONSULTATION	\$45.00
		BEHAVIORAL CONSULTATION	
		** TOTAL PAYMENT AMOUNT:	\$16,777.50
PO-171798	PLATT ELEC SUPPLY INC	Bond Invoice	\$18.37
		Bond Invoice	
PO-171799	PLATT ELEC SUPPLY INC	Bond Invoice	\$18.37-
		Bond Invoice	
PO-171799	PLATT ELEC SUPPLY INC	Bond Invoice	\$24.49
		Bond Invoice	
PO-171800	PLATT ELEC SUPPLY INC	Bond Invoice	\$34.90
		Bond Invoice	
PO-171801	PLATT ELEC SUPPLY INC	Bond Invoice	\$22.08
		Bond Invoice	
		** TOTAL PAYMENT AMOUNT:	\$81.47

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
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PO-171032 RAY MORGAN                CONTRACTED SERVICES        $1,297.85
                                   CONTRACTED SERVICES
PO-171033 RAY MORGAN                CONTRACTED SERVICES        $337.93
                                   CONTRACTED SERVICES
PO-171034 RAY MORGAN                CONTRACTED SERVICES        $917.12
                                   CONTRACTED SERVICES
PO-171035 RAY MORGAN                CONTRACTED SERVICES        $437.11
                                   CONTRACTED SERVICES
PO-171035 RAY MORGAN                CONTRACTED SERVICES        $2,000.00
                                   CONTRACTED SERVICES
PO-171088 RAY MORGAN                CONTRACTED SERVICES        $ .11
                                   CONTRACTED SERVICES
PO-171090 RAY MORGAN                CONTRACTED SERVICES        $159.21
                                   CONTRACTED SERVICES
PO-171091 RAY MORGAN                CONTRACTED SERVICES        $554.85
                                   CONTRACTED SERVICES
PO-171092 RAY MORGAN                CONTRACTED SERVICES        $2,888.10
                                   CONTRACTED SERVICES
PO-171092 RAY MORGAN                CONTRACTED SERVICES        $955.89
                                   CONTRACTED SERVICES
PO-171093 RAY MORGAN                CONTRACTED SERVICES        $46.19
                                   CONTRACTED SERVICES
PO-171094 RAY MORGAN                CONTRACTED SERVICES        $21.97
                                   CONTRACTED SERVICES
PO-171095 RAY MORGAN                CONTRACTED SERVICES        $66.52
                                   CONTRACTED SERVICES
PO-171096 RAY MORGAN                CONTRACTED SERVICES        $21.49
                                   CONTRACTED SERVICES
PO-171097 RAY MORGAN                CONTRACTED SERVICES        $173.63
                                   CONTRACTED SERVICES
PO-171100 RAY MORGAN                CONTRACTED SERVICES        $30.59
                                   CONTRACTED SERVICES
PO-171101 RAY MORGAN                CONTRACTED SERVICES        $85.23
                                   CONTRACTED SERVICES
PO-171102 RAY MORGAN                CONTRACTED SERVICES        $22.15
                                   CONTRACTED SERVICES
PO-171106 RAY MORGAN                CONTRACTED SERVICES        $431.32
                                   CONTRACTED SERVICES
PV-171665 RAY MORGAN                PV171665                   $344.23
                                   RAY MORGAN LAFAYETTE
PV-171667 RAY MORGAN                PV171667                   $5.34
                                   RAY MORGAN - LAF
                                   ** TOTAL PAYMENT AMOUNT:    $10,796.83

PO-171420 REMI VISTA INC            OPEN PURCHASE ORDER        $9,675.00
                                   OPEN PURCHASE ORDER
                                   ** TOTAL PAYMENT AMOUNT:    $9,675.00

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## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170356	RENNER INC, L & M	OPEN PURCHASE ORDER	\$8.52
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$8.52
	PO-171756	SCHOLASTIC BOOK FAIRS-13	BOOK FAIR	\$1,979.81
			BOOK FAIR	
	PO-171819	SCHOLASTIC BOOK FAIRS-13	BOOK FAIR	\$1,707.52
			BOOK FAIR	
			** TOTAL PAYMENT AMOUNT:	\$3,687.33
			**** BATCH TOTAL AMOUNT:	\$41,618.75

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PO-171812 SARVINSKI, ALISSA        EHS CTE                  $141.04
                                     EHS CTE
                                     ** TOTAL PAYMENT AMOUNT:    $141.04

PO-170108 SCHMIDBAUER LUMBER CO    OPEN PURCHASE ORDER      $230.91
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:    $230.91

PO-170174 SHAFER'S HARDWARE        OPEN PURCHASE ORDER      $61.00
                                     OPEN PURCHASE ORDER

PO-170174 SHAFER'S HARDWARE        OPEN PURCHASE ORDER      $40.67
                                     OPEN PURCHASE ORDER

PO-170174 SHAFER'S HARDWARE        OPEN PURCHASE ORDER      $42.33
                                     OPEN PURCHASE ORDER

PO-170174 SHAFER'S HARDWARE        OPEN PURCHASE ORDER      $51.34
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:    $195.34

PO-171734 SISKIYOU COUNTY OFFICE OF REGISTRATION              $305.00
                                     REGISTRATION
                                     ** TOTAL PAYMENT AMOUNT:    $305.00

PV-171669 STATE BOARD OF EQUALIZATION PV171669                  $1,248.00
                                     SALES & USE TAX PMT.
                                     ** TOTAL PAYMENT AMOUNT:    $1,248.00

PV-171672 U.S. BANK CORPORATE PAYMNT SY PV171672                  $1,972.24

PV-171673 U.S. BANK CORPORATE PAYMNT SY PV171673                  $790.28
                                     ** TOTAL PAYMENT AMOUNT:    $2,762.52

PO-170230 WBCO ELECTRIC SERVICE    OPEN PURCHASE ORDER      $414.80
                                     OPEN PURCHASE ORDER
                                     ** TOTAL PAYMENT AMOUNT:    $414.80

                                     **** BATCH TOTAL AMOUNT:    $5,297.61

```

## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$2.81
			OPEN PURCHASE ORDER	
	PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$21.69
			OPEN PURCHASE ORDER	
	PO-170003	STAPLES CREDIT PLAN	OPEN PURCHASE ORDER	\$5.85
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$30.35
	PV-171670	STATE BOARD OF EQUALIZATION	PV171670	\$40.00
			Q1 2017 SALES & USE TAX	
			** TOTAL PAYMENT AMOUNT:	\$40.00
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$13.75
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$25.13
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$5.64
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$20.69
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$11.44
			OPEN PURCHASE ORDER	
	PO-170173	THRIFTY SUPPLY CO	OPEN PURCHASE ORDER	\$454.15
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$530.80
	PO-170348	U.S. BANK EQUIPMENT FINANCE	COPIER LEASES	\$503.71-
			COPIER LEASES	
	PO-170348	U.S. BANK EQUIPMENT FINANCE	COPIER LEASES	\$976.60
			COPIER LEASES	
	PO-171400	U.S. BANK EQUIPMENT FINANCE	US BANK EQUIP FINANCE	\$486.75
			US BANK EQUIP FINANCE	
	PO-171400	U.S. BANK EQUIPMENT FINANCE	US BANK EQUIP FINANCE	\$201.70
			US BANK EQUIP FINANCE	
	PO-171400	U.S. BANK EQUIPMENT FINANCE	US BANK EQUIP FINANCE	\$907.53-
			US BANK EQUIP FINANCE	
	PO-171400	U.S. BANK EQUIPMENT FINANCE	US BANK EQUIP FINANCE	\$899.07
			US BANK EQUIP FINANCE	
			** TOTAL PAYMENT AMOUNT:	\$1,152.88
	PO-170551	WESTERN CHAIN SAW EQUIPMENT	OPEN PURCHASE ORDER	\$233.32
			OPEN PURCHASE ORDER	
			** TOTAL PAYMENT AMOUNT:	\$233.32
			**** BATCH TOTAL AMOUNT:	\$1,987.35

Board of Trustees Meeting .... 05/04/2017

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REF.
NUMBER  VENDOR NAME                DESCRIPTION                AMOUNT
=====
PO-170095 CLARK SECURITY PRODUCTS INC.  OPEN PURCHASE ORDER      $86.36
                                           OPEN PURCHASE ORDER
PO-170095 CLARK SECURITY PRODUCTS INC.  OPEN PURCHASE ORDER      $482.18
                                           OPEN PURCHASE ORDER
                                           ** TOTAL PAYMENT AMOUNT:    $568.54

PO-171869 CORNERSTONE COMPUTERS        INVOICE                   $4,573.28
                                           INVOICE
                                           ** TOTAL PAYMENT AMOUNT:    $4,573.28

PV-171677 CRISIS PREVENTION INSTITUTE  PV171677                  $150.00
                                           CPI ANN'L MBRSHIP
                                           ** TOTAL PAYMENT AMOUNT:    $150.00

PO-171815 FITNESS FINDERS              TOE TOKENS                $148.10
                                           TOE TOKENS
                                           ** TOTAL PAYMENT AMOUNT:    $148.10

PO-171832 FOWLER, JOE                  REIMBURSEMENT             $21.70
                                           REIMBURSEMENT
                                           ** TOTAL PAYMENT AMOUNT:    $21.70

                                           **** BATCH TOTAL AMOUNT:    $5,461.62

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## BOARD OF TRUSTEES PAYMENT REPORT

Board of Trustees Meeting .... 05/04/2017

REF.	NUMBER	VENDOR NAME	DESCRIPTION	AMOUNT
	PO-171848	BAY TANK & BOILER WORKS	Bond Invoice	\$106.83
			Bond Invoice	
	PO-171850	BAY TANK & BOILER WORKS	Bond Invoice	\$4.95
			Bond Invoice	
			** TOTAL PAYMENT AMOUNT:	\$111.78
	PO-171028	CITY OF EUREKA	OPEN PO for City of Eureka	\$74,122.04
			OPEN PO for City of Eureka	
			** TOTAL PAYMENT AMOUNT:	\$74,122.04
	PV-171682	ECS REVOLVING FUND	PV171682	\$700.00
			ECS REVOLVING REIMB.	
			** TOTAL PAYMENT AMOUNT:	\$700.00
	PV-171680	EMPLOYMENT DEV DEPT DE 9423	PV171680	\$3,083.49
			Q1 PAYROLL CONTR.	
	PV-171681	EMPLOYMENT DEV DEPT DE 9423	PV171681	\$16,238.67
			Q1 DE9	
			** TOTAL PAYMENT AMOUNT:	\$19,322.16
	PO-171834	MC2	Invoice	\$3,500.00
			Invoice	
			** TOTAL PAYMENT AMOUNT:	\$3,500.00
			**** BATCH TOTAL AMOUNT:	\$97,755.98
	TOTAL NUMBER OF PAYMENTS: 290		**** GRAND TOTAL AMOUNT: \$1,115,083.55	

The above Payable transactions have been issued in accordance with the District's policies and procedures. It is recommended that the Board of Trustees approve them.



Authorized Agent



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve Bus Fleet Inspection Service Agreements for Cutten, Freshwater, and South Bay School Districts

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Bus Fleet Inspection Services Agreements with Cutten, Freshwater, and South Bay School Districts.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Education code Section 35160 provides authority for the District to enter into consolidated services with other governmental agencies that are fiscally prudent.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Annual renewals.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

The District will be paid \$72.00 per hour for labor and all parts shall be charged at cost plus 15%. An environmental disposal fee of five (5) percent will be charged on the cost of oil, lubricants, and filters.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- 2017-18 Bus Fleet Agreements



## Eureka City Schools

Inspiring academic **E**xcellence, **C**reativity, and the confidence to **S**ucceed – ECS

### Business Services

2100 J Street Eureka, CA 95501  
(707) 441-2412 Fax (707) 441-0292

### BUS FLEET INSPECTION SERVICES AGREEMENT 2017-2018

This is an agreement between **Freshwater School District** and Eureka City Schools.

**Whereas** the Freshwater School District is in need of inspection and maintenance services for their bus fleet.

**Whereas** Eureka City Schools has available inspection and maintenance services;

**Whereas** Education Code Section 1200 et seq provides authority for the Freshwater School District to enter into arrangements that assist school districts.

**Therefore**, the Freshwater School District and Eureka City Schools agree as follows:

1. Eureka City Schools shall perform all school bus inspection and maintenance services required by the California Highway Patrol every 45 days or 3000 miles, whichever occurs first.
2. Eureka City Schools' mechanic shall perform all school bus inspection and maintenance. School bus maintenance needs that exceed the Eureka City Schools maintenance capabilities will be directed to an outside vendor, at the direction of Freshwater School District.
3. The Freshwater School District shall pay to Eureka City Schools the sum of \$72.00 per hour for labor, parts at cost plus 15% and a 5% environmental disposal fee on the cost of oil, lubricants and filters. Eureka City Schools will bill Freshwater School District for charges on a quarterly basis (October 1, January 1, April 1, June 1). An interdistrict transfer will be processed within fifteen (15) days of the billing date.
4. Eureka City Schools will supply Freshwater School District with all paperwork needed to verify the inspection services for the District's California Bus Terminal Inspection.
5. The Freshwater School District shall hold Eureka City Schools harmless and indemnify it for any and all liability that may result from Freshwater School District's actions under this agreement.
6. The Freshwater School District and Eureka City Schools shall provide Workers' Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.
7. Either party may cancel this agreement upon sixty (60) days written notice to the other party.
8. This agreement will be in effect from July 1, 2017 to June 30, 2018.

\_\_\_\_\_  
Superintendent or Authorized Designee  
Freshwater School District

  
\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

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

Date: 5/16/17



## Eureka City Schools

Inspiring academic **E**xcellence, **C**reativity, and the confidence to **S**ucceed – ECS

Business Services

2100 J Street Eureka, CA 95501

(707) 441-2412 Fax (707) 441-0292

### BUS FLEET INSPECTION SERVICES AGREEMENT 2017-2018

This is an agreement between **South Bay Union School District** and Eureka City Schools.

**Whereas** the South Bay Union School District is in need of inspection and maintenance services for their bus fleet.

**Whereas** Eureka City Schools has available inspection and maintenance services;

**Whereas** Education Code Section 1200 et seq provides authority for the South Bay Union School District to enter into arrangements that assist school districts.

**Therefore**, the South Bay Union School District and Eureka City Schools agree as follows:

1. Eureka City Schools shall perform all school bus inspection and maintenance services required by the California Highway Patrol every 45 days or 3000 miles, whichever occurs first.
2. Eureka City Schools' mechanic shall perform all school bus inspection and maintenance. School bus maintenance needs that exceed the Eureka City Schools maintenance capabilities will be directed to an outside vendor, at the direction of South Bay Union School District.
3. The South Bay Union School District shall pay to Eureka City Schools the sum of \$72.00 per hour for labor, parts at cost plus 15% and a 5% environmental disposal fee on the cost of oil, lubricants and filters. Eureka City Schools will bill South Bay Union School District for charges on a quarterly basis (October 1, January 1, April 1, June 1). An interdistrict transfer will be processed within fifteen (15) days of the billing date.
4. Eureka City Schools will supply South Bay Union School District with all paperwork needed to verify the inspection services for the District's California Bus Terminal Inspection.
5. The South Bay Union School District shall hold Eureka City Schools harmless and indemnify it for any and all liability that may result from South Bay Union School District's actions under this agreement.
6. The South Bay School District and Eureka City Schools shall provide Workers' Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.
7. Either party may cancel this agreement upon sixty (60) days written notice to the other party.
8. This agreement will be in effect from July 1, 2017 to June 30, 2018.

\_\_\_\_\_  
Superintendent or Authorized Designee  
South Bay School District

  
\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

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

Date: 5/16/17



## Eureka City Schools

Inspiring academic **E**xcellence, **C**reativity, and the confidence to **S**ucceed – ECS  
Business Services

2100 J Street Eureka, CA 95501  
(707) 441-2412 Fax (707) 441-0292

### BUS FLEET INSPECTION SERVICES AGREEMENT 2017-2018

This is an agreement between **Cutten School District** and Eureka City Schools.

**Whereas** the Cutten School District is in need of inspection and maintenance services for their bus fleet.

**Whereas** Eureka City Schools has available inspection and maintenance services;

**Whereas** Education Code Section 1200 et seq provides authority for the Cutten School District to enter into arrangements that assist school districts.

**Therefore**, the Cutten School District and Eureka City Schools agree as follows:

1. Eureka City Schools shall perform all school bus inspection and maintenance services required by the California Highway Patrol every 45 days or 3000 miles, whichever occurs first.
2. Eureka City Schools' mechanic shall perform all school bus inspection and maintenance. School bus maintenance needs that exceed the Eureka City Schools maintenance capabilities will be directed to an outside vendor, at the direction of Cutten School District.
3. The Cutten School District shall pay to Eureka City Schools the sum of \$72.00 per hour for labor, parts at cost plus 15% and a 5% environmental disposal fee on the cost of oil, lubricants and filters. Eureka City Schools will bill Cutten School District for charges on a quarterly basis (October 1, January 1, April 1, June 1). An interdistrict transfer will be processed within fifteen (15) days of the billing date.
4. Eureka City Schools will supply Cutten School District with all paperwork needed to verify the inspection services for the District's California Bus Terminal Inspection.
5. Eureka City Schools (ECS) and the Cutten School District (CSD) shall mutually agree to indemnify and hold harmless each other and their employees against any and all loss, damage, or liability (including court costs and attorney's fees) arising against the other as a result of their own discharge of their obligations identified in this agreement. If liability is shared between the parties, each party shall be responsible only to the extent of its proportionate liability. This obligation shall survive the termination of this agreement, and shall apply to any and all claims asserted with regard to the services provided for in this agreement.
6. The Cutten School District and Eureka City Schools shall provide Workers' Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.
7. Either party may cancel this agreement upon sixty (60) days written notice to the other party.
8. This agreement will be in effect from July 1, 2017 to June 30, 2018.

\_\_\_\_\_  
Superintendent or Authorized Designee  
Cutten School District

  
\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

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

Date: 5/16/17

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve Waste Removal Agreement for Cutten School District and HCOE

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve Waste Removal Agreements between ECS with Cutten School District and HCOE, effective July 1, 2017 to June 30, 2018.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

California Education Code Section 35160 provides authority for the District to enter into consolidated services with other governmental agencies that are fiscally prudent.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Annual agreements since 1999.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Revenue received will cover expenditures for ECS to provide this service.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- 2017-18 Waste Agreements - Cutten & HCOE



## Eureka City Schools

Inspiring academic **E**xcellence, **C**reativity, and the confidence to **S**ucceed – ECS

Business Services

2100 J Street Eureka, CA 95501

(707) 441-2412 Fax (707) 441-0292

### WASTE REMOVAL AGREEMENT

- Whereas the Cutten School District is in need of waste removal services;
- Whereas Eureka City Schools has available waste removal services;
- Whereas Education Code Section 35160 provides authority for Eureka City Schools to enter into arrangements that are not violative of existing law; and
- Whereas Education Code Section 1200 et seq provides authority for the Cutten School District to enter into arrangements that assist school districts;
- Therefore, the Cutten School District and Eureka City Schools agree as follows:
  1. The term of this agreement is from July 1, 2017 through June 30, 2018.
  2. This agreement may be terminated by either party at any time by the giving of sixty (60) days written notice.
  3. Eureka City Schools shall provide waste removal services for the Cutten School District at the following sites:

Cutten School 4182 Walnut Drive Cutten, CA 95534 (2) two-yard containers	Ridgewood School 2060 Ridgewood Drive Cutten, CA 95534 (2) two-yard containers
---	---

Cutten School District shall provide and maintain two (2) two-yard containers at Cutten School and two (2) two-yard containers at Ridgewood School. ECS will provide for the pick-up of waste three times per week between 10:00 am and 12:00 pm on Mondays, Wednesdays and Fridays.

4. The Cutten School District shall pay to Eureka City Schools \$475.00 per site per month for a sum of \$950.00 per month beginning July 1, 2017. Such amount may be adjusted by the percentage of increase in the transfer site disposal fees. Cutten School District agrees to pay from a monthly invoice via inter-district transfer for waste disposal services. Eureka City School District will have the responsibility for keeping appropriate records of disposal charges at the landfill.
5. Eureka City Schools (ECS) and the Cutten School District (CSD) shall mutually agree to indemnify and hold harmless each other and their employees against any and all loss, damage, or liability (including court costs and attorney's fees) arising against the other as a result of their own discharge of their obligations identified in this agreement. If liability is shared between the parties, each party shall be responsible only to the extent of its proportionate liability. This obligation shall survive the termination of this agreement, and shall apply to any and all claims asserted with regard to the services provided for in this agreement.
6. The Cutten School District and Eureka City Schools shall provide Workers Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.

\_\_\_\_\_  
Superintendent or Authorized Designee  
Cutten School District

\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

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

Date: 5/16/17





## Eureka City Schools

Inspiring academic **E**xcellence, Creativity, and the confidence to **S**ucceed – ECS  
Business Services

2100 J Street Eureka, CA 95501  
(707) 441-2412 Fax (707) 441-0292

### WASTE REMOVAL AGREEMENT

- Whereas the HCOE is in need of waste removal services;
- Whereas Eureka City Schools has available waste removal services;
- Whereas Education Code Section 35160 provides authority for Eureka City Schools to enter into arrangements that are not violative of existing law; and
- Whereas Education Code Section 1200 et seq provides authority for the HCOE to enter into arrangements that assist school districts;
- Therefore, the HCOE and Eureka City Schools agree as follows:
  1. The term of this agreement is from July 1, 2017 through June 30, 2018.
  2. This agreement may be terminated by either party at any time by the giving of sixty (60) days written notice.
  3. Eureka City Schools shall provide waste removal services for the HCOE at the following sites:

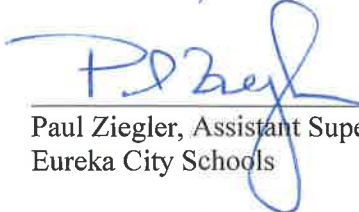
HCOE	Glen Paul Center	Educational Resource Community School (ERCS)
901 Myrtle Avenue	2501 Cypress Avenue	1820 Sixth Street
Eureka, CA 95501	Eureka, CA 95501	Eureka, CA 95501
(1) two-yard container	(2) two-yard containers	(1) two-yard container

HCOE shall provide and maintain one (1) two-yard container at HCOE, two (2) two-yard containers at the Glen Paul Center, and one (1) two-yard container at ERCS. ECS will provide for the pick-up of waste three times per week at HCOE, Glen Paul Center and two times per week at ERCS.

4. The HCOE shall pay to Eureka City Schools \$475.00 per month for service at Glen Paul Center and \$265.00 per month for service at HCOE, and ERCS for a sum of \$1,005.00 per month beginning July 1, 2017. Such amount may be adjusted by the percentage of increase in the transfer site disposal fees. HCOE agrees to pay from a monthly invoice via inter-district transfer for waste disposal services. Eureka City Schools will have the responsibility for keeping appropriate records of disposal charges at the landfill.
5. The HCOE shall hold Eureka City Schools harmless and indemnify it for any and all liability that may result from HCOE's actions under this agreement.
6. The HCOE and Eureka City Schools shall provide Workers Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.

\_\_\_\_\_  
Assistant Superintendent or Authorized Designee  
HCOE

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

  
\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

Date: 5/16/17

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve Waste Removal Agreement for Northcoast Children's Services

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the Waste Removal Agreement between ECS and Northcoast Children's Services, effective July 1, 2017 to June 30, 2018.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

California Education Code Section 35160 provides authority for the District to enter into consolidated services with other governmental agencies that are fiscally prudent.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Agreement renewed annually since 1999.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Revenues received will cover expenditures for ECS to provide this service.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- ▣ 2017-18 Waste Removal Agreement - NCS





## *Eureka City Schools*

### *Business Services*

2100 J Street Eureka, CA 95501  
(707) 441-2412 Fax (707) 441-0292

### WASTE REMOVAL AGREEMENT

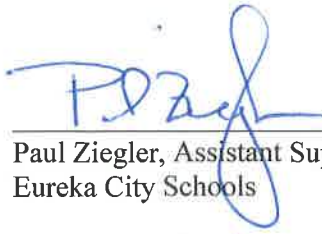
- Whereas the Northcoast Children's Services is in need of waste removal services;
- Whereas Eureka City Schools has available waste removal services;
- Whereas Education Code Section 35160 provides authority for Eureka City Schools to enter into arrangements that are not violative of existing law; and
- Whereas Education Code Section 1200 et seq provides authority for the Northcoast Children's Services to enter into arrangements that assist school districts;
- Therefore, the Northcoast Children's Services and Eureka City Schools agree as follows:
  1. The term of this agreement is from July 1, 2017 through June 30, 2018.
  2. This agreement may be terminated by either party at any time by the giving of sixty (60) days written notice.
  3. Eureka City Schools shall provide waste removal services for the Northcoast Children's Services at the following site:

Alice Birney Elementary  
717 South Avenue  
Eureka, CA 95501  
(1) one-yard container

Northcoast Children's Services shall provide and maintain one (1) one-yard container at Alice Birney. ECS will provide for the pick-up of waste two (2) times per week.

4. The Northcoast Children's Center shall pay to Eureka City Schools \$265.00 per site per month for a sum of \$265.00 per month beginning July 1, 2017. Such amount may be adjusted by the percentage of increase in the transfer site disposal fees. Northcoast Children's Services agrees to pay from a monthly invoice provided by Eureka City Schools. Eureka City Schools will have the responsibility for keeping appropriate records of disposal charges at the landfill.
5. The Northcoast Children's Services shall hold Eureka City Schools harmless and indemnify it for any and all liability that may result from Northcoast Children's Services actions under this agreement.
6. The Northcoast Children's Services and Eureka City Schools shall provide Workers Compensation coverage for their respective employees. Nothing in this agreement shall be construed as providing that the employees of one entity are employees of the other entity.

\_\_\_\_\_  
Director or Authorized Designee  
Northcoast Children's Services

  
\_\_\_\_\_  
Paul Ziegler, Assistant Superintendent  
Eureka City Schools

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

Date: 5/16/17

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve Intent to Apply for the 2017-18 Agricultural Career  
Technical Education Incentive Grant – Eureka High School

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve the 2017-18 Agricultural Incentive Grant Application.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

This grant is used to supplement services and supplies to the EHS Agriculture Program.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 6: CAREER AND TECHNICAL EDUCATIONAL PROGRAMS

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This has been an annual application since 2004.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

\$21,420.00.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- 2017-18 Ag Incentive Intent to Apply

# GRANT INTENT TO APPLY

Grant Name: Agriculture Incentive Grant  
 Start/End Date: July 1<sup>st</sup> 2017- June 30<sup>th</sup> 2018

Responsible School/Dept. Eureka High School Agriculture Department

## Grant Description:

This is an incentive grant for agriculture education. EHS agriculture department has applied and received the grant for many years. It is used to promote the program.

## FUNDING

Type	Source	Amount
<input type="checkbox"/> Federal		
<input type="checkbox"/> State	Agriculture Incentive Grant	\$21,420
<input type="checkbox"/> Local		
<input type="checkbox"/> Match	Perkins/CTE Incentive Grant	\$21,420
Other		
TOTAL		\$42,840

## BUDGET SUMMARY

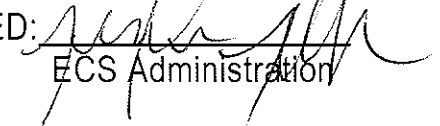
### Staffing Information:

	FTE	Classification/Position Title	Amount
<input checked="" type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	1.0	Ag Teacher- Sandy Lovfald	\$ 0
<input checked="" type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	1.0	Ag Teacher- Alissa Sarvinski	\$ 0
<input checked="" type="checkbox"/> Existing Staff <input type="checkbox"/> New Staff	1.0	Ag Teacher-Kyle Shamp	\$ 0

### Grant Non-Salary Costs:

### Reimbursements:

Indirect Cost: \_\_\_\_\_ % \$ 0  
 Other \_\_\_\_\_ \$ 0

APPROVED:   
 ECS Administration

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Field Trip: Oaxaca Summer Language Immersion Program 2017  
(July 7-28, 2017)  
Meeting Date: May 23, 2017  
Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to approve a field trip to Oaxaca, Mexico on July 7-28, 2017 as part of a the 2017 Oaxaca Language Immersion Program.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Students will participate in a 3-week immersion program in Oaxaca, Mexican. They will be housed by Oaxacan host families, take Spanish classes at the state university, La Universidad Autonomo de Benito Juarez de Oaxaca, and spend the afternoons and weekends participating in cultural outings. Tim Olson and Reggie Williams will be chaperoning the trip. Approximately 15 students will participate in this immersion program.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 9: MODERN AND WORLD LANGUAGES

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is EHS' 5th Oaxaca Summer Language Immersion Program.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

\$2,700 per student.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Renaë Will, Director of Personnel and Public Affairs

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Approve Grant Intent to Apply – Professional Development for Arts Educators

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The North Coast Integration Project is applying for a new federal grant called a "Professional Development Grant for Arts Educators (PDAE)" grant.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

This grant would maintain and extend the momentum created by the North Coast Arts Integration Project by providing professional development to grades 3-5 teachers in instructional best practices (similar to the district instructional norms) and arts integration strategies. This professional development would include the four elementary schools in ECS, two schools in Klamath-Trinity, two schools in Arcata and two schools in Crescent City.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 7: VISUAL AND PERFORMING ARTS PROGRAMS

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

The North Coast Arts Integration Project has been operating within ECS for the last three years and we have reported progress to the board annually. This is the first notification of this new PDAE grant which has a submission deadline of May 30, 2017.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

The grant is written for approximately \$1.5 million. There are no matching costs or expenses predicted for ECS.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Bill Funkhouser and Heather Gaiera, North Coast Arts Integration Project

Coordinators

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Accept Grant Award Notification – Career Technical Education Incentive Grant

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to accept the Grant Award Notification: Career Technical Education Incentive Grant.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

With the elimination of HROP funding, the State has created a three-year grant program called the Career Technical Education Incentive Grant (CTEIG) program. The purpose of this grant is to encourage the development of new career technical education (CTE) programs and enhance and maintain current CTE programs during implementation of the school district and charter school local control funding formula (LCFF) pursuant to California Education Code (EC) Section 42238.02. In April, 2016, the District was notified that its application for funding was successful.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 6: CAREER AND TECHNICAL EDUCATIONAL PROGRAMS

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is the first time that the CTEIG has been available. The CTEIG grant requires a proportional dollar-for-dollar match as follows for any funding received from this program:

- For the first funding term, \$1.00 for every \$1.00 received from this program. For the 2015–16 application, matching funds may be based on local match expenditures starting July, 2015, until June, 2017.
- For the second funding term, \$1.50 for every \$1.00 received from this program.
- For the third funding term, \$2.00 for every \$1.00 received from this program.

**HOW MUCH***(list the revenue amount \$ and/or the expense amount \$)*

July 1, 2016 through June 30, 2019: \$242,962.00.

**WHO***(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

Michael Davies-Hughes, Assistant Superintendent of Educational Services

**ATTACHMENTS:**

Description

▣ GAN CTEIG



RECEIVED

MAY 16 2017

California Department of Education  
Fiscal Administrative Services Division  
AO-400 (REV. 09/2014)

ADMINISTRATIVE SERVICES

**Grant Award Notification**

<b>GRANTEE NAME AND ADDRESS</b> Fred Van Vleck, Ed.D., Superintendent Eureka City Schools 2100 J Street Eureka, CA 95501-3055				<b>CDE GRANT NUMBER</b>			
				<b>FY</b>	<b>PCA</b>	<b>Vendor Number</b>	<b>Suffix</b>
				16	25306	7551	00
<b>Attention</b> Fred Van Vleck, Ed.D.				<b>STANDARDIZED ACCOUNT CODE</b>			<b>COUNTY</b>
<b>Program Office</b> Office of the Superintendent				<b>Resource Code</b>		<b>Revenue Object</b>	12
<b>Telephone</b> (707) 441-2414				6387		8590	<b>INDEX</b>
<b>Name of Grant Program</b> Career Technical Education Incentive Grant							0615
<b>GRANT DETAILS</b>	<b>Original/Prior Amendments</b>	<b>Amendment Amount</b>	<b>Total</b>	<b>Amend. No.</b>	<b>Award Starting Date</b>	<b>Award Ending Date</b>	
	\$242,962	0	\$242,962	0	July 1, 2016	June 30, 2019	
<b>CFDA Number</b>	<b>Federal Grant Number</b>	<b>Federal Grant Name</b>			<b>Federal Agency</b>		
N/A	N/A	N/A			N/A		

I am pleased to inform you that you have been funded for the Career Technical Education Incentive Grant

This award is made contingent upon the availability of funds. If the Legislature takes action to reduce or defer the funding upon which this award is based, then this award will be amended accordingly.

Please return the original, signed Grant Award Notification (AO-400) to:

Sarah Parker, Staff Services Analyst  
 Career Technical Education Administration and Management Office  
 California Department of Education  
 1430 N Street, Suite 4202  
 Sacramento, CA 95814-5901

**California Department of Education Contact**  
 Charlene Cowan

**Job Title**  
 Education Programs Consultant

**E-mail Address**  
 ccowan@cde.ca.gov

**Telephone**  
 916-323-4747

**Signature of the State Superintendent of Public Instruction or Designee**  
 ▶ *Tom Tonkinson*

**Date**  
 May 10, 2017

**CERTIFICATION OF ACCEPTANCE OF GRANT REQUIREMENTS**

*On behalf of the grantee named above, I accept this grant award. I have read the applicable certifications, assurances, terms, and conditions identified on the grant application (for grants with an application process) or in this document or both; and I agree to comply with all requirements as a condition of funding.*

**Printed Name of Authorized Agent**

**Title**  
 Assistant Superintendent

**E-mail Address**  
 zieglerp@eureka-cityschools.org

**Telephone**  
 707-441-2412

**Signature**  
 ▶ *P. Ziegler*

**Date**  
 May 16, 2017

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Ratification of Representatives to California Interscholastic Federation/North Coast Section (CIF/NCS) Leagues

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is asked to ratify EHS Principal Jennifer Johnson and Athletic Director Kristina Christiansen as CIF Representatives to the League.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Each year the Board must approve representatives to the CIF League. This is a legal requirement that league representatives be so designated.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 10: PHYSICAL EDUCATION PROGRAM

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is an annual action that is required by the Board as members of the California Interscholastic Federation.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no financial impact attached to this action.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Jennifer Johnson, EHS Principal  
Kristina Christiansen, Athletic Director  
Fred Van Vleck, Ed.D., Superintendent

**ATTACHMENTS:**

Description

- ▣ Proposed CIF Rep Designation - 2017-18

### **2017-2018 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 June 30, 2017.**

EUREKA CITY SCHOOLS School District/Governing Board at its 05/23/17 meeting,  
(Name of school district/governing board) (Date)  
appointed the following individual(s) to serve for the 2017-2018 school year as the school's league representative:

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

NAME OF SCHOOL Eureka High School  
NAME OF REPRESENTATIVE Jennifer Johnson POSITION Principal  
ADDRESS 1915 J Street CITY Eureka ZIP 95501  
PHONE 707-441-2508 FAX N/A E-MAIL johnsonj@eurekacityschools.org

\*\*\*\*\*

NAME OF SCHOOL Eureka High School  
NAME OF REPRESENTATIVE Kristina Christiansen POSITION Athletic Director  
ADDRESS 1915 J Street CITY Eureka ZIP 95501  
PHONE 707-441-2508 FAX N/A E-MAIL christiansenk@eurekacityschools.org

\*\*\*\*\*

NAME OF SCHOOL Eureka High School  
NAME OF REPRESENTATIVE Eric Giaccone POSITION Assistant Athletic Director  
ADDRESS 1915 J Street CITY Eureka ZIP 95501  
PHONE 707-441-2508 FAX N/A E-MAIL giacconee@eurekacityschools.org

\*\*\*\*\*

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 Fred Van Vleck Signature

Address 2100 J Street City Eureka Zip 95501

Phone 707-441-2414 Fax 707-441-3326

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

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Specify the Position of Painter (1 Position) As Short-Term Effective June 19, 2017 - August 18, 2017

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Board is requested to specify the position of Painter (1 position) as short-term effective June 19, 2017 - August 18, 2017.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Assembly Bill 500, which amended Ed Code 45103 and 88003, requires the Board specify positions as short-term when the criteria qualifies a position for such designation.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 2: RECRUITMENT, SELECTION, PROFESSIONAL DEVELOPMENT, AND RETENTION OF QUALITY STAFF

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

N/A

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Painter Assistant/Summer Maintenance - Range 35, \$13.46/hr.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Renae M. Will, Director of Personnel Services

Charley Batini, Supervisor of Maintenance

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Specify the Positions of Summer Programs Cook, Senior Food Service Worker Secondary, Senior Food Service Worker Elementary, Food Service Worker, Food Service Delivery Driver as Short-Term Effective June 19, 2017 - August 11, 2017

Meeting Date: May 23, 2017

Item: Consent

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is requested to specify the positions of Summer Programs Cook, Senior Food Service Worker Secondary, Senior Food Service Worker Elementary, Food Service Worker, Food Service Delivery Driver as short-term effective June 19, 2017 - August 11, 2017.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Assembly Bill 500, which amended Ed Code 45103 and 88003, requires the Board specify positions as short-term when the criteria qualifies a position for such designation.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 2: RECRUITMENT, SELECTION, PROFESSIONAL DEVELOPMENT, AND RETENTION OF QUALITY STAFF

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

N/A

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Summer Programs Cook - Range Blue 34, \$13.12 - \$19.44/hr  
Senior Food Service Worker Secondary - Range Blue 27, \$11.07 - \$16.34/hr  
Senior Food Service Worker Elementary - Range Blue 25, \$10.56 - \$15.55/hr  
Food Service Worker - Range Blue 22, \$10.56 - \$14.46/hr  
Food Service Delivery Driver - Range Blue 29, \$11.59 - \$17.17/hr

**WHO***(list the name of the contact person(s), job title, and site location)*

Renae M. Will, Director of Personnel Services

Charley Batini, Supervisor of Maintenance

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Local Control Accountability Plan Update

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to receive an update on the development of the 2017-2018 Local Control Accountability Plan (LCAP).

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

This presentation is part of a series of presentations about the LCAP. The intent is to keep members of the School Board well-informed on the progress and development of the plan.

**STRATEGIC PLAN/PRIORITY AREA:**

Applies to all strategic plan priority areas

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

With the changes in the funding for school districts under the Local Control Funding Formula (LCFF), all districts are now required to write an LCAP which will specify how the District will allocate resources to improve student outcomes. There are eight (8) state priority area that all districts must address in their LCAP.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no cost associated with this item.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Michael Davies-Hughes, Assistant Superintendent, Educational Services

**ATTACHMENTS:**

Description

- ▣ LCAP Presentation
- ▣ Classified Staff Survey

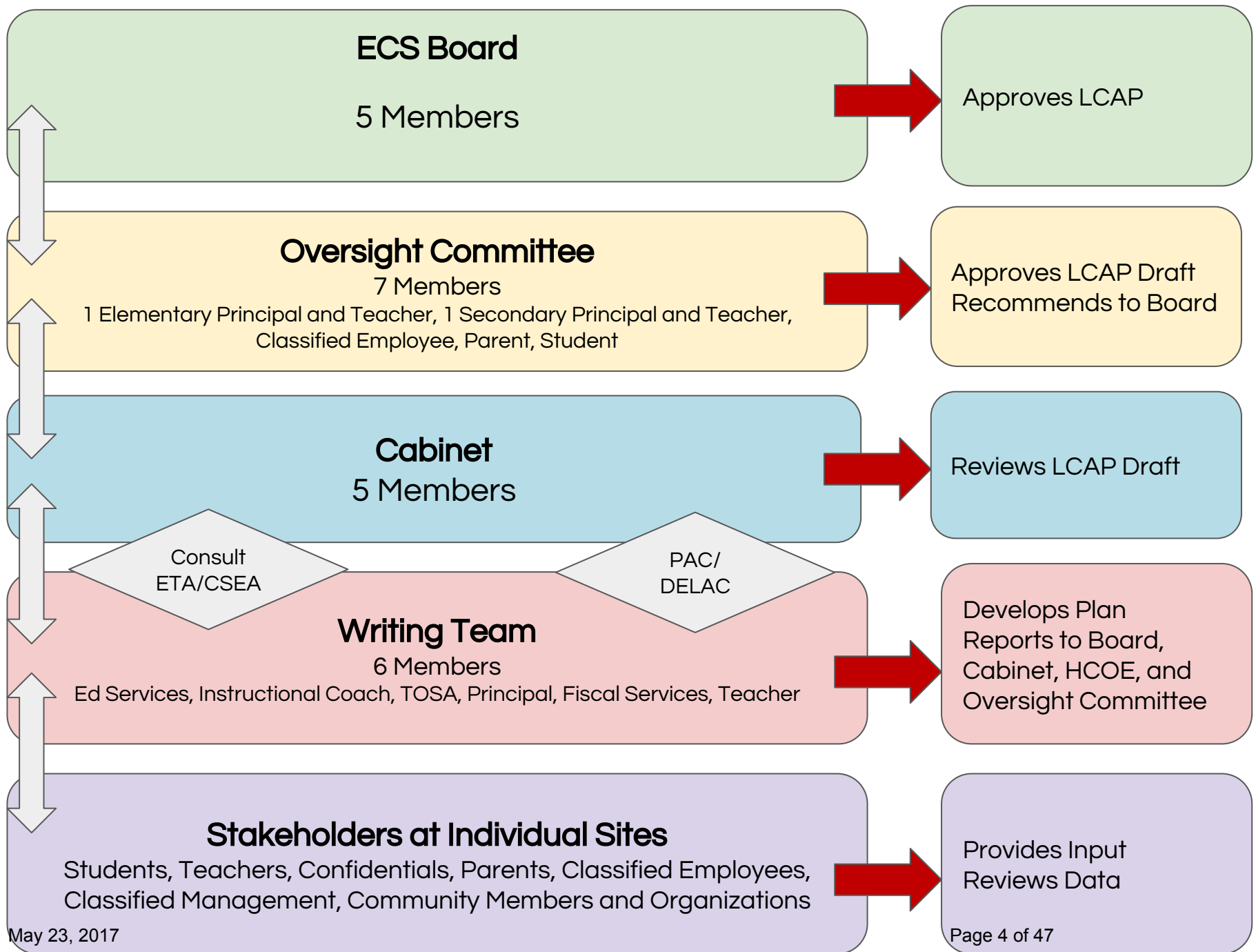
- ▣ LCAP Stakeholders Input
- ▣ Certificated Staff Input
- ▣ Parent Surveys Input
- ▣ LCAP Board Update



# 2017-2018 LCAP Update

Presentation to ECS Board  
of Trustees

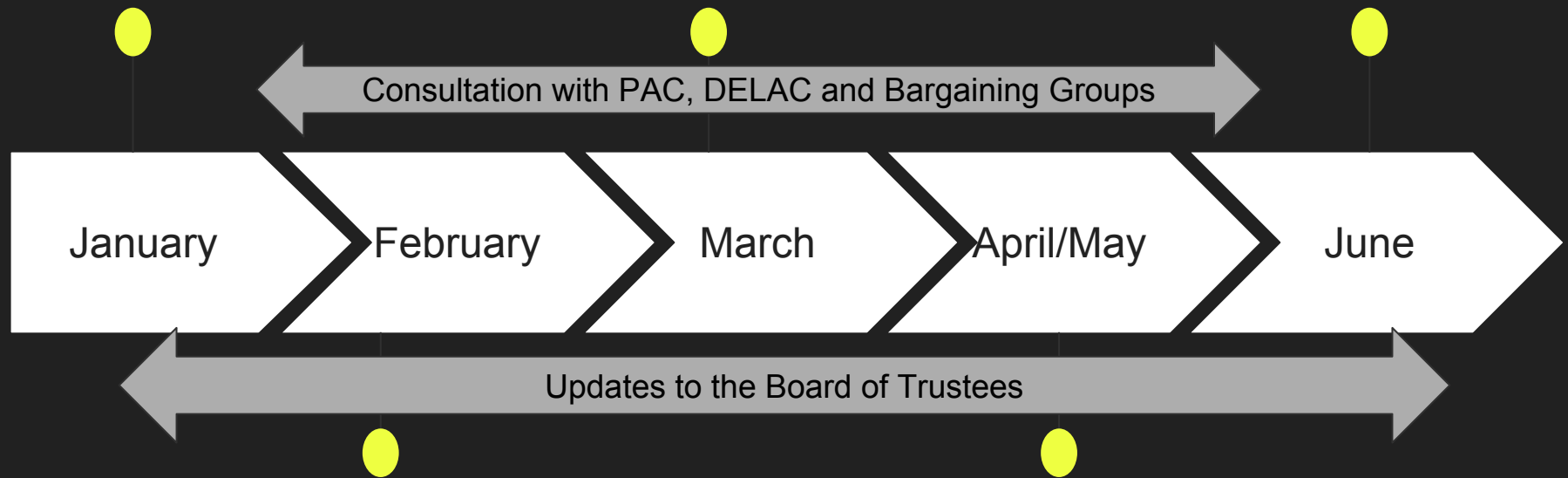
February 2, 2017



Stakeholder meetings held at sites. Writing Team Convenes

Writing Team develops draft goals, actions and services - reviewed by Cabinet and Oversight Committee

LCAP Public Hearing and final Board approval



Writing Team reviews outcome data from 2015-2016/2016-2017

LCAP draft reviewed by Cabinet and Oversight Committee - rewrites as needed

# EXECUTIVE SUMMARY

- Coming for 2017-2018 LCAP:
  - New Template
  - Inclusion of Evaluation Rubrics as required under LCFF

# Evaluation Rubric

- Replaces API
- Display of several “Indicators” aligned to LCFF Priorities
- Some indicators are State, others are Local
- **State** indicators vary, cutpoints change
- **Local** indicators will be MET or NOT MET



# The LCFF Evaluation Rubric

- Purpose:
  - For districts to self-assess their progress on state priorities
- Includes 5 state indicators (with cut scores for each)
  - Grad Rate
  - Suspension Rate
  - Academic Indicator
  - College/Career Indicator
  - English Learner Indicator

# Cut Score Indicators

- Each cut score will be in place for a set # of years (TBD by SBE)
- 5 Status Levels for each cut score
  - Very High
  - High
  - Median
  - Low
  - Very Low

# State Indicators v. Local Indicators

State Indicators	Local Indicators
<b>Pre-populated</b> for LEAs by State with already existing data	<b>LEAs Populate</b> with analysis of progress from local data & <b>report performance</b>
<b>Most recently certified CALPADS Data</b> (from 14-15 or 15-16)	<b>Current or Prior Year Data</b> (15-16 or 16-17)
<b>Quantitative Data:</b> Matrix of Status and Change	Mix of <u>Qualitative</u> , <b>Perception, &amp; Quantitative Data</b>
<b>5 Performance Categories</b> (Blue, Green, Yellow, Orange, Red)	<b>3 Performance Categories</b> (Met, Not Met, Not Met for 2+ yrs) <sup>8</sup>



# STATE INDICATORS



**Blue**



**Green**



**Yellow**



**Orange**



**Red**

**Highest**



**Lowest**

## Data layout for one student group: English learners

State Indicator	Performance	Status	Change
Chronic Absenteeism	N/A	N/A	N/A
Suspension Rate		7.5%	-1.0%
English Learner		61.4%	+1.3%
Graduation Rate		84.4%	-4.9%
College/Career	N/A	N/A	N/A
English Language Arts Assessment		30.2%	no change
Mathematics Assessment		19.4%	+1.9%

<b>Goal 1: All students will demonstrate high academic achievement and "college and career readiness" in clean and modernized schools. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like to see the district continue to prioritize.</b>	<b>From the list above, please tell us your highest priority.</b>	<b>Are there any other areas that you would like Eureka City Schools to prioritize in regards to Goal 1?</b>
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Increase to industry standard ratio of 2:1 students to computers	Provide career classes for all students	Real world, local area job skill instruction; keyboarding!
Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Additional support staff to classrooms and opportunities for sped staff to collaborate with gen ed	Collaboration between SpEd and Gen Ed
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Maintain lower class size	single-grade classes - (aides in all classes would be great also)
Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12	Intervention teachers	
Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Career and technical education	Full time library techs at all sites
Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students	It's not on the list but I think it's important. Provide professional development to Classified staff.	Adequate training, and help for teachers in classrooms.
Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Provide Career and Technical Educational opportunities...	Maintain high-quality libraries and have a Media Services/Teacher Librarian on staff.
Provide Fine Arts educational opportunities for all students, Provide single-grade classes at all elementary sites, Increase to industry standard ratio of 2:1 students to computers	Fine arts	Standard typing curriculum in elementary school starting in grade 4
Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Aides, intervention, art program, computers	Look at the collaboration time and how it is used, many do not take advantage of this. Staff need more student management skills.
Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12	Provide Career and Technical Educational Opportunities	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites	Provide 24 to 1 class ratio	Teacher collaboration Early intervention/preK-2nd grade
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Increase to industry standard ratio of 2:1 students to computers	
Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Increase to industry standard ratio of 2:1 students to computers	Increase computer ratio	Libraries
Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students	Provide intervention teachers and instructional coaches to school sites	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Provide Fine Arts educational opportunities for all students	Provide Professional Development opportunities to teachers to improve instruction

Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites	To provide more help at the sites with problem students	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	maintain Grade Span Adjustment Levels	
Provide opportunities for staff to collaborate, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Provide single-grade classes at all elementary sites.	
<b>Goal 2: All students will learn in a safe, supportive, and culturally responsive environment where students, families, and community are valued, connected, and engaged. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like Eureka City Schools continue to prioritize.</b>	<b>From the list above, please tell us your highest priority.</b>	<b>Are there any other areas that you would like the district to prioritize in regards to Goal 2?</b>
Provide Freshman Seminar or AVID 9 to all 9th graders		Stop marginalizing English language students. If they can't understand the instruction or textbooks, the schools fail them.
Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	CPI training	More behavior management training for new staff
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	provide professional development for PBIS	
Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI) /De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	More transportation	Staff and student safty in regards to violent student on campus
Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Cpi	
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students	GRIP it makes a big impact on the high school.	A solution to frequent students acting out besides just making them sit in an office. Students are supposed to be supervised by Certificated or admin, not Classified.
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Gang Related Intervention Program coordinator for secondary students	Transition specialists	Focusing on diverse and culturally-responsive curriculum and educational materials
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Maintain transportation for students living outside of a mile to attend school	PBIS	
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students	Provide Crisis Prevention Intervention and De-escalation techniques to staff, SSC's and AVID. We are doing a good job with Positive Behavior Interventions	More training with circles
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Gang Related Intervention Program coordinator for secondary students	PBIS and Restorative Practices	
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Maintain transportation for students living outside of a mile to attend school.	Freshman seminar/Avid, gang intervention and CPI.
		School psychologists/counselors at all school sites all day to support students with exceptional emotional/behavioral needs
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Maintain transportation for students living outside of a mile to attend school	Trasportation	

Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides	SSC's	
Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Provide Gang Related Intervention Program coordinator for secondary students	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Maintain transportation for students living outside of a mile to attend school	Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Student service coordinators	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	transportation for students	lower student to adult ratio for before, during, and after school "recess"/breaks
Provide Health Aides, Maintain transportation for students living outside of a mile to attend school	Provide Health Aides	Habitually disruptive students in classrooms.
<b>If you'd like to add any other comments, please do so here. Thank you very much.</b>		
MUCH more attention must be placed on English language students. They are being virtually ignored.		
Our lockdown drills are unclear and unsafe at Washington. There was an incident where we had a lockdown drill and half the classes didn't know and students returning to class from intervention services were locked out of their classrooms. There has been no follow up, communication, or improvement in this area. There has been no whole staff meeting where this could be brought up.		
lower class size and teacher's aides to provide more individual attention		
While I think there have been many improvements, there is plenty of room for more. Our first impression shouldn't be a bunch of rowdy students hanging out in the office- it just makes for chaos. Teacher to student ration needs to be improved for a safer and better learning environment. Maybe bring in more classroom aides to help teachers actually teach instead of spending their time policing students. I know these things cost money but what are we here for? We are here to ensure the best education for our students. Sometimes that means spending money. Our teachers and staff do a difficult job often without the necessary resources. If we could find a way to get those resources (without cutting Classified staff salaries) it would improve our impact and the student's outcome.		
I recommend small class sizes (20:2, or 24:2) with trained SCIA's being the second adult in all elementary school primary grade classrooms.		
District should not give greater priority to providing adult meals over positions that directly impacts ADA reporting and student safety		

## Elementary

### Solutions:

- Revise EL Handbook in process
- Train teachers about the EL Learner and how to integrate CM
- NEED Hire more dedicated designated ELD teachers
- NEED Afterschool program-use to teach ELD (targeted) under consideration
- NEED Increase ASP opportunities for EL students give more weight on the matrix?
- Increase parent involvement (bring our whole community into “every day school” (not just for big events) How could we do outreach to increase this...
- Consistently use “forms”
  - Training/how to
  - Timeline; built in systematically throughout year
- Investigate the best type of technological programs for the variety of EL levels
- Professional Development around this tech, too (all stakeholders)
- Educate parents/guardians about the tech
- 

### Suggestions

- Set up learning environments where we can “hear” our student needs. Teachers need to be listen to students’ oral production --set up physical environment
- Parent education---develop - building “good parent” capacity - ??? PIQE?
- English; develop as a parent in our educational system
- AB “Language Magnet” school To Discuss
- Embrace diversity; pull resources; deepen
- Consistent, equitable EL across sites (variety right now)
- Teach, train on Mindfulness (All staff)
  - Practice mindfulness in all levels of district
- Align ELD instruction w/Core units through CM
- Analyze student work
- Community Building Activities/Events
  - Food, performances (all EL families)

## Secondary

### Needs:

- Winship/Zane: Enough sections to meet student needs (including serving 6th grade EL Students), Scheduling
- Technology (Winship)
- Parent Involvement/Outreach
  - Meet them where they are?
- Aids or Tech to help with paperwork, students, etc
- District-wide consistency

- Newcomer Center? For Students or Parents? Through MFRC?
- Magnet School?
- Bussing/Transportation
- Afterschool programs at all sites
- Professional Development
- Curriculum

#### Solutions:

- ELA/ELD Block for all 3's, 4's and 5's and failing RFEP's for each grade 6-8
- Tutor Services
- ELAC/Parent Outreach/Involvement
- Intervention classes
- Buy more technology
- Tech Support
- Enrichment
- Community Classes
- Translators at Open House
- 6th grade orientation
- Be a pathway to biliteracy school
- Universal Curriculum
- Monthly meetings/collaboration
- Follow up with professional development
- Proper training of programs (Rosetta stone etc.)
- Strong writing program

## Goal 1

EHS Teachers 4/3/2017

Auditorium (electrical)

1.4 Athletic Facilities

1.7 Extra Curricular

#### Grant

- 2:1 or 1:1 technology
- Continued in classroom PD for VAP and NCAIP
- 1.5 h support student literacy and math
- PE and Art 1.7a and 1/7e

- Interventions, reading, EL
- Instructional coaching
- 1.1 A aligned curriculum
- 1.7 A AVID-Grant, Zane, Winship, ECS
- ELD classes need to be targeted to levels 1-2 and separate class for 3,4,5. Combination of 1-5 does not work
- GAP-No accountability at middle school, no make up credits, no retention
- ELD classes need computers daily for Rosetta Stone, turnitin etc
- Systematic sharing between SPED and REG ed. District wide-especially with new SPED and teachers
- Provide professional development opportunities for teachers on implementing common core
- School Wide homework policy
- Provide after school tutoring and homework help at every campus with bussing to go home.

#### Washington

- 1.1 agree
- 1.2 agree
- 1.4 a-computer access important all year!
- 1.5 b-very important!
- Washington coach 100% or close intervention

#### Community

- 1.2 Initiate professional development to teach critical thinking and assessment (which is not the same as mathematics or science). Deals with everyday decision making both at higher grades Covers logic, reasoning, fallacies of thinking. Fact-finding
- 1.7 develops curriculum for critical thinking and assessment, which helps form foundation for lifelong problem solving. Beginning early in grammar school-advancing to higher levels of critical assessment, determining fact from opinion; fallacies of correlation, etc
- 1.5 and 1.7 Make transparent all courses of instruction; provide expanded course outlines that give topic, depth and breadth, time allotted for all (not just A-G or AP. Provide ON-LINE in EHS website-not an obscure state site. Transparency would give students and parents opportunity to see depth and breadth of topics available-more likely to motivate students than the few sentences found in a catalogue
- 1.6 Math intervention early elementary-prior to 3rd
- 1.1-Keyboarding/digital media skills-consistently across district -information literacy
- CCSS standard that are incorporate digital literacy
- 1.1 Continue strong library programs as studies show improved student achievement when schools have school libraries.



#### Zane

- Provide a district librarian-huge improvement in library services since moving away from HCOE librarian to ECS having full time person. Zane added maker-space training, support, new sources of funding for reading material, Elementary had personnel changes. Huge support to them!!
- 1.4a- "purchase student computers and other supportive technology and equipment to implement academic performance and content standards involving CAASPP.". I think having a few computers for the support and intervention classes would be really helpful
- Cannot stress how valuable having a full-time librarian is
- Focus on intervention (ELA and Math) for all grades (elem thru high school) w additional tutorial support on campus
- Expand AVID district wide
- 1.4 School wide air fresheners (I'm serious) I'm sure you can find documented evidence (Norway) that this is effective
- Under focus goal 1.7, I'd like to see more academic electives, advanced science/math opportunities, more SLI type sections
- 1.5d-Implement consistent assessments at each grade level-not currently happening at middle
- 1.5i-academic data tracking system-remember data director?
- 1.2b-Did leadership team for NGSS teacher proficiency happen?
- 1.2 Funding for NGSS/Science conferences for Prof. development.

#### Lafayette

- 1.3 Raises for classified helped, but with caps on health and welfare, our take home pay continues to decrease. Other districts are paying their staff's premiums. Classified make so much less than certificated-maybe caps should be based on %'s
- Academic Electives-to consider
- Instructional Coaches: how does it work? Is there a calendar? Who is being served? (not specifically but grade level)

#### Alice Birney

- CCSS NGSS training/\$ for supplies
- STAR 360 (nonfiction) training
- Enhanced GATE program
- Continue to support Goal 1.3!
- 1.3 Competitive salaries and benefits (staff)
- 1.5c-Summer school for elementary
  - Remedial
  - enrichment

- Collaboration between schools
- 1.6i-GATE, special needs?
- 1.7 music-all levels TK-5

## Goal 2:

EHS Teachers 4/3/2017

St. Plan-LCAP connection

Extra Curricular Activities

career/college readiness

Info lit training (all levels) data base (s) multiple

How do we address the reality of the challenges that our students may face?

Counseling services/tech? DHSS? School as a Hub?

Positive message/moral

Teacher well-being

Circles/RP-More!

Lafayette?

- 2.5 B. Expand PTS Family Engagement  
Arts presentation/activities to families
- 2.4 K Student services coordinator
- 2.4 A Implement PBIS and restorative practices
- 2.4 E Ensure all teachers are maintaining PE required minutes
- 2.2 B AVID
- 2.6 Morris Graves partnership

Grant

- To decrease suspension rates and improve campus safety we need an antibullying program to empower students to stand up for each other and give them skills to mitigate and manage confrontation
- Go out in the community-like Winship did for conferences
  - Set up Winship or ECS info tables and outreach at Winco, the mall, sporting events
- Provide dinner at no cost monthly to build parent involvement
- Offer homerooms for students-homeroom teacher spends extra time developing relationships with homeroom students and works as student advocate
- After school care on both middle school campuses

#### Community Meeting 4/26/2017

- Collect data that tracks behavior for all students, equitably
- Consider ways to improve communication between school to parent, esp in cases of injury and notes home-behavior
- Consider ways to reassure parents regarding implementation of consequences for other students behaviors-timely
- Earlier survey (than 5th grade) to show students' perception of safety, care from adults
- Provide lesson regarding social skills, age appropriate
- 2.6 develop proactive program to engage community about education, especially non parent groups
- 2.4 Self-wellness-student and staff
- 2.4 Continue community building circles-students stated environment is more positive

#### Washington

- 2.4 Classroom behavioral/academic aids
- 2.4a-with realistic staff support to implement pBIS systems (Tier 2,3)
- 2.6 Continue to explore partnership opportunities in the community that support students' needs and school needs

#### Alice Birney

- Transition specialist +++++
- Continue to develop ties to HSU education credential programs-increase cohorts?
- 2.1 Attendance truancy officer
- 2.2 pre TK/K 5th-6th visits to both campuses
- 2.3 classroom aides to assist/redirect behaviors
- circle/restorative practices school wide
- Severely /emotionally special ed services/classrooms
- Tier 3 (PBIS) action plan
- 2.4 Tier 3
- PE/motor development TK-2, supplies, location, assistance
- # of minutes-school-wide
- Standards addressed
- Health aide (or nurse) at each site
- 2.5 Communication-staff-parents (all)- special groups
- 1.4b-Include staff to support using technology in the classroom
- 1.7b- extend student access to elementary classrooms to include grade 1-3
- 

#### Zane

- 1.5k Provide a Yurok language course. I think this would be a great class to connect students with their native culture and make Zane more culturally responsive. My concern

is all of the #'s going toward 1 tribal group. We see so many native students in need of tutoring. Some at Zane receive tutoring services through Indian Action Council, but do they receive tutor support for all native students at EHS?

- Under 2.4 Can the multi-tiered system of supports "include funding for someone to address Tier 3 issues on a permanent basis? A funded position that addresses these issues might pay for itself by decreasing the # of families leaving the district
- Pros-Freshman seminar and/or AVID for 9th
- PBIS and Restorative practice implementation-including professional development to facilitate
- Constructive opportunities-District Committee on Interdistrict reduction-including increase incentivizing for bargaining group and marketing the assets of the district
- Expand afterschool program in support of students and parents.

#### Student Survey Comments

- I would like you to spend the money on more books or better lunch
- I think we should allow fidget spinners and upgrade the big kids playground
- I think we should have classroom pets
- I think we need more fidget spinners
- More field trips. More fidget spinners, allowed to do gymnastics, allowed to have our phones out, allowed to chew gum, have a cheer team, a basketball team
- We need to buy hoverboard and fidget spinners
- I think my school should provide freshly made food, fidget spinners more field trips, shorter class time
- Monitors for each part of the playground would be cool
- The school should buy hoverboards
- I think that all of us go to a really good school
- Free fidget spinners
- We need more fidget spinners
- Better food
- We need fidget spinners
- We need more pencils and tissues. Also need another basketball cart with more balls
- I've never been absent or tardy so I just circled the middle cause I wasn't sure
- Not when I am tardy
- The school should raise more money
- We should have swings at Alice Birney
- I have lots of fun seeing my friends, making new friends and having fun with them too.
- I hope this school will get along soon
- We need more pencils
- More food

- I hate this school
- There are a lot of bullies here
- I think this school is good
- More pokemon cards not against the rules
- No bullies
- I would love to not be back to 3rd grade only 4th grade
- Have a soccer club

<p><b>Goal 1: All students will demonstrate high academic achievement and "college and career readiness" in clean and modernized schools. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like to see the district continue to prioritize.</b></p>	<p><b>From the list above, please tell us your highest priority.</b></p>	<p><b>Are there any other areas that you would like Eureka City Schools to prioritize in regards to Goal 1?</b></p>
<p>Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.</p>	<p>24 students to 1 teacher ratio</p>	<p>Maintain Facilities</p>
<p>Provide Fine Arts educational opportunities for all students, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Single-grade classes</p>	<p>Expand the afterschool program</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Too much money is being spent on Teachers on Assignment. Coach at this site performs many of the principal's responsibilities.</p>	<p>Professional Development and staff collaboration; time for the staff to communicate is also needed (not avoidance, or just emails or texts).</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Low class sizes</p>	<p>In class support for teachers</p>
<p>Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers</p>	<p>student adult ratio</p>	<p>aides in every classroom</p>
<p>Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites</p>	<p>Keep class size 24:1</p>	<p>For teachers to have an extra adult in the classrooms (lit tech or aide) that stays longer than 20-30 minutes.</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Class size reduction.</p>	<p>Address the substitute shortage. Have aids in elementary schools.</p>
<p>Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.</p>	<p>I value intervention teachers but not instructional coaches. Small class size and a classroom aide is needed for student success.staff needs the time to collaborate and talk about schoolwide issues, like a staff meeting, regularly to effectively run the business that is the school.</p>	<p>School counselors need to be hired for each school site. There is no question or doubt that these licensed professionals would make a positive and astounding impact on the emotional well being of our poverty, homeless, drug influenced students. Also, with this help, teachers can teach rather than manage and try to control out of control students.</p>
<p>Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.</p>	<p>Maintaining facilities</p>	
<p>Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Provide intervention and instructional coaches to school sites.</p>	
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites</p>	<p>professional development</p>	<p>more universal assessments throughout the year for data tracking purposes</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Provide intervention teachers to school sites</p>	<p>Provide mandated ELD instruction to all levels of EL students by prioritizing increased staff at each school site to fully address this mandate</p>

Provide Professional Development opportunities to teachers to improve instruction, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Career and Tech opportunities for students	Staff development
Provide Professional Development opportunities to teachers to improve instruction, Provide Fine Arts educational opportunities for all students, Increase to industry standard ratio of 2:1 students to computers	Fine Arts Education	Prof Development
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students	Professional Development, especially considering the number of new teachers in the district. Professional Development regarding behavior management and trauma informed practices are of particular importance from my perspective.	
Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	2:1 ratio students to computers	Functional cooling and heating systems in portable rooms.
Provide Professional Development opportunities to teachers to improve instruction, Increase to industry standard ratio of 2:1 students to computers	PD, both for content and management (CM + TLAC)	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	How can you choose?	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites	Provide Career and Technical Educational opportunities at the Middle and High Schools	
Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	Instructional Coaches	Access to technology
Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	intervention teachers	
Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	class size	
Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Provide Fine Arts educational opportunities for all students	Keep class sizes down.
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Maintain facilities	
Provide opportunities for staff to collaborate, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	Staff Collaboration	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Small class sizes	
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites	Lower class size to 20 in primary grades and bring back fine arts programs for elementary students	More intervention teachers
Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students		

Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12		
Provide Professional Development opportunities to teachers to improve instruction, Provide single-grade classes at all elementary sites	Provide Reading Intervention Teachers at Elementary level to address all students who	The classrooms are NOT clean, so clean classrooms.
Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students	Provide Fine Arts to all students	Teachers need time and training to be able to keep improving.
Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	More intervention/literacy techs --in all grades	
Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12	Intervention Teachers	Lower class sizes
Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers		
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Increase to industry standard ratio of 2:1 students to computers	more working technology available
Provide opportunities for staff to collaborate, Provide single-grade classes at all elementary sites, Increase to industry standard ratio of 2:1 students to computers	Provide collaboration time	smaller class sizes, not just maintaining
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	24 to 1	
Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	Provide CTE opportunities at Middle and High Schools.	1:1 student to computer ratio. The industry standard is inadequate to offset the deficit imposed by the relative isolation of our student population. Other urban, low income/Title 1 secondary students have access to a wide range of tech support services and opportunities, such as free broadband access from Comcast. The ONLY services here are provided by Talent Search and Upward Bound, and they are strictly pull-out programs, not directly related to student learning, homework completion, etc. Boys and Girls Club has only very limited tech-based activities.
Provide opportunities for staff to collaborate, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Provide Career and Technical Educational Opportunities	
Provide opportunities for staff to collaborate, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Small class sizes / technology	Upgrade facilities
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Increase to industry standard ratio of 2:1 students to computers	staff collaboration	A full time staff member to just deal with tier 3 students all day long.
Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Provide opportunities for staff to collaborate (district wide)	
Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers		
Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	Smaller class size	
Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Instructional coaches (with a focus on behavior support)	We need more support with behavior



Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	intervention teachers	class size
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Professional Development for Teachers INCLUDING Substitute Teachers	Fostering Substitute Teachers and Improving their Communications with those they are subbing for.
Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Increase to 1:1 students to computers	1:1 ratio of students to computers
Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Intervention teachers, and aides, not coaches	Having aides in the classroom would help increase student achievement by decreasing the adult-to-student ratio.
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites	Lower class size! back to 20 in K-2	Class size back to 20 in K-2
Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Maintain average Grade Span Adjustment levels	Provide instructional aides for teachers who need extra help in their classrooms.
Provide Professional Development opportunities to teachers to improve instruction, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Increase to industry standard ratio of 2:1 students to computers	PD for teachers to improve instruction	Strong PD emphasis at all sites on CCSS
Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers	Fine arts opportunities (including music and dance!)	Keep class sizes below contract
Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers	Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Raising the wages of all employees starting with those at the bottom first. The dollars spent on the base of the pyramid go much farther and garner more benefits to the schools and student than increases to the tip of the pyramid.
<b>Goal 2: All students will learn in a safe, supportive, and culturally responsive environment where students, families, and community are valued, connected, and engaged. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like Eureka City Schools continue to prioritize.</b>	<b>From the list above, please tell us your highest priority.</b>	<b>Are there any other areas that you would like the district to prioritize in regards to Goal 2?</b>
Provide Freshman Seminar or AVID 9 to all 9th graders		Provide AVID
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders	student services coordinators -- and more training for them	I think we need a re-boot of PBIS -- and an emphasis on expanding on teacher skills in dealing with students who are not able to function appropriately in a classroom. Nobody wants to just have them gone, but what else can be tried? More training in that area -- and more clear systems in place. Consistency would be nice.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	Provide TRAINED! Student Services Coordinator.	Provide behavior support for students with extreme unsafe, disrespectful behaviors.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students	Provide student services coordinators	
Provide Student Services Coordinators for each elementary site	student services	smaller class size, better communication and fine art opportunities for all

Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site	To use PBIS as it was intended with enough staff to support our Red Tier students.	We need trained counselors to offer support and guidance to struggling/emotional students.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Provide Student Services Coordinators for each elementary site.	Look into alternative programs to encourage positive behavior.
Provide Student Services Coordinators for each elementary site, Provide Health Aides, Maintain transportation for students living outside of a mile to attend school	Playground monitors need training and support. When a monitor is absent, a plan must be place that ensures that supervision of students will happen. This would be a first step in having a safe and responsive environment.	Events planned for families to come onto the campus and participate, socialize and talk with other families is vital for positive school climate and buy in to the education of their child. Arts night, math night, science, monthly assemblies to honor students, music concerts and class plays. All of these kind of activities get families on site, talking to other families, meeting the teachers and staff, and becoming a partner in their childs education.
Provide Freshman Seminar or AVID 9 to all 9th graders		
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Maintain transportation for students living outside of a mile to attend school	Student services coordinators for school sites	
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	training for staff	strengthening the home-school connection
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	Implement and provide professional development and support for PBIS and Restorative Practices	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	GRIP	Transition specialist
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Freshman Seminar or AVID 9 to all 9th graders	PBIS & Restorative Practices	Avid & Freshman Semimar
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Transition Specialists	
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Gang Related Intervention Program coordinator for secondary students	Transition Specialists	Staffed Mental Health Wellness Centers
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	PBIS	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school		
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Gang Related Intervention Program coordinator for secondary students	Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career	
Provide Student Services Coordinators for each elementary site, Provide Health Aides, Maintain transportation for students living outside of a mile to attend school	Transportation	Professional development to make curriculum culturally responsive
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career		
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	PBIS	Tier 3 supports
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students	PBIS	School Counselors at all sites.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	Provide behavior support and professional development	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Maintain transportation for students living outside of a mile to attend school	PBI and RJ	

Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	The first listed area.	Consequences for routinely disruptive, unsafe, or inappropriate behavior in the classroom so that students can learn.
Provide Student Services Coordinators for each elementary site, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	We need counselors at elementary level	More emotional support for students and appropriate placement for emotionally unstable students
Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students		
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	student services coordinator (but ombudsman style-outreach to parents)	our red zone kids. We need a plan, and personnel on every site to facilitate it
Provide Student Services Coordinators for each elementary site	Personel to meet all of the behavioral issues that prevent others from learning.	PBIS as guided by Dr. Dale was more effective. {An additional statement was made, but it was redacted because it was directed to an easily-identifiable individual}
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Maintain transportation for students living outside of a mile to attend school	providing a student services coordinator.	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	Behavior system of rules/consequences that is implemented the same at all elementary sites-especially in regard to Tier 3 behaviors-	System with support for dealing with students that elope, roam campus unsupervised, and are dangerous to peers and staff.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	PBIS	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Support and funding for restorative practices.	Create a solution for tier three kids.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Provide Gang Related Intervention Program coordinator for secondary students	We do not have a Gang Related Intervention Program coordinator at our site
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Provide support for PBIS and Restorative Justice Practices	In addition to an SSC have counselors at each site
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices	FIRST IDEA	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Gang Related Intervention Program coordinator for secondary students	GRIP coordinator. But I would give Libraries and library staff equal priority, if they were listed above.	We need libraries and professional library staff.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career	Transition Specialists	
Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Gang Related Intervention Program coordinator for secondary students		
Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	The one I checked is to important to list anything else on there	Extra bodies on campus to aid in the support of teachers who have many tier 3 students in their class
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Provide each site with an SSC	I would adjust one SSC to each site to at least two or three and each taking on a tier and supporting those tiers with interventions (tier 3 with intermission and FBA processes, tier two with CiCO and SSTs, and tier one with friendship groups or other counseling like services).
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site		

Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	PBIS	
Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	CPI/De-escalation strategies training for ALL staff	We need support from people specially trained to deal with behavior.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	CPI	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	PBIS when appropriate (it can seem demeaning and silly when applied to older students in the same fashion as it is applied to younger students) and Restorative Practices that aren't treated like a band-aid but are consistently applied with a strong follow-through.	Boalian Forum Theater Presentations to Rehearse how to Respond to Bullying (Theater of the Oppressed)
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides	PBIS and RD	Counselors as well as increased numbers and professionalism of monitors are desperately needed for safety
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Health Aides	We desperately need out student service coordinators. We also desperately need counselors!!!	Counselors, counselors, counselors to alleviate anger and tension, and provide counseling, social skills, and conflict resolution.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Student service coordinators at all elementary schools	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	All equally important	More mental health support services
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	PBIS/ Restorative Practices	Lower student/ counselor ratio to ACSA recommended standards and have counselors at all schools.
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	maintaining transportation	Provide more tier 3 PBIS support to teachers
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Gang Related Intervention Program coordinator for secondary students	Professional development	
<b>If you'd like to add any other comments, please do so here. Thank you very much.</b>		
Our campus started the year off and continued the year without a plan in dealing with extreme behavior students. These students have continued to learn how to "avoid" being respectful, responsible, and safe individuals. The powers to be at the District Office need to be more in tune on issues occurring at the elementary sites because relying on on the principal is not working. There is a lack of communication district wide.		
we need to be competitive with other school district which we are losing our students too		
We need to offer after school enrichment classes to our students (arts and sciences)		
In summation, classroom aides, school counselors, school nurses, TK-3 music instruction, truent officer, staff meetings to share out and discuss school issues, and pencils.		
Thanks for all the hard work LCAP team!!		
I believe we did a crisis/AOD counselor at secondary level		

A general coach should be located on each site or sites with a large population of new teachers to support beginning teachers with classroom management. Coach offices should be located on site. Subject matter cannot be taught if classroom management is not in place.		
Mental health service providers employed by the district to provide services for students enrolled in special education and general education students who have mental health needs but do not require specialized academic instruction would be a fantastic addition to our district team and would likely reduce the spending associated with special education.		
I would like to see more community based organizations that offer parent and family guidance of college and career awareness at middle school campuses on a regular basis.		
"One and done" training are not as effective as ongoing trainings with follow up collaboration.		
our red zone kids. We need a plan, and personnel on every site to facilitate it		
Smaller class sizes, with assistance from a trained paraprofessional, would yield better educated, more engaged, behaved students. Students who have disruptive behaviors need to be isolated from regular ed. classes until they are no longer ruining the education of others. We need to address this growing problem. Dealing with it is more cost effective than lawsuits.		
Our school site has changed so much in the last 5 years. We need to evolve to meet the needs of our students. Our priority as a district should be to protect the students and make school a safe place. As it stands right now Be safe is our number one school rule, but we have students who are allowed to make unsafe and physically aggressive choices on a daily basis without any consequence. Students and adults are physically and verbally attacked daily at our school. We have several students who spend more time wandering campus, attending multiple recesses and interrupting other classes than they spend working in their own classrooms. These students have been given a message that they don't have to follow the rules and it is clear to the rest of the students that some students do not have to follow the PBIS system.		
Nutritious lunches and snacks at sites. Research shows that healthy food really helps to regulate blood sugar levels, mood swings, and student focus and behavior.		
We need more support in the classroom and on the playground. Our students' safety would be increased with more adult supervision and interaction. We also need professional counselors who are trained to help our students.		
RESTORATIVE JUSTICE PULL-OUT PROGRAM DESIGNED TO HELP ALL RED AND YELLOW ZONE STUDENTS WITH BEING POSITIVE AND PRODUCTIVE CITIZENS/STUDENTS. MORE COMPUTER LABS AT THE MIDDLE SCHOOL, AND MORE BEHAVIOR SPECIALISTS / COUNSELORS.		
LCAP priorities should be direct student services and instructional support. LIBRARIES meet both of those needs. How can you meet Goal 2 without libraries and staff on each campus? Google and the Internet are not libraries. Teachers need help developing students' skills in critically analyzing the content of the websites they are examining, recognizing fake news and understanding how to use Google as a research tool. Libraries help develop students as readers, and they also offer a safe, non-classroom space, out of the weather, where students can relax, chat, and even pursue fun, non-book related activities.		
I understand that the district believes that when it comes to behavior "you get what you pay attention to" but if we are considering teacher buy in and want to support staff as well as maintain student attendance and lower interdistrict transfers, then we need to make support for students with higher needs a priority. LCAP specifically targets "safe" learning environments. Teachers and students experience trauma in their own way in their own classrooms when being exposed to some of the behaviors that haven't been addressed, and therefore can't focus on academia.		
We need coaches who can support staff and students with challenging behaviors.		
Having taught at many schools and being a parent in the community with neighbors and friends whose children attend out of district schools. I think the most important deciding factor is student to teacher ratio. A lot of other districts have a much smaller student-teacher ratio. Smaller class sizes and full time aides make it about 1 to 10. This makes parents and students feel like needs can be better addressed.		
Our current aim is to hire the minimum number of monitors required by laws passed many years ago. Our schools, along with our society, have changed since those minimums were set. The students are no longer safe with the level of supervision we have even on a good day with no absent monitors or missing subs. We need to find a way to make the monitor positions more attractive to solid, prospective employees who will want to work here long term.		
And our troubled, distracted, disruptive or violent students are acting out their emotional difficulties. They need counselors to help structure interventions and guide students, parents and teachers to success.		
I we are horribly understaffed. I am expected to deliver high-quality instruction down to the minute, and yet I am also expected to be a skilled conflict resolution facilitator. With what time? All conflicts disrupt class time. Especially those that occur outside the class, and most do.		
We are in desperate need of qualified staff to work with students who have emotional and mental health problems.		

<b>Goal 1: All students will demonstrate high academic achievement and "college and career readiness" in clean and modernized schools. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like to see the district continue to prioritize.</b>	<b>From the list above, please tell us your highest priority.</b>	<b>Are there any other areas that you would like Eureka City Schools to prioritize in regards to Goal 1?</b>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p> <p>Provide Career and Technical Educational opportunities at the Middle and High Schools</p>	<p>Career and Technical opportunities</p>	
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Increase to industry standard ratio of 2:1 students to computers</p>	<p>My child is a 6th grader at Zane and spends at least half of his classes reading books, because he finishes the school work so fast. He is bright and well-behaved and is not being challenged, academically. He says every day there is some sort of disruption from other student(s) that sets the pace of academic progress. This is just unfortunate. I am always thinking about other options. I am hoping at as a 7th grader, he'll be in classes that are more challenging for him.</p>
<p>Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Provide CTE</p>	
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide Fine Arts educational opportunities for all students, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Music Program</p>	
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Career and Tech Ed opportunities</p>	<p>Better instructor selection, instructors more closely monitored, and instructors who will seriously challenge ALL students.</p>
<p>Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites</p>	<p>Fine arts</p>	<p>Student interpersonal relations &amp; manners</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards., Increase to industry standard ratio of 2:1 students to computers</p>	<p>Providing additional support to teachers through behaviorists and aides</p>	<p>Each class should have a teachers aid</p>
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Increase to industry standard ratio of 2:1 students to computers</p>	<p>Well qualified teachers who create a safe and nurturing environment.</p>	
<p>Provide Professional Development opportunities to teachers to improve instruction, Provide opportunities for staff to collaborate, Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.</p>	<p>Fine Arts opportunities</p>	<p>Music, Visual Arts, Drama and Dance (in that order) K-12</p>

Provide Professional Development opportunities to teachers to improve instruction, Provide intervention teachers and instructional coaches to school sites, Provide Fine Arts educational opportunities for all students, Maintain average Grade Span Adjustment levels (24 students to 1 teacher on average) for TK-3 and average below contracted class size numbers for grades 4-12, Provide single-grade classes at all elementary sites, Maintain facilities and grounds in good repair and replace equipment as needed in order to meet district standards.	Class size to 24	
Provide intervention teachers and instructional coaches to school sites, Provide Career and Technical Educational opportunities at the Middle and High Schools, Provide Fine Arts educational opportunities for all students	Please support what the teachers need. Please use this as a learning opportunity for all of us, including the kids. System navigation is a skill, teach them too. This interface for survey is not so great. I spent time on it, and it got timed out. Main thing: take this teachable moment in our country's history to your advantage. .	Art and Music for all. Own your environment and support the teacher's ideas. If there are teachers who are not using our times to educate students for their advantage, use the coaches to prioritize. If not us, who? If not now, when?
<b>Goal 2: All students will learn in a safe, supportive, and culturally responsive environment where students, families, and community are valued, connected, and engaged. In support of this goal, Eureka City Schools has focused on the following actions. Please check the boxes of the areas that you would like Eureka City Schools continue to prioritize.</b>	<b>From the list above, please tell us your highest priority.</b>	<b>Are there any other areas that you would like the district to prioritize in regards to Goal 2?</b>
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	Transition specialist	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders		
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Maintain transportation for students living outside of a mile to attend school	I don't see anything on this list directly dealing with engagin parents in the school community. Partnering with the PTA could help with this... but most parents are pretty strapped (time-wise). What about equity training (around things like microaggressions) for faculty/staff? Diversity training?
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Maintain transportation for students living outside of a mile to attend school		
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Maintain transportation for students living outside of a mile to attend school	bus	
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school		Common sense discipline, emphasis on respecting authority, opposing views, and humanity in general. Class on general life skills like home economics, for example.
Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Elementary support - whatever SSCs are	Disability and Learning Differences awareness

Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Freshman Seminar or AVID 9 to all 9th graders, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Positive behavior interventions	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Student Services Coordinators for each elementary site, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Providing SSC at each site.	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Professional Development	
Implement and provide professional development and support for Positive Behavior Interventions and Supports & Restorative Practices, Provide transition specialist for students entering Kindergarten, 6th grade, 9th grade, and from 12th grade into college and career, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff, Provide Gang Related Intervention Program coordinator for secondary students, Maintain transportation for students living outside of a mile to attend school	Crisis Intervention in Elementary (so they don't interrupt the rest of class)	
Provide Student Services Coordinators for each elementary site, Provide Health Aides, Provide Crisis Prevention Intervention (CPI)/De-escalation techniques and training for staff	Carolyn Albee deserves and needs all the help and support she can get to address the needs of the students, Please provide more school counselors and nurses. Teach kids to focus on strengths and build resiliency.	
<b>If you'd like to add any other comments, please do so here. Thank you very much.</b>		
I don't believe spend money on an electronic sign was a good use of resources.		
I think too much of school time is being spent catering to disruptive students, and discussing emotions. We've gotten way off track. Teachers are promoting THEIR PERSONAL political views in classes and penalizing dissenting views. Students are allowed to treat each other and those in authority with contempt. Cursing, crass discussions, inappropriate dress and poor manners are all over looked. If we ever want to live in a civil society, our schools need to step away from the latest social trends and set the highest standard. This means hiring people who know and value our Constitution and Bill of Rights, who understand they are there to teach, not indoctrinate and who respect parents and the students, and who REQUIRE respect and hard work from all students.		
Eureka City Schools remains the most uncaring & bullying district in the area. How are the students going to learn how to treat each other well when the administration sets such a poor example? There is still MUCH disrespect for girls, native, disability, and disadvantaged peoples - mostly by staff, which is reflected by students' demeanor. The Positive Behavior stuff is just a quote a week - not much substance to the legal requirements the schools are being forced to comply with. There is no HEART in the effort. These surveys are also a 1/2 hearted effort. If anyone really cared what people think - there would be people with clipboards out before & after school catching parents & at least giving them a card with the website link. Please publish HOW MANY responses, per school, you get when the results are tallied.		
Due to the amount of children with behavioral and other extra needs each school should have a resource or behavioral specialists that can assist the teachers/students. Also due to these issues and the amount of children in each class each teacher should have a classroom aid.		



Thank you for the opportunity.		
More parent volunteers to help teachers would be great		



# LCAP Board Update

May 23, 2017

# Objective

Update the Eureka City Schools Board of Trustees on the development of the '17-'18 Local Control and Accountability Plan



# The Process

- Writing Team has met six full days
- Team members have attended LCAP training at HCOE and through webinars
- Consultation with Cheryl Ingham at HCOE (Cheryl is our reviewer)
- Draft close to completion

# Input Received So Far....

- Eight (8) stakeholder meetings
- Three (3) online surveys
- One (1) paper survey (students)
- 2 consultation meetings

**Input from 130+ individuals!**

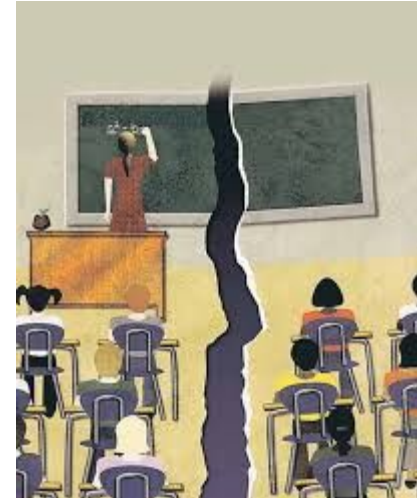
# What do we do with the input?

- Reviewed by writing team (8+ hrs)
  - How does the input relate to the goals?
  - What is in the current plan that aligns to the input?
  - What are “high impact” actions and services that support the goals
  - What are the fiscal parameters?
  - Input provided “unfiltered” to the Board

# Significant Issues and Trends

## Goal 1:

- Keep class sizes low
- Provide fine arts opportunities for all students
- CTE opportunities for middle and high
- AVID K-12
- Improve services for EL students



# Significant Issues and Trends

## Goal 2:

- Improve parent outreach
- Provide PD for PBIS & Restorative P.
- PD for monitors (Elem. and Middle)
- Provide Counselors
- Maintain Student Service Coordinators
- Training with CPI





# What remains unchanged?

## Goal 1

All students will demonstrate high academic achievement and “college and career readiness” in clean and modernized schools.

# What remains unchanged?

## Goal 2

All students will learn in a safe, supportive, and culturally responsive environment where students, families and community are valued, connected, and engaged.

# Proposed Changes

- Improve services for English Learners at Elementary and Middle Schools (+2 sections at Zane and Winship, EL teachers (FTE based on need at Elementary))
- Teacher Academies for both elementary *and* secondary teachers
- Provide District Behavior Coach (using SCTG funds)

# Next steps



- Writing Team to complete draft
- Continue consultation with bargaining groups and DELAC
- Draft to Board on June 8
- Public hearing on June 27
- Board action to adopt on June 29

# Thank you!

## Questions?



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Student Board Member Interview Process and Board Representation

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Board is asked to discuss who the Board representative will be at the Student Board member interviews tentatively scheduled for June 2, 2017 from 3:30-5:00 p.m.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Per Board Bylaw 9150, adopted by Consent at the May 23, 2017 Board meeting, one Board member can be on the interview panel.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Not applicable.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

Not applicable.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D. - Superintendent

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Enrollment Update

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board will receive a report updating 2016-17 enrollment and P-2 attendance.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

Enrollment and Average Daily Attendance (ADA) are factors in determining the Local Control Funding Formula (LCFF) and other revenue sources.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 4: STUDENT TRANSITION AND INITIAL ENROLLMENT

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is an annual report, updated throughout the fiscal year.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

On average across the grade spans, one unit of ADA provides approximately \$7,500 of base Local Control Funding Formula (LCFF) revenue for 2016-17. In a declining enrollment environment the District utilizes Prior Year guarantee for its ADA figure.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- Enrollment Update - Presentation

# ***Enrollment & Attendance Update***



May 23, 2017  
Presented by Paul Ziegler  
Assistant Superintendent



## ***ENROLLMENT / ATTENDANCE REPORTS***

**CBEDS:** California Basic Education Data System.  
The statewide system of collecting enrollment, staffing and salary data on “Information Day”, the first Wednesday of October.

# ***ENROLLMENT / ATTENDANCE REPORTS***

***School agencies report their attendance three times during a school year.***

- **The First Principal Apportionment (P-1 Count)** covers the period from July 1 through the last school month ending on or before December 31 of a school year
  - A “school month” is a four week period that does not necessarily correspond to the calendar year
- **The Second Principal Apportionment (P-2 Count)** covers the period from July 1 through the last school month ending on or before April 15 of a school year
- **Annual ADA** is based on the count from July 1 through June 30

The final recalculation of the apportionment is based on a school agency’s P-2 ADA Count.

## *AVERAGE DAILY ATTENDANCE (ADA)*

- Daily Attendance, averaged over each school day through end of P-2

## *ATTENDANCE RATIO*

- Number of enrolled students attending school on each given day

*LCFF Base Revenue is determined by multiplying:*

Grade Span per ADA amount

X

ADA for each Grade Span

- 2016/17 **target** per ADA ranges from \$7,083 for TK-3 up to \$8,578 for 9-12

**Eureka City School District  
CBEDS Results**

Updated: 03/22/17

	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016/17
TK								21	51	59	56	56
K	264	295	282	268	271	291	308	247	254	254	247	246
1	264	289	281	268	268	253	279	301	254	260	253	245
2	265	266	265	259	259	247	247	263	284	248	269	251
	<b>793</b>	<b>850</b>	<b>828</b>	<b>795</b>	<b>798</b>	<b>791</b>	<b>834</b>	<b>832</b>	<b>843</b>	<b>821</b>	<b>825</b>	<b>798</b>
3	300	282	244	244	254	260	255	233	266	273	251	261
4	258	290	263	247	236	241	258	259	237	277	263	239
5	286	291	265	242	234	224	246	242	251	232	281	263
	<b>844</b>	<b>863</b>	<b>772</b>	<b>733</b>	<b>724</b>	<b>725</b>	<b>759</b>	<b>734</b>	<b>754</b>	<b>782</b>	<b>795</b>	<b>763</b>
6	314	315	296	250	233	222	223	234	256	266	263	298
7	445	439	452	384	345	343	302	285	342	309	345	337
8	450	453	420	405	350	340	326	292	287	350	297	351
	<b>1,209</b>	<b>1,207</b>	<b>1,168</b>	<b>1,039</b>	<b>928</b>	<b>905</b>	<b>851</b>	<b>811</b>	<b>885</b>	<b>925</b>	<b>905</b>	<b>986</b>
9	451	458	406	459	377	349	336	310	333	287	345	313
10	486	423	423	360	403	368	339	324	288	312	281	326
11	499	431	426	366	373	372	345	308	308	274	301	273
12	439	475	428	397	360	378	379	351	315	321	282	308
Un Gr	0	0	0	0	0		0	0	0	0	0	0
	<b>1,875</b>	<b>1,787</b>	<b>1,683</b>	<b>1,582</b>	<b>1,513</b>	<b>1,467</b>	<b>1,399</b>	<b>1,293</b>	<b>1,244</b>	<b>1,194</b>	<b>1,209</b>	<b>1,220</b>

<b>Grand Total</b>	<b>4,721</b>	<b>4,707</b>	<b>4,451</b>	<b>4,149</b>	<b>3,963</b>	<b>3,888</b>	<b>3,843</b>	<b>3,670</b>	<b>3,726</b>	<b>3,722</b>	<b>3,734</b>	<b>3,767</b>
<b>Annual Change</b>	<b>(188)</b>	<b>(14)</b>	<b>(256)</b>	<b>(302)</b>	<b>(186)</b>	<b>(75)</b>	<b>(45)</b>	<b>(173)</b>	<b>56</b>	<b>(4)</b>	<b>12</b>	<b>33</b>

P-2 ADA	3863.89	3,686.78	3,650.50	3,576.91	3,450.77	3,521.70	3,510.67	3,534.39	3,538.58
% of CBEDS	93.13%	93.03%	93.89%	93.08%	94.03%	94.52%	94.32%	94.65%	93.94%
Projected P-2									

## EUREKA CITY SCHOOLS

### ENROLLMENT COMPARISON: CBEDS to P-1 to P-2

	Enrollment				CBEDS to P-2
	CBEDS	P-1	Change	P-2	Change
2012/13	3,670	3,666	(4)	3,632	(38)
2013/14	3,726	3,729	3	3,662	(64)
2014/15	3,722	3,708	(14)	3,678	(44)
2015/16	3,734	3,728	(6)	3,713	(21)
2016/17	3,767	3,755	(12)	3,716	(51)
Average Change :			<u>(7)</u>		<u>(44)</u>

EUREKA CITY SCHOOLS  
CBEDS ENROLLMENT to P-2 ADA Comparison

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	<u>CBEDS Enrollment</u>	<u>P-2 ADA</u>	<u>Ratio</u>
2011/12	3,843	3,576.91	93.08%
2012/13	3,670	3,450.77	94.03%
2013/14	3,726	3,521.70	94.52%
2014/15	3,722	3,507.52	94.24%
2015/16	3,734	3,534.39	94.65%
<b>2016/17</b>	<b>3,767</b>	<b>3,538.58</b>	<b>93.94%</b>

**EUREKA CITY SCHOOLS**  
**ADA SITE INCENTIVE TRACKING**

	2016-17 YTD										
	BASE YEAR 2015-16	Month 7	CBEDS 2016-17	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Difference + / (-)
ALICE BIRNEY	95.15%	95.15%	416	96.86%	96.19%	95.74%	95.47%	94.72%	94.44%	94.16%	-0.99%
GRANT	95.45%	95.45%	301	97.22%	96.67%	96.06%	95.72%	95.12%	94.74%	94.49%	-0.96%
LAFAYETTE	94.87%	94.87%	352	96.77%	95.90%	95.56%	95.23%	94.55%	94.48%	94.46%	-0.41%
WASHINGTON	96.20%	96.20%	492	97.33%	96.68%	96.37%	96.23%	95.85%	95.74%	95.59%	-0.61%
WINSHIP	94.41%	94.41%	345	96.17%	96.12%	95.67%	95.33%	94.52%	94.38%	94.17%	-0.24%
ZANE	95.86%	95.86%	641	97.13%	96.60%	96.27%	96.00%	95.48%	95.24%	95.19%	-0.67%
EUREKA HIGH	94.63%	94.63%	1,148	96.34%	96.26%	95.87%	95.56%	95.17%	94.96%	94.86%	0.23%
ZOE BARNUM	86.96%	86.96%	74	87.17%	85.85%	82.45%	81.41%	81.08%	80.22%	79.19%	-7.77%
<b>DISTRICT WIDE TOTAL</b>	95.03%	95.03%	3,769	96.58%	96.15%	95.69%	95.40%	94.86%	94.65%	94.49%	-0.54%



## EUREKA CITY SCHOOLS

Through MONTH 7 (MARCH 24, 2017)

### GRADE SPAN ADJUSTMENT (GSA) CALCULATION

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<u>Site:</u>	<u>* Average Class Enrollment</u>	<u>Actual Average</u>
ALICE BIRNEY	23.5	23.57
GRANT	24.0	23.79
LAFAYETTE	23.5	23.54
WASHINGTON	24.0	23.81

*\* Average Class Enrollment rounded to nearest half integer*

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Governor's May Revise

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board will receive a report on the Governor's Budget Update for 2017-2018.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The Assistant Superintendent of Business Services attended the May Revision Workshop on the Governor's proposed budget on May 18, 2017.

**STRATEGIC PLAN/PRIORITY AREA:**

Subject does not apply to a Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is an annual report to the Board.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

The fiscal impact on the Eureka City Schools budget will be part of the report.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Paul Ziegler, Assistant Superintendent of Business Services

**ATTACHMENTS:**

Description

- ▣ 2017 May Revise Presentation



# Overview of the 2017-18 May Revision



## Themes for the 2017 May Revision

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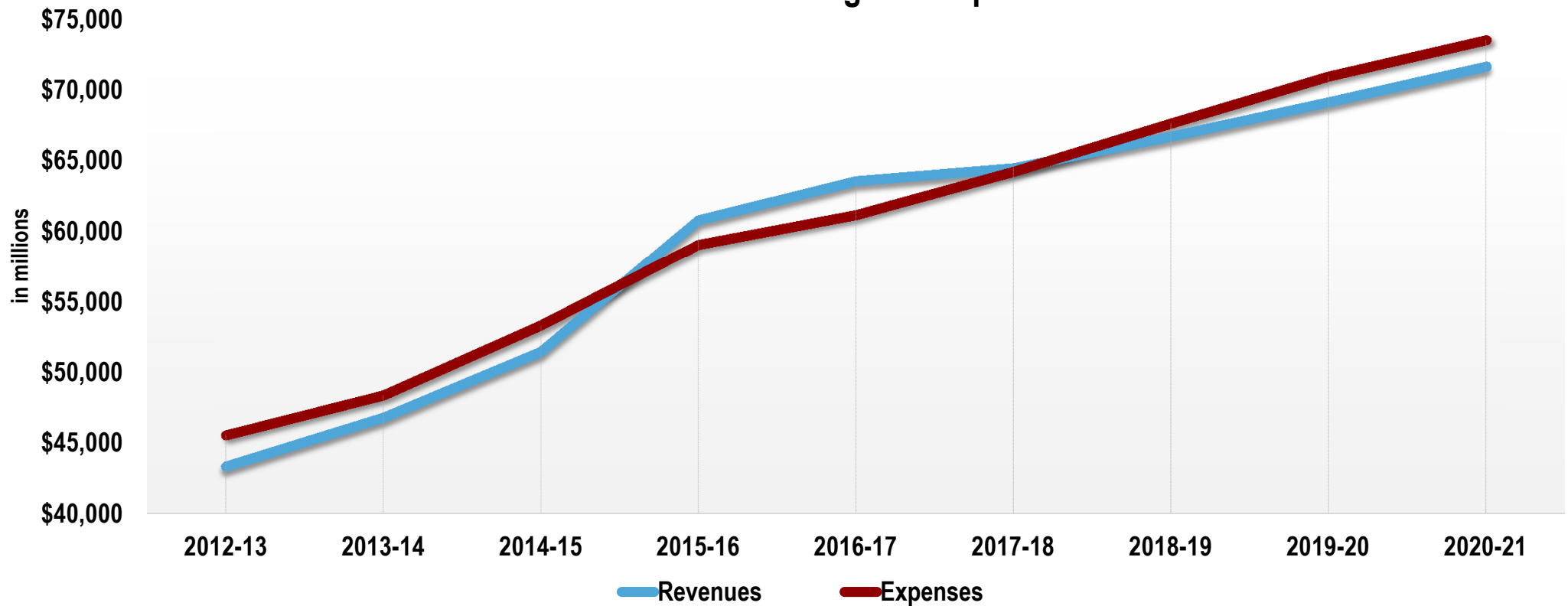
- The May Revision is the last statutorily required revision to the 2017-18 proposed Budget, prior to adoption of local educational agency (LEA) budgets and the enactment of the State Budget in June
- This year, the Governor lowered revenue expectations for 2016-17, but raised his revenue forecast for 2017-18
- Meanwhile, expenditures continue to rise, causing a huge squeeze for LEAs
  - In response, many LEAs are deficit spending and making expenditure reductions, including layoffs
  - For the first time, LEAs are reducing programs funded by targeted dollars



# School Agency State Revenues vs. Expenditure Trends

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## Historic School Funding and Expenditures





## **The LCFF Promise**

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- **The main premises of the Local Control Funding Formula (LCFF) when it was introduced were as follows:**
  - **Restoration of prerecession purchasing power to the 2007-08 level by 2020-21**
  - **Redistribution of funding among LEAs to fund additional services to targeted students and close the achievement gap**
  - **Greater local control over programs and resources**



## The LCFF Promise

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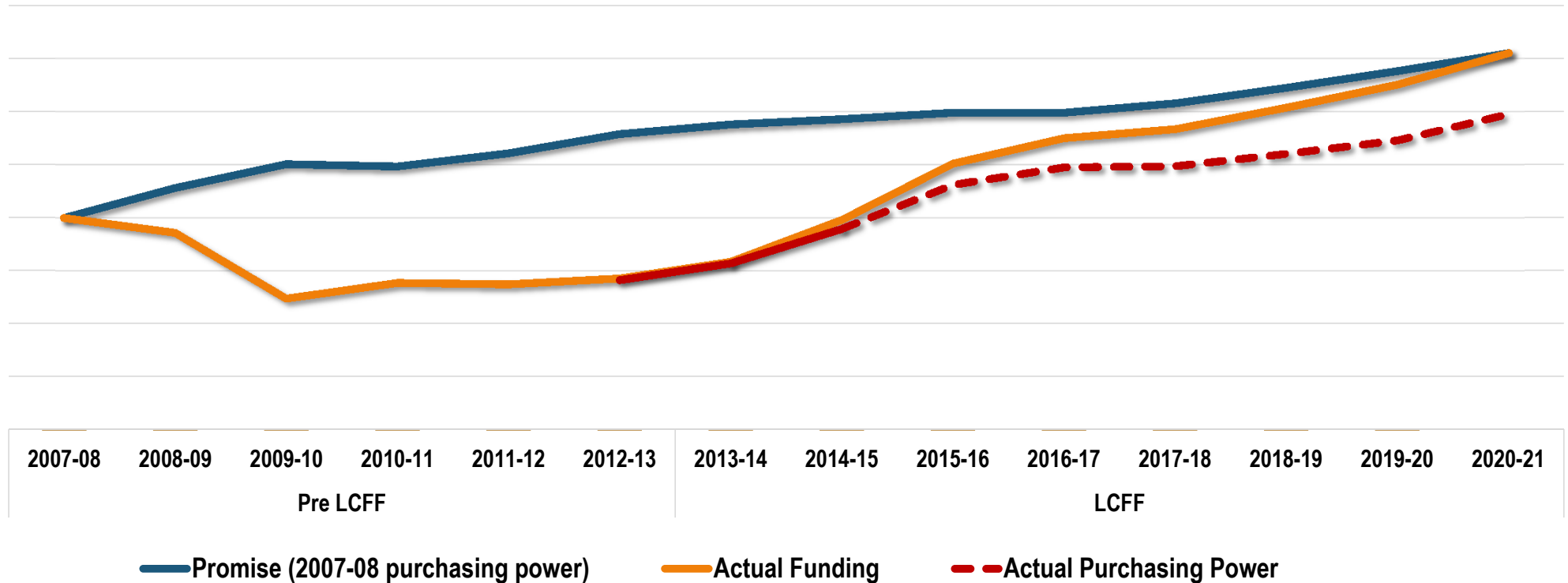
- **The next couple of years will test all three of those tenets**
  - Because of increased costs for CalSTRS and CalPERS, special education, and other nondiscretionary spending, it appears purchasing power will not be fully restored
  - The spending patterns of all LEAs will be visible; will the data show a narrowing of the achievement gap? (ACCOUNTABILITY)
  - As funding increases slow, local agencies are finding that “local control” of budget cuts is difficult
    - High unduplicated pupil percentage (UPP) LEAs have received more than other LEAs during the restoration years, but their revenue losses will be greater
      - The biggest funding crises will be in the high UPP LEAs with the highest funding per average daily attendance (ADA)



# Does the LCFF Restore Purchasing Power Lost?

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Purchasing Power Under the LCFF







## Preparing for the Slowdown

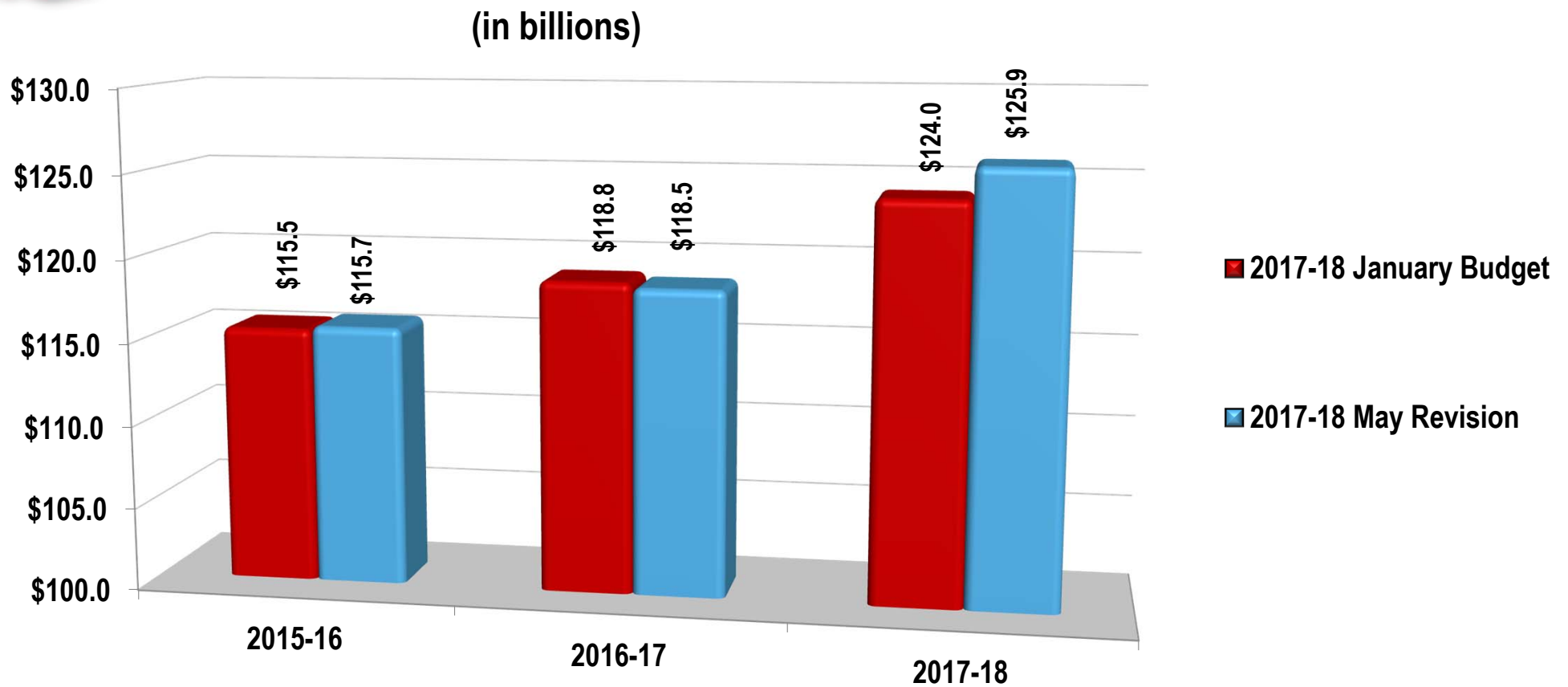
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- **The Governor is preparing for slower economic growth by:**
  - Building a substantial reserve
  - Avoiding new ongoing commitments
  - Paying down debt
  - Downsizing some governmental operations
  - Seeking new revenue sources
- **These strategies are conceptually also possible for educational agencies. Suggested control of expenditures could include:**
  - Accurate position control and staffing formulas
  - Avoidance of excessive settlements at the bargaining table
  - Commitments to maintain existing programs before adding new ones
  - Use of capital expenditures to make facilities more efficient and reduce operating costs
- **A good reserve is what allows chief business officials (CBOs) to sleep well**



## Comparing the Revenue Forecasts

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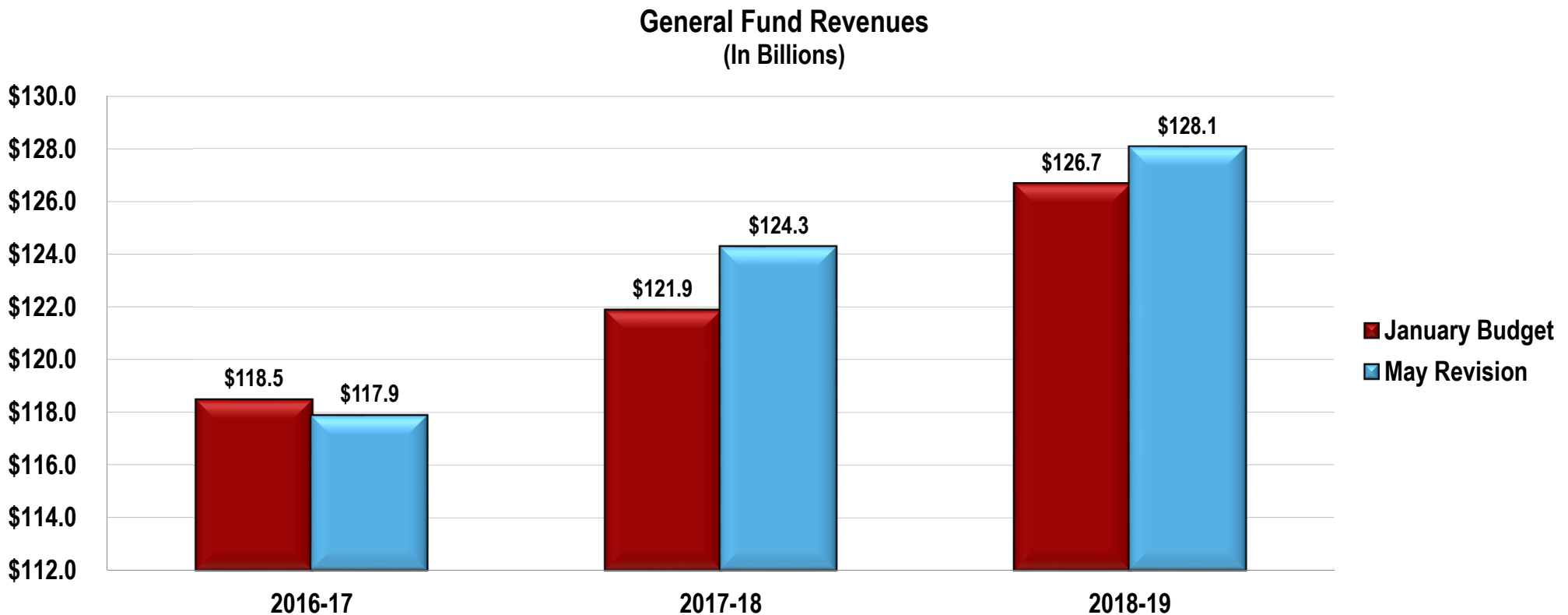




# General Fund Revenues in 2017-18 – Big Three

(Personal Income, Sales, and Corporation Tax Revenue)

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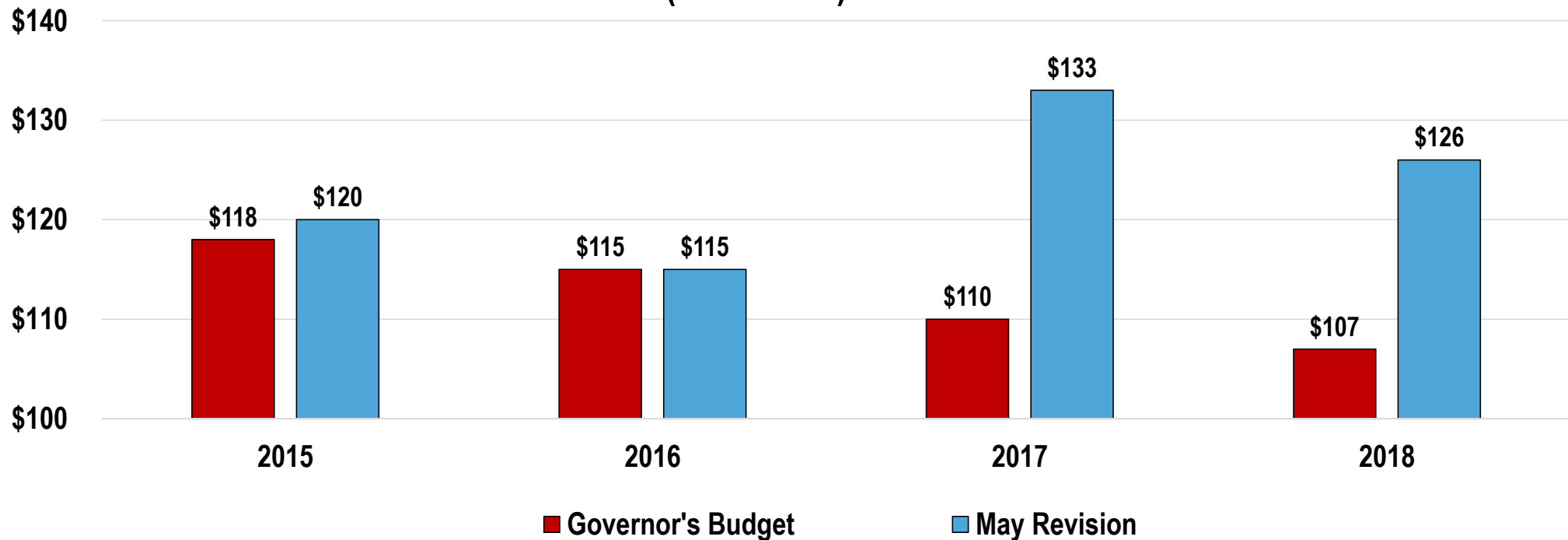




## Capital Gains Risk

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### Capital Gains Realized by Taxpayers (In Billions)



Source: 2017-18 May Revision, Page 88



# Proposition 98 and the Education Budget



## **Proposition 98 Still Governs the Level of Funding**

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- **While Proposition 98 continues to rise, the rate of increase is much lower than has been experienced over the last few years**
- **Past years have started with low revenue forecasts that got better**
  - **This year, the Governor's 2017-18 January forecast was lower than stated in the 2016-17 Adopted Budget**
  - **However, the May Revision once again reflects higher revenues for 2017-18 than the January Budget due to increases in personal income and corporation taxes**
- **Both one-time and ongoing revenues to education grow above the January forecast for 2017-18**
- **The proposed deferral is eliminated**



2-2

## New Proposition 98 Topics . . .

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### More Proposition 98

2017-18 funding up \$1.1 billion from January proposal

### LCFF Increases

May Revision ups the LCFF funding increase to \$1.4 billion

### Deferral Is Gone

2016-17 proposed deferral replaced by settle-up payment

### One-Time Funding Up

May Revision adds almost \$750 million to January's one-time funds, but with a twist



## Proposition 98 Funding

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- The May Revision once again brings ups and downs for the prior, current, and budget year Proposition 98 funding, while eliminating the proposed deferral

### 2015-16

- An increase of \$400 million to \$69.1 billion

### 2016-17

- Maintaining levels at \$71.4 billion

### 2017-18

- An increase of \$1.1 billion to \$74.6 billion

- As part of the Governor's Proposition 98 package, the May Revision proposes to suspend the statutory Proposition 98 Test 3B supplemental appropriation from 2016-17 through 2020-21 fiscal years
  - The suspended amount will be added to the Maintenance Factor, and will be repaid over future years

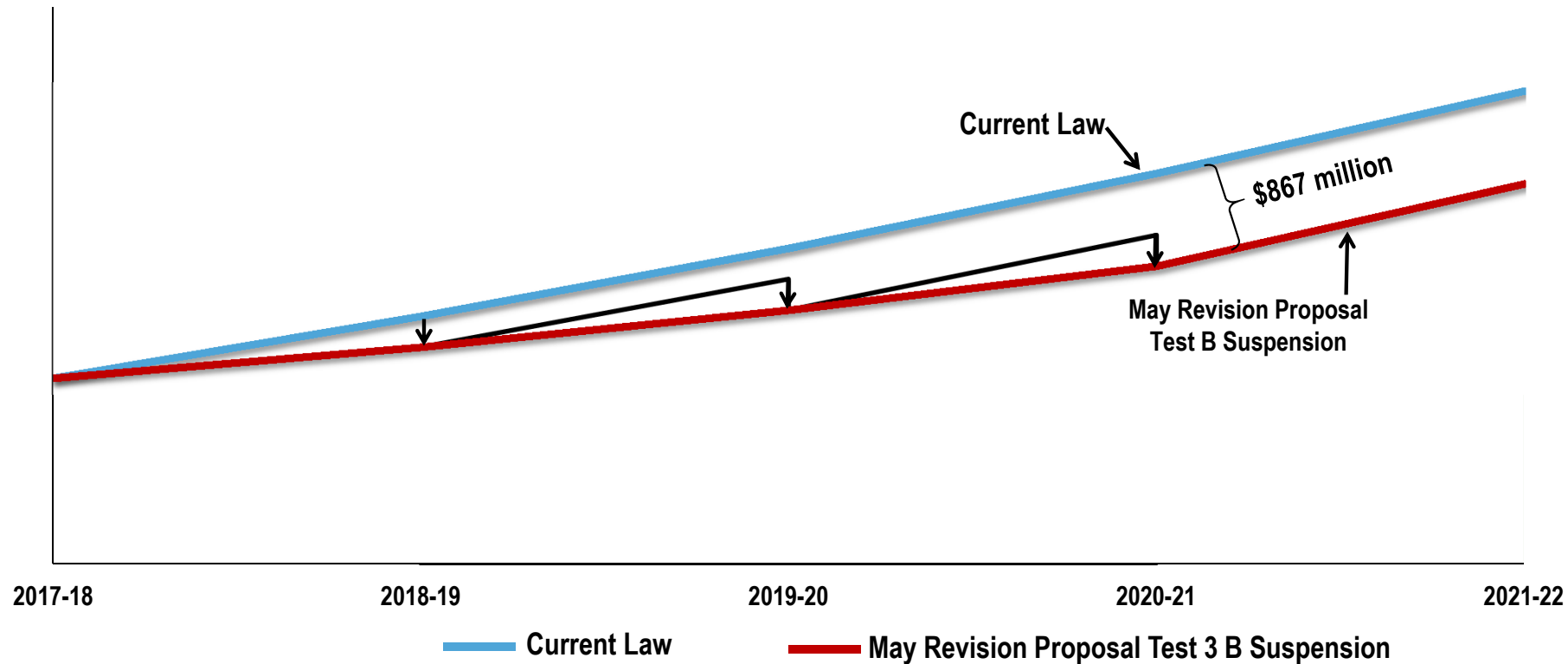




# Proposition 98 Funding Loss

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## Proposition 98



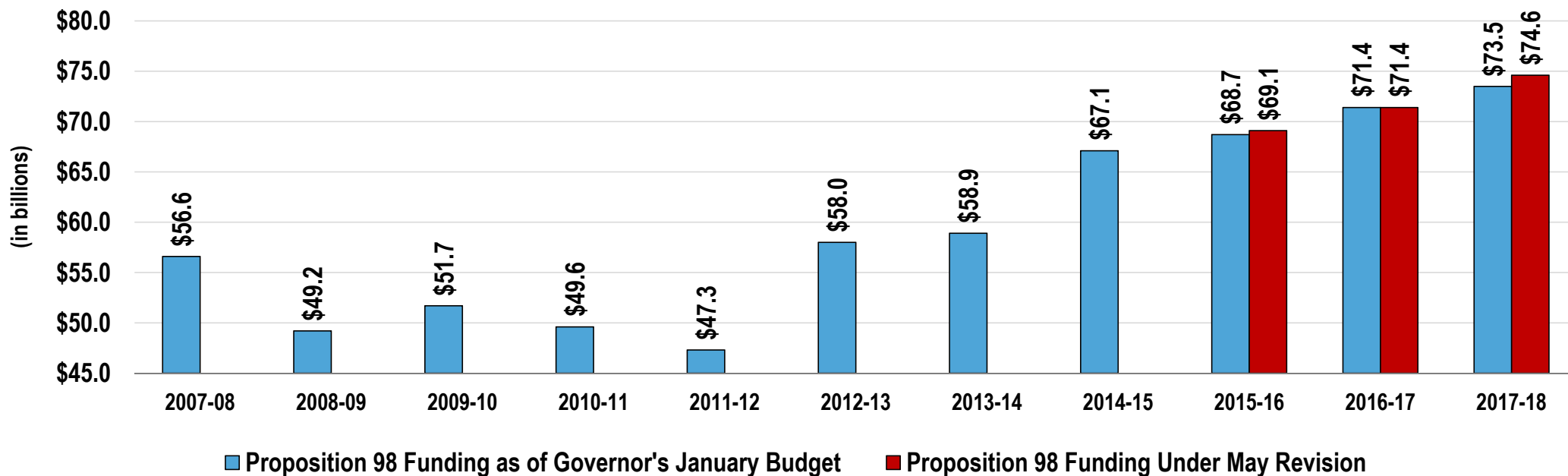


2-4

## Proposition 98 Funding

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### Proposition 98 Funding 2007-08 to 2017-18



Source: 2017-18 Governor's Budget Summary, pg. 18 and 2017-18 May Revision, pg. 4



## January Budget vs. May Revision

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Item	January Budget	May Revision
LCFF Gap Funding	23.67% or \$744 million	43.97% or \$1.4 billion
Proposition 98 Minimum Funding Guarantee		
2015-16	\$68.7 billion	\$69.1 billion
2016-17	\$71.4 billion	\$71.4 billion
2017-18	\$73.5 billion	\$74.6 billion
2017-18 COLA	1.48%	1.56%
One-Time Discretionary Funds for 2017-18	\$287 million \$48 per ADA	<b>\$1.01 billion*</b> \$170 per ADA

**\*Not received until May 2019**



2-15

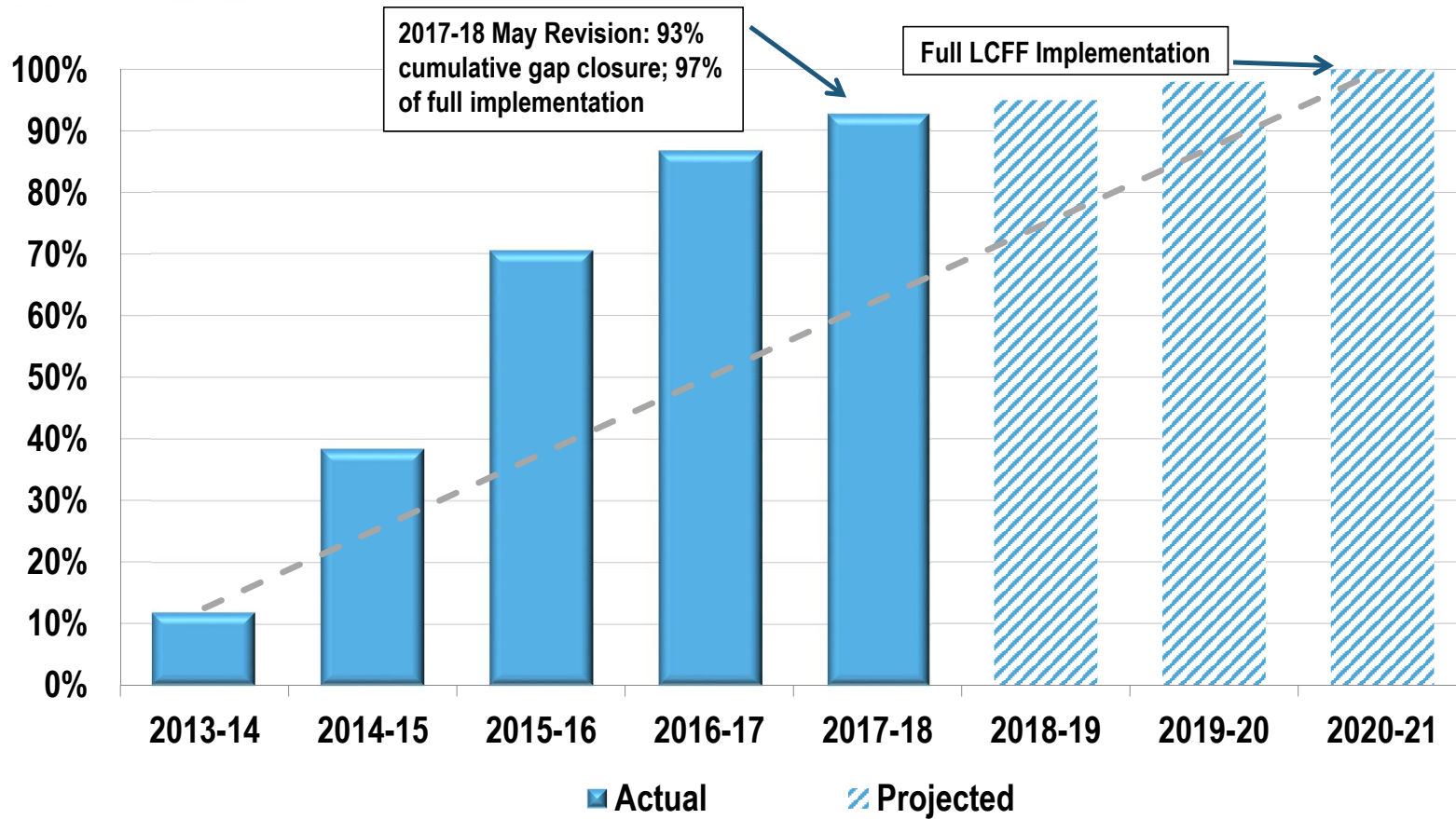
## 2017-18 Local Control Funding Formula

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- May Revision proposes more than \$1.4 billion for continued implementation of the LCFF, \$661 million above the January level
- New funding is estimated to close the gap between 2016-17 funding levels and LCFF full implementation targets by 43.97%
  - 93% of the gap closed in the first five years
  - Reaching to 97% of the targeted funding levels in 2017-18
- 1.56% COLA on the LCFF base grant targets
- 2017-18 LCFF growth provides an average increase in per-pupil funding of 2.69%, or \$249 per ADA, though individual results will vary widely across districts

# Progress Toward LCFF Implementation

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## LCFF at Full Implementation – What's Ahead

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- At full LCFF implementation, what can LEAs expect?
  - Base grant funding will be equalized across all LEAs
  - Supplemental and concentration grant funding will be determined by the LEA's UPP
  - Annual growth in LCFF funding will be determined by (1) the change in LEA ADA, and (2) the statutory COLA
    - In other words, minimal increases of 2% to 3% annually
- Proposition 98 funding in excess of LCFF requirements for growth and COLA?
  - Available for new or expanded categorical programs
  - Discretionary incentives to LCFF



## One-Time Discretionary Funds

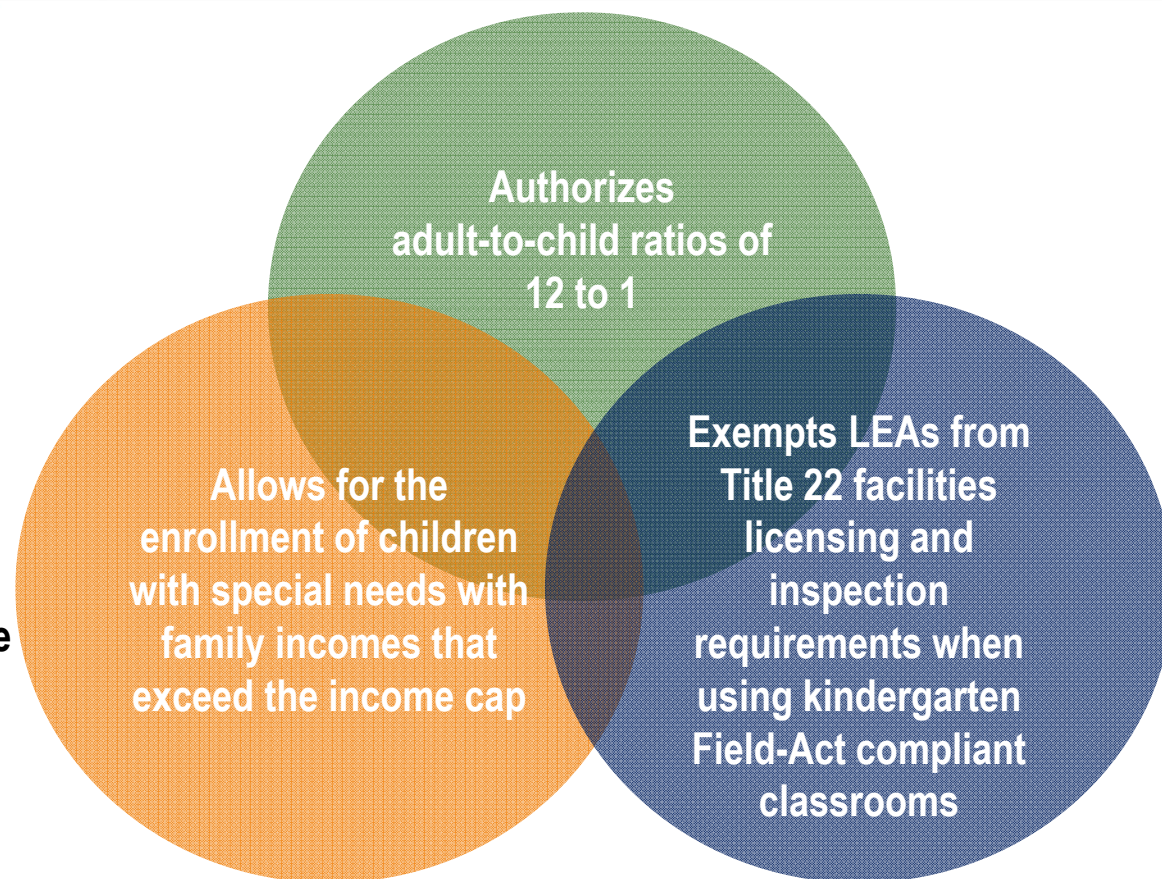
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- As a result of modest revenue increases since the release of the January Budget, the May Revision proposes an increase in discretionary one-time funding of just under \$750 million

	January Budget	May Revision
Per-ADA	\$48	\$170
Total	\$287 million	\$1.01 billion

- But, the Governor proposes to hold all of the funds until May 2019!
- Funds can be used for any one-time expenditure as determined by a local governing board
- One-time apportionments will offset LEAs' outstanding mandate reimbursement claims on a dollar-for-dollar basis
  - We continue to believe that these funds should not count toward mandate reimbursement

- Clarifying intent with the Governor's January proposal to promote alignment between State Preschool and Transitional Kindergarten programs, the May Revision specifies that:
  - Higher ratios can be used when a teacher is credentialed and has 24 Early Childhood Education (ECE) credits
  - The authority to be exempt from Title 22 commences on July 1, 2018
  - Children with special needs above the income ceiling can only be enrolled after all other eligible three- and four-year-olds are enrolled





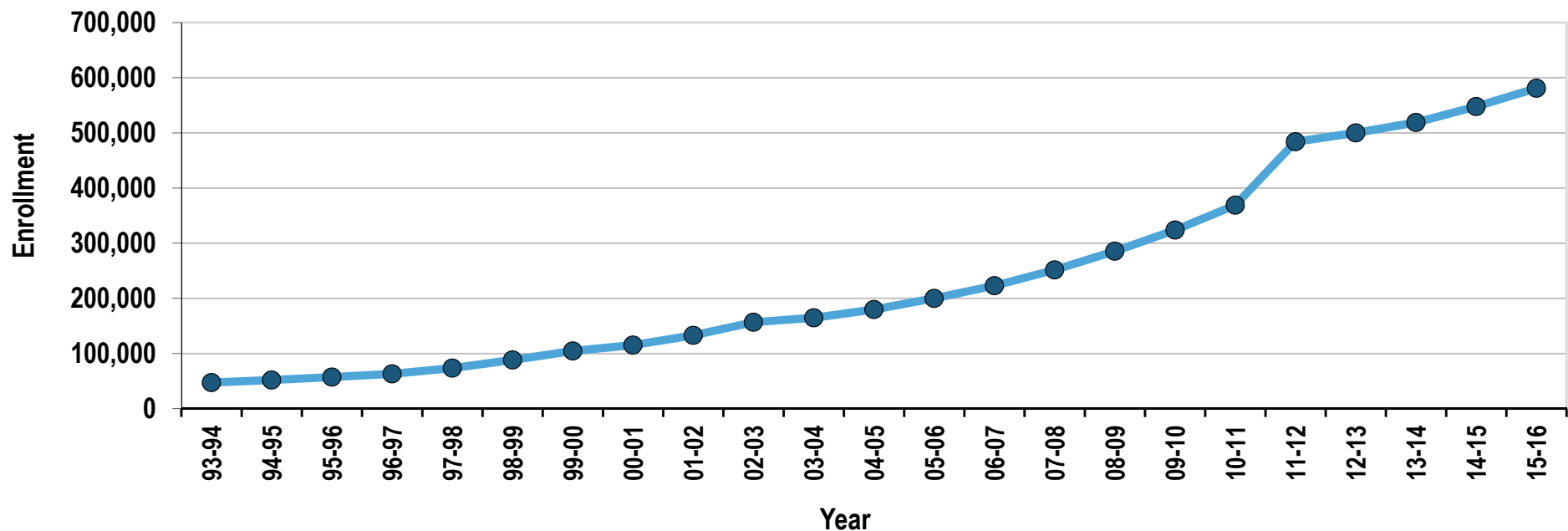


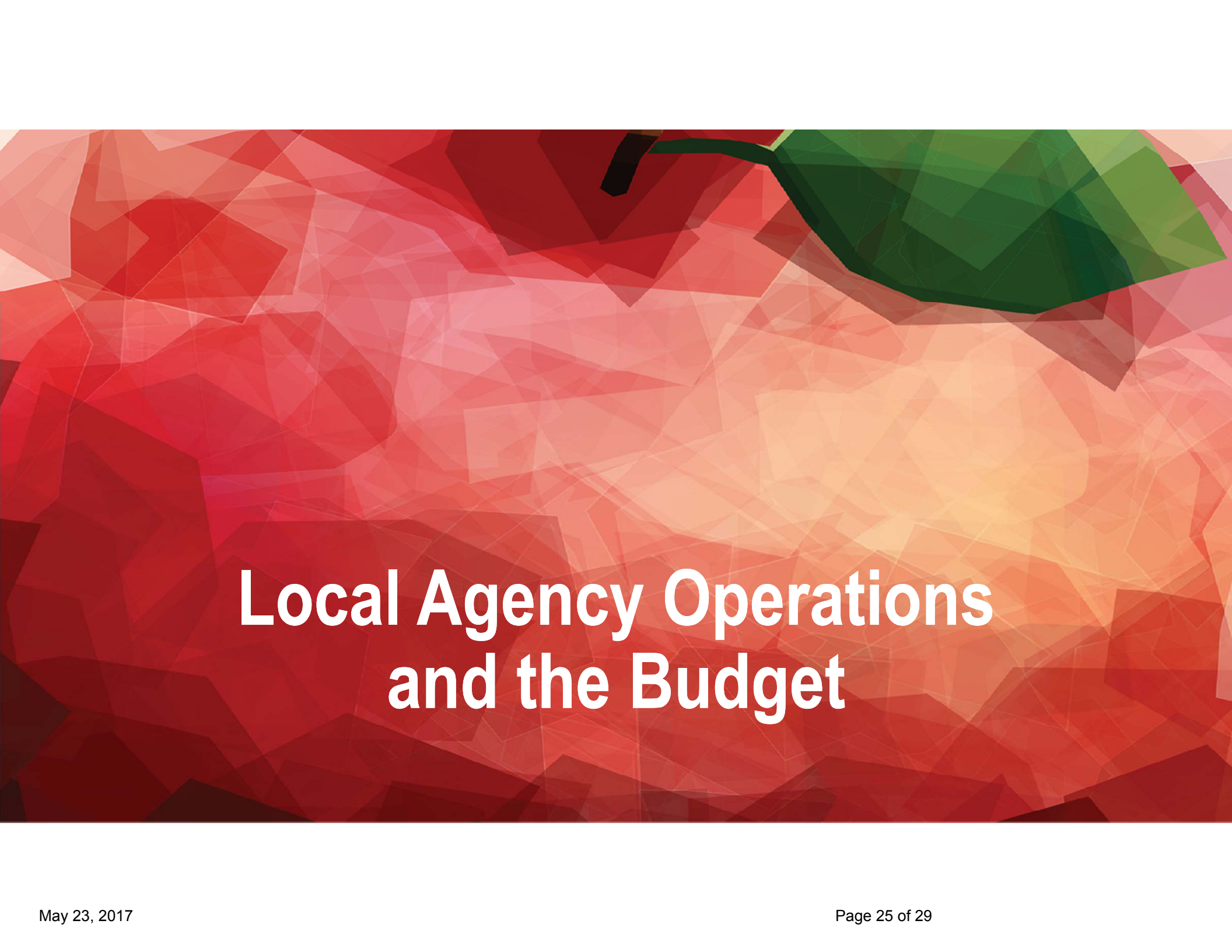
2-42

## Charter School Growth Over Time

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- Enrollment has tripled over the last decade with 1,218 charter schools serving 572,256 students statewide in 2015-16
  - Representing about 9% of the state's student population



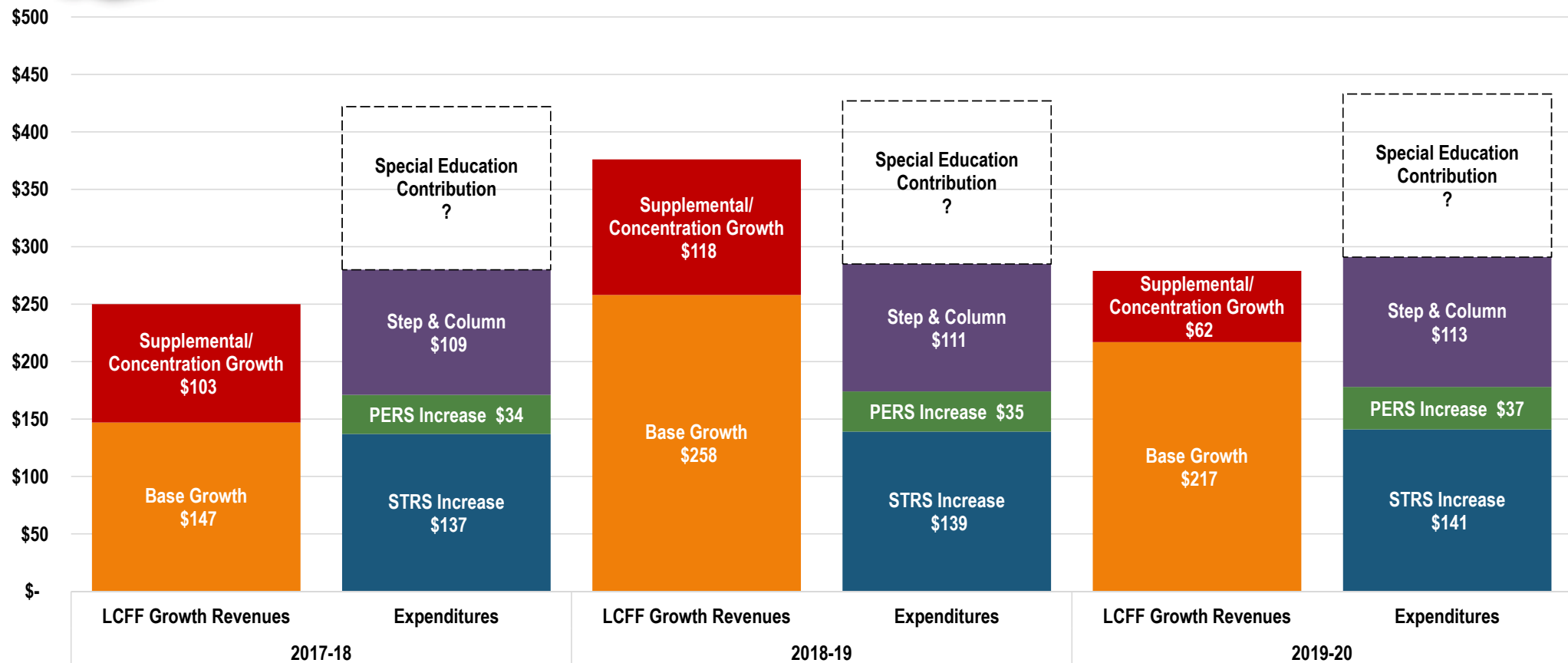


# Local Agency Operations and the Budget



## Per-ADA Revenues vs. Expenses

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## Unrestricted Fund Balance – Statewide Averages

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2015-16 Average Unrestricted General Fund, Plus Fund 17; Net Ending Balances as a Percentage of Total General Fund Expenditures, Transfers, and Other Uses		Change From Prior Year*
Elementary School Districts	21.54%	2.58%
High School Districts	17.19%	2.33%
Unified School Districts	16.45%	3.36%

Source: Statewide certified data

\*Increase relative to the reserve levels of 2014-15



5-17

## Minimum Wage

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- **Senate Bill 3 (Chapter 4/2016) which was signed by the Governor in April 2016 gradually increases California's minimum wage and provides clarity on exempt employees**
  - **Governor can pause progress annually**

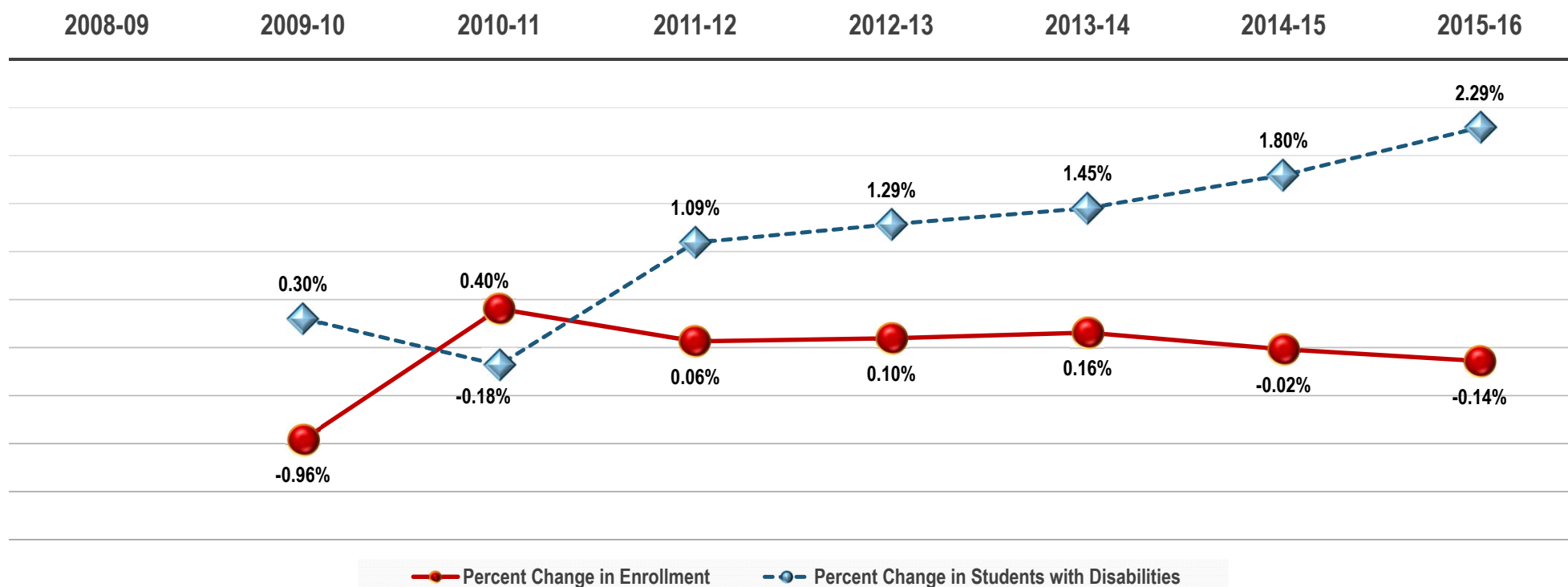
Minimum Wage	Effective Date: > 25 Employees	Effective Date: ≤ 25 Employees
\$10.50/hour	January 1, 2017	January 1, 2018
\$11.00/hour	January 1, 2018	January 1, 2019
\$12.00/hour	January 1, 2019	January 1, 2020
\$13.00/hour	January 1, 2020	January 1, 2021
\$14.00/hour	January 1, 2021	January 1, 2022
\$15.00/hour	January 1, 2022	January 1, 2023

5-36

## Special Education

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### Historic Percent Change in Enrollment and Students With Disabilities (SWDs)



*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: Eureka City Schools Annual Public Hearing and Complaint  
Process Review

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Board is asked to discuss and receive public input on the Eureka City Schools Complaint Process.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

The District will annually review, through the term of the Settlement Agreement, the District Complaint Process. In December 2014, the Student Complaints Procedure Manual was updated and the administrators of the District received training. The Uniform Complaint Procedures, Williams Uniform Complaint Procedures, Sexual Harassment Complaint Procedures, and Unlawful Discrimination Complaint Procedures are included in the manual.

**STRATEGIC PLAN/PRIORITY AREA:**

Priority Area 5: DISTRICT AND SCHOOL CLIMATE (INCLUDING MENTAL AND SOCIO-EMOTIONAL HEALTH)

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

Previous public hearing regarding the ECS complaint process was May 12, 2016.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no revenue or expense associated with this item.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Laurie Alexander, Director of Student Services.

*Eureka City Schools Board of Education*

**AGENDA ITEM**

Agenda Title: December 2016 Regular Board Policy Updates

Meeting Date: May 23, 2017

Item: Discussion

**WHAT** *(the board is asked to discuss, receive, approve, or adopt)*

The Governing Board is being asked to review the CSBA December 2016 Regular Policy Updates.

**WHY** *(briefly explain why the action or discussion is important; and if applicable, how it is connected to site, district, or strategic plans)*

From time to time, relatively minor changes occur that affect the text of CSBA sample board policies, administrative regulations, and board bylaws but do not warrant reissuing the entire sample because the changes are limited. It is recommended that districts review the revisions and incorporate them in district materials as appropriate. Although the revisions are minor, the district should still use its normal adoption process to adopt the board policies, administrative regulations, and/or board bylaws affected by these revisions. The following Board Policies, Administrative Regulations and Board Bylaws have various changes due to changes in laws, new laws, court decisions, and clarification:

**December 2016 Regular Board Policy Updates**

AR 1340 - Access to District Records, BP/AR 3311 - Bids, ~~BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures~~, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, AR 3311.4 - Procurement of Technological Equipment, AR 3543 - Transportation Safety and Emergencies, BP/AR 4030 - Nondiscrimination in Employment, BP/AR 4119.11, 4219.11, 4319.11 - Sexual Harassment, BP 5030 - Student Wellness, AR 5111.1 - District Residency, BP 5116.2 - Involuntary Student Transfers, BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions, BP 6146.1 - High School Graduation Requirements, BP/AR 6154 - Homework/Makeup Work, BP/AR 6164.6 - Identification and Education Under Section 504, AR 6173.3 - Education for Juvenile Court School Students, BB 9240 - Board Training and BB 9323 - Meeting Conduct.

**STRATEGIC PLAN/PRIORITY AREA:**



Governance and Policy updating is not reflected in the Strategic Plan Priority Area

**HISTORY** *(list previous staff or board action(s) with dates if possible)*

This is the first reading of all policies.

**HOW MUCH** *(list the revenue amount \$ and/or the expense amount \$)*

There is no revenue or expense related to this agenda item.

**WHO** *(list the name of the contact person(s), job title, and site location)*

Fred Van Vleck, Ed.D., Superintendent

**ATTACHMENTS:**

Description

- ▣ 1st Review - December Board Policies - Bd Mtg 05.23.17\_Part1\_original
- ▣ 1st Review - December Board Policies - Bd Mtg 05.23.17\_Part2
- ▣ 1st Review - December Board Policies - Bd Mtg 05.23.17\_Part3
- ▣ 1st Review - December Board Policies - Bd Mtg 05.23.14\_Part4

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
AR	1340	Access to District Records	Use CSBA Recommendation	Regulation updated to reflect <b>NEW LAW</b> (AB 2843, 2016) which prohibits disclosure of employees' personal cell phone numbers and birth dates, and <b>NEW LAW</b> (AB 2853, 2016) which authorizes the district, in response to a public records request, to post public records on its web site and refer the requesting member of the public to the location of the records on the web site. Regulation also revised to clarify access to documents containing names, salaries, and pension benefits of district employees and to records pertaining to claims and litigation against the district.	BP for Reference  Pg a ¶ 2 New Language Writing Def includes photocopying  Pg c #11 New Language re: Litigation records  Pg c #13 New Language  Pg c #15 New Language  Pg c ¶ 1 New Language re: Board Member Access  Pg d ¶ 1 New Language re: Cell phone  Pg d #3 New Language re: Cell Phone & Birthdate  Pg e #3c Review New Language  Pg e #4 New Language Re: Student Records  Pg f #8 New Language re: Library records  Pg g #14 New Language  Pg i ¶ 1 New Language re: Website and Duplication fees	<b>CSBA: 1-10 ECS: 11-19</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
BP	3311	Bids	Use CSBA Recommendation	Policy and regulation updated to move some material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment.	Pg b ¶ 1 New Language re: Uniform system for rating bidders	<b>CSBA: 20-23 ECS: 24-26</b>
AR	3311	Bids	Use CSBA Recommendation	In addition to the above the Regulation also revises section on "Award of Contract" to expand the exceptions to awarding contracts based on lowest responsible bidder to include lease-leaseback contracts, which are based on "best value" as defined.	<p>Pg a See Note for information pertaining to New Proposed Policy 3311.1</p> <p>Pg b #1 New Language re: In writing</p> <p>Pg d #7b New Language re: Nonresponsive bidders</p> <p>Pg f #4 New Language re: Lease Leaseback</p> <p>Pg g Title Section Change Limitation on Use of Sole Sourcing</p>	<b>CSBA: 27-36 ECS: 37-48</b>
BP	3311.4	<b>Uniform Public Construction Cost Accounting Procedures</b>	<p>Review/Adopt CSBA Recommendation</p> <p><b>[Pulled by Paul Ziegler for further review.]</b></p>	<del>New policy and regulation include material formerly in BP/AR 3311 - Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). Policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency.</del>	<p>Optional</p> <p><i>(Not a new policy for CSBA)</i></p>	<b>N/A</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
				<del>Regulation also clarifies the requirement to disseminate the bid notice to the district's list of contractors.</del>		
AR	3311.1	<del>Uniform Public Construction Cost Accounting Procedures</del>	Review/Adopt CSBA Recommendation  [Pulled by Paul Ziegler for further review.]	See Above	<i>Not a lot of new language but be aware of dollar amounts and timelines</i>	N/A
AR	3311.2	<b>Lease-Leaseback Contracts</b>	Review/Adopt CSBA Recommendation	New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding lease-leaseback contracts. Material significantly revised to reflect <b>NEW LAW</b> (AB 2316, 2016) which no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process.	Review for Revised Language re: New Law	<b>CSBA: 49-52</b> <b>ECS: N/A</b>
AR	3311.3	<b>Design-Build Contracts</b>	Review/Adopt CSBA Recommendation	New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for awarding design-build contracts. Minor editorial changes made to clarify the process and more directly reflect law.	<i>Optional section removed from current AR</i>	<b>CSBA: 53-55</b> <b>ECS: N/A</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
AR	3311.4	<b>Procurement of Technological Equipment</b>	Review/Adopt CSBA Recommendation	New regulation includes material formerly in BP/AR 3311 - Bids pertaining to requirements for the "competitive negotiation" process authorized for procurement of computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus.	Optional  <i>Information from BP/AR 3311 no longer in that BP/AR so if we do not adopt then we will not have policy regarding it</i>	<b>CSBA: 56-57</b> <b>ECS: N/A</b>
AR	3543	<b>Transportation Safety and Emergencies</b>	Use CSBA Recommendation	Regulation updated to reflect <b>NEW LAW</b> (SB 1072, 2016) which (1) expands the required components of the transportation safety plan to include procedures to ensure that a student is not left unattended on the bus and for designating an adult chaperone to accompany students on a student activity bus. (2) Requires installation of a safety alert system on school buses by the beginning of the 2018-19 school year. also reflects <b>NEW LAW</b> (AB 1785, 2016) which prohibits a bus driver from using any electronic wireless communications device while driving, except when the device is voice-operated and used in hands-free mode or with a function that requires only a single swipe or tap of the driver's finger.	Pg c ¶ 2 New Language re: Electronic communication devices specifically in mounting the device and use of tap or single swipe  Pg d-e #4 New Language re: Unattended Students  Pg e #5 New Language re: Chaperone  Pg g ¶ 2 New Language re: Accidents	<b>CSBA: 58-65</b> <b>ECS: 66-71</b>
BP	4030	<b>Nondiscrimination in Employment</b>	Use CSBA Recommendation	Policy and regulation updated to reflect <b>NEW STATE REGULATIONS</b> (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in	Mandated  E for Reference Following AR	<b>CSBA: 72-77</b> <b>ECS: 78-81</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
				district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. Policy also adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment, and reflects <b>NEW LAW</b> (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation.	Review for New & Revised Language through out  Pg a ¶ 1 New Language re: Interns and Volunteers  Pg a ¶ 2 Revised Language re: Personnel  Pg b-c #1-4d New & Revised Language re: Discrimination  Pg d ¶ 3 New Language re: Posting of Fair Employment & Housing...	
AR	4030	<b>Nondiscrimination in Employment</b>	Use CSBA Recommendation	In addition to the above the Regulation reflects provisions of new state regulations regarding training of supervisors and dissemination of the district's nondiscrimination policy to all employees.	Mandated  E for Reference Only  Pg a ¶ 1 New Language re: Interns & Volunteers  Pg a Check position  Pg b #2a-e New Language re: Policy Dissemination  Pg c #4 New Language re: Training of Supervisors  Pg c #6 New Language re: Translation of policy  Pg d #1 New Language re: Hot Line and ombudsman  Pg d #2 ¶ 2 New Language re: Fair & timely investigation	<b>CSBA: 82-87 ECS:88-93</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
					<p>Pg e ¶ 2 New Language re: Tracking progress</p> <p>Pg e #3 ¶ 2 New Language re: Appropriate options</p>	
BP	4119.11 4219.11 4319.11 <i>(Combine all into one document)</i>	<b>Sexual Harassment</b>	<p>Use CSBA Recommendation</p> <p><i>Last CSBA Revision 12/15 not used</i></p>	Policy and regulation updated to reflect <b>NEW STATE REGULATIONS</b> (Register 2015, No. 50), which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.	<p>Mandated</p> <p>Pg a ¶ 1 New Language re: Interns &amp; Volunteers</p> <p>Review for revised and updated language through out</p>	<b>CSBA: 94-97 ECS: 98-112</b>
AR	4119.11 4219.11 4319.11	<b>Sexual Harassment</b>	<p>Use CSBA Recommendation</p> <p><i>Last CSBA Revision 10/15 not used</i></p>	See Above	<p>Mandated</p> <p>Review for revised and updated language through out</p>	<b>CSBA: 113-118 ECS: 119-130</b>
BP	5030	<b>Student Wellness</b>	<p>Use CSBA Recommendation</p> <p>[w/Revisions by Laurie Alexander on BP 5030(f)]</p>	Policy updated to reflect <b>NEW FEDERAL REGULATIONS</b> (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. Policy also reflects <b>NEW STATE LAW</b> (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the	<p>Conditional Mandate</p> <p>AR for Reference Only</p> <p>Pg b ¶ 3 New Language re: Informing the public</p> <p>Pg c ¶ 1 New Language re: Specific goals</p> <p>Pg d ¶ 6 New Language re: Nutritional guidelines</p>	<b>CSBA: 131-141 ECS: 142-154</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
				content and implementation of the policy.	<p>Pg f ¶ 3 New Language re: Marketing</p> <p>Pg f Check Position</p> <p>Pg g ¶ 1 New Timeline for assessing effectiveness</p> <p>Pg g ¶ 3 New Language re: Feedback</p> <p>Pg g-h ¶ 4 #1-9 New Optional Language</p> <p>Pg h ¶ 2 New Language &amp; New Timeline re: CDE</p> <p>Pg h-i New Section Notifications</p> <p>Pg i New Section Records review for compliance</p>	
AR	5111.1	<b>District Residency</b>	<p>Use CSBA Recommendation</p> <p>[w/Revisions by Laurie Alexander on AR 5111.1(c)]</p>	<p>Policy updated to reflect <b>NEW LAW</b> (SB 1455, 2016) which establishes residency within the district for enrollment purposes to students whose parent/guardian is transferred or pending transfer into a military installation within district boundaries. Policy also reflects <b>NEW LAW</b> (AB 2537, 2016) which indefinitely extends district authority to grant Allen Bill transfers for students whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week.</p>	<p>BP for Reference</p> <p>Pg b #9 New Language re: Military duty</p> <p>Pg d ¶ 2 New Language re: Military duty</p>	<p><b>CSBA: 155-159</b></p> <p><b>ECS: 160-166</b></p>



## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
BP	5116.2	<b>Involuntary Student Transfers</b>	Adopt CSBA Recommendation	New policy reflects <b>NEW LAW</b> (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.	Conditional Mandate <i>(To exercise this authority, you must have this policy in place)</i>	<b>CSBA: 167-174</b> <b>ECS: N/A</b>
BP	5141.21	<b>Administering Medication and Monitoring Health Conditions</b>	Use CSBA Recommendation	Policy and regulation updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on January 1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. Policy and regulation also reflect <b>NEW LAW</b> (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose.	Optional  E for Reference Following AR  Pg b ¶ 2 New Language re: Epinephrine  Pg b ¶ 3 Delete New Optional Language re: Opioid overdose  Pg b ¶ 4 Change Language- shall to may  Pg c ¶ 1 Revised Language re: Administering of medication	<b>CSBA: 171-174</b> <b>ECS: 175-177</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
AR	5141.21	<b>Administering Medication and Monitoring Health Conditions</b>	Use CSBA Recommendation	In addition to the above The Regulation also revises definition of epinephrine auto-injector pursuant to <b>NEW LAW</b> (AB 1386, 2016).	<p>E for Reference Only</p> <p>Pg a ¶ 4 Revised Language re: Epinephrine</p> <p>Pg b ¶ 1 New Language re: Opioid</p> <p>Pg c ¶ 1 New Optional Language re: Individuals with disabilities act</p> <p>Pg e #5 New Language re: Unlicensed personnel</p> <p>Pg f ¶ 1 New Language re: Training</p> <p>Pg g #13 New Language re: Emergencies</p> <p>Pg i-k Deleted New Optional Section Opioid Overdose</p>	<b>CSBA: 178-188 ECS: 189-199</b>
BP	6146.1	<b>High School Graduation Requirements</b>	Use CSBA Recommendation	Policy updated to reflect <b>NEW LAW</b> (AB 2306, 2016) which generally exempts from district-established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school.	<p>Pg a #1 Changed Language 3 to 4</p> <p>Pg c Note 2018-2019 Timeline for CPR training</p> <p>Pg c #7a-d Added Language</p> <p>Pg d-e New Section &amp; New Language Exemption and Waivers</p>	<b>CSBA: 200-205 ECS: 206-210</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
BP	6154	<b>Homework/Makeup Work</b>	Use CSBA Recommendation  [w/Revisions by MDH on 6154(c)]	Policy updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. Policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. Regulation deleted and key concepts moved to BP.	Optional  Pg a ¶ 1 New Language  Pg a ¶ 2-7 New & Optional Language  Pg b ¶ 2-4 New Language  Pg c ¶ 1 Review Revised and New Language  Pg c ¶ 2 New Language	<b>CSBA: 211-214</b> <b>ECS: N/A</b>
AR	6154	<b>Homework/Makeup Work</b>	CSBA Recommendation to Delete			<b>CSBA: N/A</b> <b>ECS: 215-221</b>
BP	6164.6	<b>Identification and Education Under Section 504</b>	Use CSBA Recommendation	Policy updated to add requirement to address the needs of students with disabilities in the district's local control and accountability plan.	Pg b ¶ 2 New Optional Paragraph re: LCAP  Pg b ¶ 4 New Optional Language re: Hearing officers	<b>CSBA: 222-225</b> <b>ECS: 226-227</b>
AR	6164.6	<b>Identification and Education Under Section 504</b>	Use CSBA Recommendation	Regulation updated to reflect <b>NEW FEDERAL REGULATIONS</b> (81 Fed. Reg. 53203) which primarily revise definitions used in the Americans with Disabilities Act.	Optional  Pg a Check Position  Pg f #5 New Guidelines  Pg g ¶ 3 New Language re: Administrative review	<b>CSBA: 228-236</b> <b>ECS: 237-241</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
AR	6173.3	<b>Education for Juvenile Court School Students</b>	Do Not Adopt CSBA Recommendation	New regulation reflects educational rights of former juvenile court school students who transition into a district school, pursuant to <b>NEW LAW</b> (AB 2306, 2016). These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions		<b>CSBA: 242-246</b> <b>ECS: N/A</b>
BB	9240	<b>Board Training</b>	Use CSBA Recommendation	Bylaw retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.	Optional  Review Board Bylaw for New and Revised Language  Pg b ¶ 3 Changed shall to may	<b>CSBA: 247-249</b> <b>ECS: 250</b>

## December 2016 – ECS DRAFT - Policy Updates – 1<sup>st</sup> Review: May 23, 2017

Type:	Number:	Title:	Recommended Action	Clarification	Comments	Page
BB	9323	Meeting Conduct	Use CSBA Recommendation	Bylaw updated to reflect <b>NEW LAW</b> (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. Bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.	Mandated  Pg a ¶ 3 Changed Language from 10:30pm to 10:00pm  Pg b-c ¶ 3 Deleted Language re: 7 member board  Pg d ¶ 2 New Language re: Non-English speakers  Pg f #7 New Language re: Disruption of a meeting  Pg f ¶ 1 New Language re: Recording of meeting	<b>CSBA: 251-257 ECS: 258-262</b>
<b>Appendix (263-270)</b>						

## Administrative Regulation

### Community Relations

AR 1340(a)

#### ACCESS TO DISTRICT RECORDS

Note: Article I, Section 3 of the California Constitution grants any person the right to access information concerning meetings and writings of state and local government bodies, officials, and agencies as long as the constitutional rights of privacy and due process are protected. Courts broadly interpret rules or laws granting access and narrowly interpret those denying access; thus, the burden is on the district to demonstrate the need for restricting access to public records.

The following **optional** administrative regulation lists those records defined as public and, in contrast, those defined as confidential to which there is no public access. It is not intended to provide an all-inclusive list of records that may be defined as either public or confidential.

#### Definitions

Note: Pursuant to Government Code 6252, a "public record" includes any writing that relates to district business as defined below.

Emails discussing district business are considered public records. However, the law is unclear as to whether emails discussing district business sent from an employee's or Governing Board member's home computer or personal digital assistant would be considered a public record that is "retained in the normal course of business" and thus subject to disclosure. Although an appellate court ruled that the California Public Records Act does not require public access to communications by public officials using exclusively private cell phones or email accounts, the case has been appealed to the California Supreme Court. If a district receives a request for such records, legal counsel should be consulted, as appropriate. See BB 9012 - Board Member Electronic Communications.

*Public records* include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

(cf. 3580 - District Records)

(cf. 9012 - Board Member Electronic Communications)

*Writing* means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

*Member of the public* means any person, except a member, agent, officer, or employee of the district or a federal, state, or other local agency acting within the scope of his/her membership, agency, office, or employment. (Government Code 6252)

**ACCESS TO DISTRICT RECORDS** (continued)**Public Records**

Note: While not specifically enumerated in Government Code 6252, items #1-15 below are items which fall within the definition of "public records."

Public records to which members of the public shall have access include, but are not limited to:

1. Proposed and approved district budgets and annual audits (Education Code 41020, 42103)

*(cf. 3100 - Budget)*

*(cf. 3460 - Financial Reports and Accountability)*

2. Statistical compilations

3. Reports and memoranda

4. Notices and bulletins

5. Minutes of public meetings (Education Code 35145)

*(cf. 9324 - Minutes and Recordings)*

6. Meeting agendas (Government Code 54957.5)

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

7. Official communications between the district and other government agencies

8. School-based program plans (Education Code 52850)

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

9. Information and data relevant to the evaluation and modification of district plans

*(cf. 0440 - District Technology Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 0520.2 - Title I Program Improvement Schools)*

*(cf. 0520.3 - Title I Program Improvement Districts)*

10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

*(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)*

**ACCESS TO DISTRICT RECORDS (continued)**

Note: Although Government Code 6254 exempts from disclosure those records pertaining to pending litigation, the Attorney General opined in 71 Ops.Cal.Atty.Gen. 235 (1988) that records predating the filing of the lawsuit are subject to disclosure. In Fairley v. Superior Court, a California Court of Appeal concurred and held that documents were exempted only if they were prepared for use in litigation. (See item #2 in the section "Confidential Records" below.) The following item reflects the opinion of the court and the Attorney General. The Board should consult legal counsel if it believes that any document related to litigation should not be disclosed.

11. Records pertaining to claims and litigation against the district which have been adjudicated or settled (Government Code 6254, 6254.25)

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

12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

*(cf. 9270 - Conflict of Interest)*

Note: Generally, the names and salaries of public employees are subject to disclosure under the Public Records Act. However, in International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, the California Supreme Court recognized that, in some instances, the salaries of certain employees might be exempt from disclosure, depending on the facts and circumstances. Additionally, in Sacramento County Employees Retirement System v. Superior Court, a California Court of Appeal held that the names and corresponding pension benefits of members of a county retirement system are subject to disclosure and are not considered "individual records of members" protected by Government Code 31532.

13. Documents containing names, salaries, and pension benefits of district employees

14. Employment contracts and settlement agreements (Government Code 53262)

*(cf. 2121 - Superintendent's Contract)*

*(cf. 4117.5/4217.5/4317.5 - Termination Agreements)*

*(cf. 4141/4241 - Collective Bargaining Agreement)*

15. Instructional materials including, but not limited to, textbooks (Education Code 49091.10)

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

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

Access to public records of the district shall be granted to Governing Board members on the same basis as any other member of the public. When Board members are authorized to access public records in the administration of their duties, the Superintendent or designee shall not discriminate among any of the Board members as to which record, or portion of the record, will be made available, or when it will be made available. (Government Code 6252.5, 6252.7)



**ACCESS TO DISTRICT RECORDS (continued)**

Note: Government Code 6254.29 specifies that the Public Records Act does not require a district to disclose an employee's social security number and states the Legislature's intent that districts redact social security numbers from any records being disclosed to the public. In addition, Government Code 6254.3, as amended by AB 2843 (Ch. 830, Statutes of 2016), prohibits disclosure of an employee's personal cell phone number and birth date.

When disclosing to a member of the public any record that contains personal information, including, but not limited to, an employee's home address, home telephone number, social security number, personal cell phone number, or birth date, the Superintendent or designee shall ensure that such personal information is redacted from that record. (Government Code 6254.29, 6254.3)

**Confidential Public Records**

Records to which the members of the public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interagency or intradistrict memoranda that are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

2. Records specifically generated in connection with or prepared for use in litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act, until the litigation or claim has been finally adjudicated or otherwise settled, or beyond, if the records are protected by some other provision of law (Government Code 6254, 6254.25)
3. Personnel records, medical records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

*(cf. 4112.5/4212.5/4312.5) - Criminal Record Check)*  
*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

The home addresses, home telephone numbers, personal cell phone numbers, or birth date of employees may only be disclosed as follows: (Government Code 6254.3)

- a. To an agent or a family member of the employee

**ACCESS TO DISTRICT RECORDS (continued)**

- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home address and any telephone number for an employee who performs law enforcement-related functions, or the birth date of any employee, shall not be disclosed

Upon written request of any employee, the district shall not disclose the employee's home address, home telephone number, personal cell phone number, or birth date, and the district shall remove this information from any mailing list of the district except a list used exclusively to contact the employee.

*(cf. 4140/4240/4340 - Bargaining Units)*

- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

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

- 4. Student records, except directory information and other records to the extent permitted under the law, when disclosure is authorized by law

*(cf. 5125 - Student Records)*

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

*(cf. 5125.3 - Challenging Student Records)*

- 5. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

*(cf. 6162.51 - State Academic Achievement Tests)*

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

- 6. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

**ACCESS TO DISTRICT RECORDS** (continued)

7. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)
8. Library circulation and patron use records of a borrower or patron including, but not limited to, his/her name, address, telephone number, email address, borrowing information, or use of library information resources, except when disclosure is to a person acting within the scope of his/her duties in the administration of the library, to a person authorized in writing by the individual to whom the records pertain, or by court order (Government Code 6254, 6267)

*(cf. 6163.1 - Library Media Centers)*

Note: The following exemption protects attorney-client privileged communications and attorney work product, as well as other work product prepared for use in pending litigation or claims. Pursuant to the Rules of Professional Conduct of the State Bar of California, when an attorney has been hired to represent the district as a whole, this privilege may only be waived by the Board.

9. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

*(cf. 9124 - Attorney)*

10. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

*(cf. 0450 - Comprehensive Safety Plan)*

11. Recall petitions, petitions for special elections to fill Board vacancies, or petitions for the reorganization of the school district (Government Code 6253.5)

*(cf. 9223 - Filling Vacancies)*

12. Minutes of Board meetings held in closed session (Government Code 54957.2)

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

13. Computer software developed by the district (Government Code 6254.9)

**ACCESS TO DISTRICT RECORDS** (continued)

14. Information security records, the disclosure of which would reveal vulnerabilities to, or otherwise increase potential for an attack on, the district's information technology system (Government Code 6254.19)
15. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)

*(cf. 5141.6 - School Health Services)*

16. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

Note: Item #17 below reflects an exemption often referred to as the "catch-all" or "public interest" exemption pursuant to Government Code 6255. This exemption allows a district to withhold a record based on analysis of the specific facts of the situation and in light of the competing public interests. This exemption also includes the "deliberative process privilege" which is designed to protect a district's decision-making process in order to encourage candid discussions within the district. Legal counsel should be consulted to determine whether a request for a record falls under this exemption.

17. Any other records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

**Inspection of Records and Requests for Copies**

Note: Court decisions have held that a public record request may be made orally, by phone, or in writing, including by email, fax, or hand delivery. The district may ask, but not require, that the person put an oral request in writing.

Any person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the

**ACCESS TO DISTRICT RECORDS (continued)**

extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records shall be open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by any person requesting the record after deletion of the portions that are exempted by law. (Government Code 6253)

Note: Government Code 6253 states that copies of records must be provided "promptly." The term "promptly" is not defined in law, but Government Code 6253 also states that a district may not delay or obstruct the copying of records. Thus, if the records are held in a manner that allows for prompt disclosure, the records generally should not be withheld because of the 10-day response period or the 14-day extension detailed above.

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

Note: The following **optional** paragraph is for use by districts that charge for copies. See the accompanying Board policy.

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

**ACCESS TO DISTRICT RECORDS (continued)**

Note: Pursuant to Government Code 6253, as amended by AB 2853 (Ch. 275, Statutes of 2016), in addition to having public records available for inspection during office hours, the district may, in response to a public records request, post public records on its web site and refer the requesting member of the public to the location on the web site where the public record is posted, as provided below.

In addition to maintaining public records for public inspection during district office hours, the district may comply with public records requests by posting any public record on the district's web site and, in response to a public records request, directing the member of the public to the location on the web site where the record can be found. However, if the member of the public is unable to access or reproduce the record from the web site, the district shall promptly provide an exact copy of the public record upon payment of duplication fees, if applicable, unless it is impracticable to provide an exact copy. (Government Code 6253)

If any person requests that a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals.
2. The request would require data compilation, extraction, or programming to produce the record.

**Assistance in Identifying Requested Records**

Note: Government Code 6253.1 requires the district to assist a person requesting to inspect or obtain a copy of a public record as specified below. This assistance is not required if the district grants the request and the records are made available or if the request is denied on the grounds that the records are confidential.

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

**ACCESS TO DISTRICT RECORDS (continued)**

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay or obstruct the inspection or copying of public records. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

(11/08 11/11) 12/16

**Policy Reference UPDATE Service**

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# **Administrative Regulation**

## **Access To District Records**

AR 1340

### **Community Relations**

#### **Definitions**

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code 6252)

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code 6252)

A member of the public includes any person, except a member, agent, officer, or employee of the district acting within the scope of his/her office or employment. Board of Education members shall have the ability to access public records permitted by law in the administration of their duties. Notwithstanding, members of the Board are entitled to access to district public records on the same basis as any other person. (Government Code 6252, 6252.5)

#### **Public Records**

Records to which the public shall have access include, but are not limited to:

1. Proposed and approved budgets and annual audit of the district (Government Code 6252; Education Code 41020, 42103)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

2. Statistical compilations (Government Code 6252)
3. Reports and memoranda (Government Code 6252)
4. Notices and bulletins (Government Code 6252)
5. Minutes of public meetings (Government Code 6252)

(cf. 9324 - Minutes and Recordings)

6. Meeting agendas (Government Code 6252, 54957.5)



(cf. 9322 - Agenda/Meeting Materials)

7. Official communications between governmental branches (Government Code 6252)

8. School-based program plans (Education Code 52850)

(cf. 0420.1 - School-Based Program Coordination)

9. Information and data relevant to the evaluation and modification of district plans

(cf. 0420 - School Plans/Site Councils)

(cf. 0440 - District Technology Plan)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.3 - Title I Program Improvement Districts)

10. Initial proposals of exclusive employee representatives and of the district (Government Code 3547)

(cf. 4143.1/4243.1 - Public Notice - Personnel Negotiations)

11. Tort claims filed against the district and records pertaining to pending litigation which predate the filing of the litigation, unless protected by some other provision of law (Government Code 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

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

12. Statements of economic interests required by the Conflict of Interest Code (Government Code 81008)

(cf. 9270 - Conflict of Interest)

13. Contracts of employment and settlement agreements (Government Code 53262)

(cf. 2121 - Superintendent's Contract)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

(cf. 4141/4241 - Collective Bargaining Agreement)

The Superintendent or designee shall ensure that any record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the general public shall not have access include, but are not limited to:



1. Preliminary drafts, notes, interdistrict or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code 6254)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)

2. Records specifically prepared for litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act are confidential, until the pending litigation or claim has been finally adjudicated or otherwise settled, unless the records are protected by some other provision of law (Government Code 6254, 6254.25; Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))

3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code 6254)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)  
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)

The home addresses and home telephone numbers of employees may be disclosed only as follows: (Government Code 6254.3)

- a. To an agent or a family member of the individual to whom the information pertains
- b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
- c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed
- d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents

4. Test questions, scoring keys, and other examination data except as provided by law (Government Code 6254)

(cf. 6162.51 - Standardized Testing and Reporting Program)  
(cf. 6162.52 - High School Exit Examination)

5. Without affecting the law of eminent domain, the contents of real estate appraisals or



engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code 6254)

6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons would result in unfair competitive disadvantage to the person supplying the information (Government Code 6254)

7. Library circulation records kept for the purpose of identifying the borrower of items available in the library (Government Code 6254)

(cf. 6163.1 - Library Media Centers)

8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code 6254)

(cf. 9124 - Attorney)

9. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code 6254)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

10. Recall petitions or petitions for the reorganization of school districts (Government Code 6253.5)

11. Minutes of Board meetings held in closed session (Government Code 54957.2)

(cf. 9321 - Closed Session Purposes and Agendas)

12. Computer software developed by the district (Government Code 6254.9)

13. Written instructional textbooks or other materials which, when providing a copy, would infringe a copyright or would constitute an unreasonable burden on the operation of the district (65 Ops.Cal.Atty.Gen. 186 (1981))

(cf. 5020 - Parent Rights and Responsibilities)

14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code 6254, 6255)



(cf. 5141.6 - School Health Services)

15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes

16. Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record (Government Code 6255)

#### Inspection of Records and Requests for Copies

Every person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code 6253)

Within 10 days of receiving any request to inspect or copy a district record, the Superintendent or designee shall determine whether the request seeks release of a disclosable public record in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code 6253)

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code 6253)

Public records are open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by every person requesting



the record after deletion of the portions that are exempted by law. (Government Code 6253)

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code 6253)

The Superintendent or designee shall charge an amount for copies that reflects the direct costs of duplication. Written requests to waive the fee shall be submitted to the Superintendent or designee.

If any person requests a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code 6253.9)

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code 6253.9)

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals
2. The request would require data compilation, extraction, or programming to produce the record

#### Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code 6253.1)

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought



Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: January 28, 2009 Eureka, California



## **Board Policy**

### **Access To District Records**

BP 1340

#### **Community Relations**

The Board of Education recognizes the right of citizens to have access to public records of the district. The Board intends the district to provide any person reasonable access to the public records of the schools and district during normal business hours and within the requirements of law. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other state or federal law.

(cf. 3553 - Free and Reduced Price Meals)  
(cf. 3580 - District Records)  
(cf. 4112.6/4212.6/4312.6 - Personnel Files)  
(cf. 4112.62/4212.62/4312.62 - Maintenance of Criminal Offender Records)  
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)  
(cf. 6162.5 - Student Assessment)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)  
(cf. 9321 - Closed Session Purposes and Agendas)

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

In order to help maintain the security of district records, members of the public granted access shall examine records in the presence of a district staff member.

#### **Legal Reference:**

##### **EDUCATION CODE**

35145 Public meetings  
35170 Authority to secure copyrights  
35250 Duty to keep certain records and reports  
41020 Requirement for annual audit  
42103 Publication of proposed budget; hearing  
44031 Personnel file contents and inspections  
44839 Medical certificates; periodic medical examination  
49060-49079 Pupil records  
49091.10 Parental review of curriculum and instruction  
52850 Applicability of article (School-Based Program Coordination Plan availability)



## GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

6275-6276.48 Other exemptions from disclosure

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

## CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

## CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

## COURT DECISIONS

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County, (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority, (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court, (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court, (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education, (1994) 23 Cal.App. 4th 144

## ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

## Management Resources:

### ATTORNEY GENERAL PUBLICATIONS

Summary of the California Public Records Act, 2004

### LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

The People's Business: A Guide to the California Public Records Act, 2008

### WEB SITES

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

California Attorney General's Office: <http://www.caag.state.ca.us>

Institute for Local Government: <http://www.cacities.org/index.jsp?zone=ilsg>

State Bar of California: <http://www.calbar.ca.gov>

## Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: January 28, 2009 Eureka, California



## Board Policy

### Business and Noninstructional Operations

BP 3311(a)

#### BIDS

Note: Pursuant to Public Contract Code 20111, public contracts for the lease or purchase of equipment, materials, supplies, or services or for "public projects," as defined, are required to be competitively bid when they involve expenditure of specified amounts.

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (Public Contract Code 22000-22045); see BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures. Also see AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts.

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 3000 - Concepts and Roles)*  
*(cf. 3230 - Federal Grant Funds)*  
*(cf. 3300 - Expenditures and Purchases)*  
*(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)*  
*(cf. 3311.2 - Lease-Leaseback Contracts)*  
*(cf. 3311.3 - Design-Build Contracts)*  
*(cf. 3311.4 - Procurement of Technological Equipment)*

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 20116)

Note: Requirements for competitive bidding, including notice and advertising, are specified in Public Contract Code 20110-20118.4. See the accompanying administrative regulation.

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

Note: Pursuant to Public Contract Code 20111.5, the district is permitted, but not required, to establish prequalification procedures for any contract for which bids are legally required; see the accompanying administrative regulation. However, pursuant to Public Contract Code 20111.6, a district with average daily

**BIDS (continued)**

attendance of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for public projects of \$1 million or more, if School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds are used.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements.

*(cf. 9270 - Conflict of Interest)*

Note: Districts should be careful in crafting bid specifications, as a misleading specification that results in a lower bid than might have been made may make the district liable for the extra work done or expenses incurred by the contractor. In Los Angeles Unified School District v. Great American Insurance Co., the California Supreme Court held in favor of a contractor who was misled by the district's nondisclosure of material information that would have affected the contractor's bid.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, and service required and include all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Note: Pursuant to Public Contract Code 20111, a contract required to be put out to bid must be awarded to the lowest responsible bidder. As defined in Public Contract Code 1103, a "responsible bidder" is one who possesses the quality, fitness, capacity, and experience to satisfactorily perform the proposed work.

However, a bid may be awarded to other than the lowest responsible bidder when conditions specified in law exist.

Except as authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

Note: Pursuant to Public Contract Code 20118, districts may be exempt from the bidding requirements and may "piggyback" onto the bid of any public corporation or agency for specific items when the Governing Board determines it is in the best interest of the district. See the accompanying administrative regulation for a list of those items that may be leased or purchased using this procedure.

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property to the extent authorized by law. (Public Contract Code 20118)

*Legal Reference: (see next page)*

## BIDS (continued)

### *Legal Reference:*

#### EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*

17250.10-17250.55 *Design-build contracts*

17406 *Lease-leaseback contracts*

17595 *Purchase of supplies through Department of General Services*

17602 *Purchase of surplus property from federal agencies*

38083 *Purchase of perishable foodstuffs and seasonable commodities*

38110-38120 *Apparatus and supplies*

39802 *Transportation services*

#### BUSINESS AND PROFESSIONS CODE

7056 *General engineering contractor*

7057 *General building contractor*

#### CODE OF CIVIL PROCEDURE

446 *Verification of pleadings*

#### GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*

4330-4334 *Preference for California-made materials*

6252 *Definition of public record*

53060 *Special services and advice*

54201-54205 *Purchase of supplies and equipment by local agencies*

#### PUBLIC CONTRACT CODE

1102 *Emergencies*

1103 *Definition, responsible bidder*

2000-2002 *Responsive bidders*

3000-3010 *Roofing projects*

3400 *Bids, specifications by brand or trade name not permitted*

3410 *United States produce and processed foods*

4113 *Prime contractor; subcontractor*

6610 *Bid visits*

12200 *Definitions, recycled goods, materials and supplies*

20101-20103.7 *Public construction projects, requirements for bidding*

20103.8 *Award of contracts*

20110-20118.4 *Local Agency Public Construction Act; school districts*

20189 *Bidder's security, earthquake relief*

22000-22045 *Alternative procedures for public projects (UPCCAA)*

22152 *Recycled product procurement*

#### COURT DECISIONS

*Los Angeles Unified School District v. Great American Insurance Co.*, (2010) 49 Cal.4th 739

*Great West Contractors Inc. v. Irvine Unified School District*, (2010) 187 Cal.App.4th 1425

*Marshall v. Pasadena Unified School District*, (2004) 119 Cal.App.4th 1241

*Konica Business Machines v. Regents of the University of California*, (1988) 206 Cal.App.3d 449

*City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court*, (1972) 7 Cal.3d 861

#### ATTORNEY GENERAL OPINIONS

89 *Ops.Cal.Atty.Gen.* 1 (2006)

*Management Resources: (see next page)*

**BIDS (continued)**

*Management Resources:*

**WEB SITES**

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

*California Association of School Business Officials: <http://www.casbo.org>*

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

*California Department of General Services: <https://www.dgs.ca.gov>*

(8/13 5/16) 12/16

**Policy Reference UPDATE Service**

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# **Board Policy**

## **Bids**

BP 3311

### **Business and Noninstructional Operations**

The Board of Education is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements regarding contracting after competitive bidding. (Public Contract Code 20116, 22033)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

(cf. 9270 - Conflict of Interest)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required, and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law and specified in the administrative regulation, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase equipment or supplies to the extent authorized by law. (Public Contract Code 20118)



For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

Legal Reference:

EDUCATION CODE

17070.10-17079.30 Leroy F. Greene School Facilities Act

17250.10-17250.55 Design-build contracts

17406 Lease-leaseback contract

17595 Purchase of supplies through Department of General Services

17602 Purchase of surplus property from federal agencies

38083 Purchase of perishable foodstuffs and seasonable commodities

38110-38120 Apparatus and supplies

39802 Transportation services

CODE OF CIVIL PROCEDURE

446 Verification of pleadings

GOVERNMENT CODE

4217.10-4217.18 Energy conservation contracts

4330-4334 Preference for California-made materials

6252 Definition of public record

53060 Special services and advice

54201-54205 Purchase of supplies and equipment by local agencies

PUBLIC CONTRACT CODE

1102 Emergencies

2000-2002 Responsive bidders

3000-3010 Roofing projects

3400 Bids, specifications by brand or trade name not permitted

3410 United States produce and processed foods

6610 Bid visits

12200 Definitions, recycled goods, materials and supplies

20101-20103.7 Public construction projects, requirements for bidding

20103.8 Award of contracts

20107 Bidder's security

20110-20118.4 Contracting by school districts

20189 Bidder's security, earthquake relief

22002 Definition of public project

22030-22045 Alternative procedures for public projects (UPCCAA)

22050 Alternative emergency procedures

22152 Recycled product procurement



## COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena Unified School District, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

## ATTORNEY GENERAL OPINIONS

89 Ops.Cal.Atty.Gen. 1 (2006)

## Management Resources:

### CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

### WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California Uniform Construction Cost Accounting Commission:

[http://www.sco.ca.gov/ard\\_cuccac.html](http://www.sco.ca.gov/ard_cuccac.html)

## Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: September 8, 2016 Eureka, California

## Administrative Regulation

### Business and Noninstructional Operations

AR 3311(a)

#### BIDS

Note: Pursuant to Government Code 54202, districts are **mandated** to establish bidding procedures governing the purchase of equipment and supplies. The following administrative regulation reflects the competitive bidding procedures applicable to these purchases, as well as contracts for certain services, public works projects, and repairs and maintenance, when the contract exceeds the amount specified in law.

An alternative procedure for public works projects is provided pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045), which allows public projects of \$45,000 or less to be performed by district employees and public projects of \$175,000 or less to be awarded through an informal bidding process. See BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures. Districts that have adopted the UPCCAA procedures should modify the following regulation to delete or revise conflicting provisions related to contracts for public works. Also see AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment for procedures applicable to those contracts.

#### Advertised/Competitive Bids

The district shall advertise for any of the following: (Public Contract Code 20111)

1. A public project contract that involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility

*(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)*

*(cf. 3311.2 - Lease-Leaseback Contracts)*

*(cf. 3311.3 - Design-Build Contracts)*

Note: For the contracts specified in item #2a-c below, Public Contract Code 20111 requires the Superintendent of Public Instruction (SPI) to annually establish a bid limit that reflects U.S. Department of Commerce data. The following paragraph allows the amount to escalate automatically once the SPI has made the annual determination. For 2016, the bid limit is \$87,800.

2. A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following:
  - a. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3311.4 - Procurement of Technological Equipment)*

- b. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters



**BIDS (continued)**

- c. Repairs that are not a public project, including maintenance

*Maintenance* means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. *Maintenance* includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

**Instructions and Procedures for Advertised Bids**

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. (Public Contract Code 20112)

*(cf. 1113 - District and School Web Sites)*

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

*(cf. 3510 - Green School Operations)*

2. All bids for construction work shall be presented under sealed cover. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

**BIDS (continued)**

The bid shall be accompanied by a form of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)

Note: Public Contract Code 20103.8 specifies that, in those cases when the bid includes items that may be added to or deducted from the scope of the work in the contract, the bid solicitation must specify the method to be used to determine the lowest bid, as detailed below. Districts should consult with legal counsel, as appropriate, if they have questions regarding the applicability of this law.

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
  - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
  - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

**BIDS (continued)**

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

Note: For a bid to be successful, it must conform to bid specifications (i.e., it must be "responsive") and the bidder must be determined to be able to perform the work (i.e., he/she must be "responsible" as defined in Public Contract Code 1103). There is no right to a due process hearing when the district has merely found the bid to be nonresponsive. However, the district must be careful in making a determination on the "nonresponsiveness" of a bid based on anything other than the documents submitted. To avoid any confusion, the district should provide clear and comprehensive bid specifications to bidders.

When rejecting the lowest responsive bid on the basis that the bidder is nonresponsive, the district must inform the bidder of the evidence used when making the determination and afford him/her a hearing with the right to present evidence that he/she is responsible. (City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court and Great West Contractors Inc. v. Irvine Unified School District)

7. In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract.
  - a. When a bid is determined to be nonresponsive, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the determination.
  - b. When the lowest bidder is determined to be nonresponsive, the Superintendent or designee shall notify the bidder of his/her right to present evidence of his/her responsibility at a hearing before the Board.
8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

**Prequalification Procedure**

Note: The following section is **optional**. Pursuant to Public Contract Code 20111.6, a district with average daily attendance (ADA) of 2,500 or greater is required to prequalify all general contractors and electrical, mechanical, and plumbing subcontractors for any public project of \$1 million or more, when the project uses or is reimbursed from School Facilities Program funds (Education Code 17070.10-17079.30) or other future state school bonds.

**BIDS (continued)**

Additionally, pursuant to Public Contract Code 20111.5, districts are permitted, but not required, to establish prequalification procedures for other contracts which, by law, require competitive bidding.

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in Public Contract Code 4113 or Business and Professions Code 7056 or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement

**BIDS (continued)**

at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

**Award of Contract**

The district shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)

Note: Pursuant to Public Contract Code 2000-2002, a district is permitted to establish bidding requirements that facilitate the participation of minority, women, disabled veteran, and small business enterprises in contracts. Though minorities and women are included in Public Contract Code 2000, Article 1, Section 31(a) of the California Constitution prohibits the granting of preferences based on race, sex, color, ethnicity, etc., in state employment and contracting. The district should consult legal counsel if there is any question about the granting of preferences to any such business.

3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406

(cf. 3311.2 - Lease-Leaseback Contracts)

5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

**BIDS (continued)**

*(cf. 3311.3 - Design-Build Contracts)*

**Protests by Bidders**

Note: The law does not specify a procedure for handling protests by bidders. The following **optional** section provides one such procedure and should be modified to reflect district practice.

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

Note: The following paragraph provides a process for appealing a bid award to the Board. Although the law does not specify the notice to be given in this circumstance, CSBA recommends at least three business days which may be modified to reflect district practice.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

**Limitation on Use of Sole Sourcing**

Note: "Sole sourcing" is the practice by which one brand name product is specified, although comparable, competitive products are available. Public Contract Code 3400 allows sole sourcing in limited circumstances and requires that the specification of the designated product be followed by the words "or equal," so that bidders for such a contract are able to base their bids on the use of other products of equal functionality that may result in cost savings for the district. The following section is **optional**.

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3002, 3400)

1. Does not directly or indirectly limit bidding to any one specific concern

**BIDS (continued)**

2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

Note: The following **optional** paragraph is for use by districts with ADA of more than 2,500. For the repair or replacement of the roof of a public facility, a material must meet the requirements specified below to be considered "equal" pursuant to Public Contract Code 3000-3010.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification.

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or request for proposals (RFP), that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

*(cf. 9323.2 - Actions by the Board)*

**Bids Not Required**

Note: The following paragraph lists those items that may be purchased through a "piggybacked" bid; see the accompanying Board policy. Many districts have used the piggyback procedure to purchase portable and relocatable buildings. The Attorney General has opined (89 Ops.Cal.Atty.Gen. 1, 2006) that a district may not rely on the piggyback exception to contract for the acquisition and installation of factory-built modular

**BIDS (continued)**

building components (i.e., roofs and walls) for installation on a permanent foundation. However, this opinion does not apply to typical portable or relocatable single-classroom buildings, because they lack a permanent foundation and building mobility. Districts considering using the piggyback process for relocatables, portables, modulares, and the like should consult district legal counsel. While Attorney General opinions are not binding, they are often given deference by the court and may also be considered by the State Allocation Board when making funding decisions.

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

*(cf. 3300 - Expenditures and Purchases)*  
*(cf. 3512 - Equipment)*

Note: The following **optional** paragraph reflects the authority granted to public agencies pursuant to Government Code 4217.10-4217.18 to enter into energy service contracts without competitive bidding when the agency's governing body determines that the contract is in the best interest of the agency based on the "costs-benefits" analysis specified in Government Code 4217.12.

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost and savings comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

*(cf. 3511 - Energy and Water Management)*  
*(cf. 9320 - Meetings and Notices)*

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*  
*(cf. 6161.11 - Supplementary Instructional Materials)*  
*(cf. 6163.1 - Library Media Centers)*



**BIDS (continued)**

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Note: Pursuant to Public Contract Code 20113, a district may award contracts without competitive bidding in emergency situations, as specified below. In Marshall v. Pasadena Unified School District, a court held that the definition of "emergency" in Public Contract Code 1102 is applicable. Public Contract Code 1102 defines "emergency" as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services."

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

*(cf. 3517 - Facilities Inspection)*

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

(10/15 5/16) 12/16



# **Administrative Regulation**

## **Bids**

AR 3311

### **Business and Noninstructional Operations**

#### **Advertised/Competitive Bids**

The district shall advertise for competitive bids when any public project contract involves an expenditure of \$15,000 or more. Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also advertise for competitive bids when a contract exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

#### **Instructions and Procedures for Advertised Bids**

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)



(cf. 1113 - District and School Web Sites)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)

(cf. 3510 - Green School Operations)

2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)

- a. Cash
- b. A cashier's check made payable to the district
- c. A certified check made payable to the district
- d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)

4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)

5. When two or more identical lowest or highest bids are received, the Board of Education may determine by lot which bid shall be accepted. (Public Contract Code 20117)

6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)

- a. The lowest bid shall be the lowest total of the bid prices on the base contract without



consideration of the prices on the additive or deductive items.

b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.

c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)

7. The district shall consider only responsive bids from responsible bidders in determining the lowest bid.

8. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.

9. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)

10. When a bid is disqualified as nonresponsive based on district investigation or other information not obtained from the submitted bid, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the information.

#### Prequalification Procedure

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized proposal form which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school



bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Education Code 17406, 17407; Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in the Business and Professions Code 4113, 7056, or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

#### Award of Contract

The district shall award each contract to the lowest responsible bidder except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)



4. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with the section "Design-Build Contracts" below, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

(cf. 9270 - Conflict of Interest)

#### Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

#### Alternative Bid Procedures for Technological Supplies and Equipment

Rather than seek competitive bids, the Board may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

The competitive negotiation process shall include, but not be limited to, the following requirements: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible



number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.

4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer.

#### Design-Build Contracts

When it is in the best interest of the district, the Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

The procurement process for design-build projects shall be as follows: (Education Code 17250.25)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to, the size, type, and desired design character of the project; performance specifications covering the quality of materials, equipment, workmanship, preliminary plans, or building layouts; or any other information deemed necessary to describe adequately the district's needs. The documents may include operations during a training or transition period, but shall not include long-term operations for a project. The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.
2. The district shall prepare and issue a request for qualifications in order to prequalify or develop a short list of the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:



- a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
- b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction experience, acceptable safety record, and all other non-price-related factors
- c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualification and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeship occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25)

3. The district shall prepare a request for proposals that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The request for proposals shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. For those projects utilizing best value as a selection method, the following procedures shall be used:
  - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.



b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.

c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.

d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

### Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3400)

1. Does not directly or indirectly limit bidding to any one specific concern
2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification. (Public Contract Code 3002)

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source



4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

(cf. 9323.2 - Actions by the Board)

#### Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

(cf. 3300 - Expenditures and Purchases)

(cf. 3512 - Equipment)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

(cf. 3511 - Energy and Water Management)

(cf. 9320 - Meetings and Notices)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or



temporary basis. (Public Contract Code 20114)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County

Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

(cf. 3517 - Facilities Inspection)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

#### Lease-Leaseback Contract

Upon a determination that it is in the best interest of the district and without advertising for bids, the Board may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code 17406, 17407.5)

(cf. 3280 - Sale or Lease of District-Owned Real Property)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

(cf. 9124 - Attorney)

Regardless of the funding source, when any lease-leaseback agreement is for a public project, involves an expenditure of \$1,000,000 or more, and meets other criteria in Public Contract Code 20111.6, the prequalification requirements specified in the "Prequalification Procedure" section above shall be followed. (Education Code 17406)

#### Uniform Public Construction Cost Accounting Act

Procedures for awarding contracts for public works projects shall be determined on the basis of



the amount of the project, as follows:

1. Public projects of \$45,000 or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)
2. Contracts for public projects of \$175,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)
  - a. The Superintendent or designee shall maintain a list of qualified contractors, identified according to categories of work.
  - b. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain more information about the project, and states the time and place for submission of bids. The notice shall be disseminated by mail, fax, or email to one or both of the following:
    - (1) To all contractors on the district's list for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due
    - (2) To all construction trade journals identified pursuant to Public Contract Code 22036
  - c. The district shall review the informal bids and award the contract, except that:
    - (1) If all bids received through the informal process are in excess of \$175,000, the contract may be awarded to the lowest responsible bidder, provided that the Board adopts a resolution with a four-fifths vote to award the contract at \$187,500 or less and the Board determines the district's cost estimate was reasonable.
    - (2) If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
3. Public projects of more than \$175,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)
  - a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:
    - (1) Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
    - (2) By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.



In addition to notice required above, the district may give such other notice as it deems proper.

b. The district shall award the contract as follows:

(1) The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.

(2) At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

(3) If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

In cases of emergency when repair or replacements are necessary, the Board may proceed at once to replace or repair a facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts, in accordance with the contracting procedures in Public Contract Code 22050. The work may be done by day labor under the direction of the Board and/or contractor. (Public Contract Code 22035)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: September 8, 2016 Eureka, California



## Administrative Regulation

### Business and Noninstructional Operations

AR 3311.2(a)

#### LEASE-LEASEBACK CONTRACTS

Note: The following administrative regulation addresses construction financing contracts that are commonly described as "lease-leaseback" contracts. Education Code 17406, as amended by AB 2316 (Ch. 521, Statutes of 2016), no longer permits the selection of a lease-leaseback contractor without advertising, and instead requires districts to use a comprehensive "best value" selection process. Education Code 17406, as amended, **mandates** that any district choosing to award a lease-leaseback contract adopt and publish procedures and guidelines for evaluating the qualifications of proposers that ensure the fair and impartial selection of the "best value" for the district. In addition, for any project that will involve the use of preconstruction services, the request for sealed proposals must require proposers to include the fee to perform the preconstruction services as part of their sealed proposal to the district. Such procedures and guidelines must include, at a minimum, the provisions specified in Education Code 17406 as reflected in the following regulation.

The lease-leaseback financing method should only be used in coordination with competent technical consultants and legal counsel to ensure all legal requirements are met.

The district may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

*(cf. 3280 - Sale or Lease of District-Owned Real Property)*

*(cf. 3312 - Contracts)*

Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. To make this determination, the district shall use the following procedures: (Education Code 17400, 17406)

1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:
  - a. An estimate of the project's price
  - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed
  - c. The key elements of the contract to be awarded
  - d. A description of the format that proposals shall follow and the elements they shall contain

**LEASE-LEASEBACK CONTRACTS (continued)**

- e. The standards the district will use in evaluating proposals
  - f. The date on which proposals are due
  - g. The timetable the district will follow in reviewing and evaluating proposals
2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:
- a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112
  - b. Providing notice in a trade paper of general circulation published in the county where the project is located

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

The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.

Note: Pursuant to Education Code 17406, the prequalification requirements for contracts that meet the criteria specified in Public Contract Code 20111.6 are also applicable to lease-leaseback contracts. Education Code 17406 requires prequalification for such projects irrespective of whether or not they are funded locally or through state sources.

3. Prequalification: A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.

(cf. 3311 - Bids)

4. Evaluation Criteria: The request for sealed proposals shall identify all criteria that the district will consider in evaluating the proposals and qualifications of the proposers, including relevant experience, safety record, price proposal, and other factors specified by the district. The price proposal shall include, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district.

The request for sealed proposals shall specify whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether

**LEASE-LEASEBACK CONTRACTS (continued)**

proposers must achieve any minimum qualification score for award of the contract. For each scored criterion, the district shall identify the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.

5. **Evaluation of Proposals:** All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.
6. **Award of Contract:** The award of the contract shall be made by the Governing Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.

Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.

7. **Rejection of Proposals:** At its discretion, the Board may reject all proposals and request new proposals.

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeshipable occupation in the building and construction trades. (Education Code 17407.5)

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.



## **LEASE-LEASEBACK CONTRACTS (continued)**

*(cf. 9124 - Attorney)*

### *Legal Reference:*

#### EDUCATION CODE

*17400 Definitions*

*17406 Lease-leaseback contract*

*17407.5 Use of a skilled and trained workforce*

#### PUBLIC CONTRACT CODE

*20111.6 Prequalification procedures*

*20112 Notices*

#### COURT DECISIONS

*McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)*

*Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261*

### *Management Resources:*

#### WEB SITES

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

*California Association of School Business Officials: <http://www.casbo.org>*

# Review/Adopt CSBA Recommendation

## Administrative Regulation

### Business and Noninstructional Operations

AR 3311.3(a)

### DESIGN-BUILD CONTRACTS

Note: As an alternative to the more traditional design-bid-build process (see BP/AR 3311 - Bids) or a lease-leaseback process (see AR 3311.2 - Lease-Leaseback Contracts), the district may enter into a design-build contract for a public works project in excess of \$1 million pursuant to Education Code 17250.10-17250.55. As defined by Education Code 17250.15, "design-build" means a project delivery process in which both the design and construction of a project are procured from a single entity. Education Code 17250.15 and 17250.25 provide that such contracts may be awarded to either the low bid or best value, as defined. Pursuant to Education Code 17250.50 and 17250.55, this authority applies to bid requests issued on or after July 1, 2016 and will be repealed January 1, 2025 unless legislation is enacted to delete or extend that date.

The Governing Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

*(cf. 7110 - Facilities Master Plan)*

*(cf. 7140 - Architectural and Engineering Services)*

Design-build documents shall not include provisions for long-term project operations, but may include operations during a training or transition period. (Education Code 17250.25)

The procurement process for design-build projects shall be as follows: (Education Code 17250.25, 17250.35)

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:
  - a. The size, type, and desired design character of the project
  - b. Performance specifications that cover the quality of materials, equipment, and workmanship
  - c. Preliminary plans or building layouts
  - d. Any other information deemed necessary to describe adequately the district's needs

The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

**DESIGN-BUILD CONTRACTS (continued)**

2. The district shall prepare and issue a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
  - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
  - b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other non-price-related factors
  - c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

The district also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce, as defined in Education Code 17250.25, to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract.

3. The district shall prepare a request for proposals (RFP) that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The RFP shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method for a project, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.

**DESIGN-BUILD CONTRACTS (continued)**

4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. For those projects utilizing best value as a selection method, the following procedures shall be used:
  - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
  - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
  - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
  - d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

*Legal Reference:***EDUCATION CODE***17250.10-17250.55 Design-build contracts**Management Resources:***WEB SITES***CSBA: [http:// www.csba.org](http://www.csba.org)**California Association of School Business Officials: <http://www.casbo.org>**California Department of Education, Facilities: <http://www.cde.ca.gov/lr/fa>***Policy Reference UPDATE Service**Copyright 2016 by **California School Boards Association**, West Sacramento, California 95691

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## Review/Adopt CSBA Recommendation

# Administrative Regulation

### Business and Noninstructional Operations

AR 3311.4(a)

### PROCUREMENT OF TECHNOLOGICAL EQUIPMENT

Note: The following administrative regulation is **optional**. As an alternative to competitive bidding procedures (see BP/AR 3311 - Bids), Public Contract Code 20118.2 authorizes the issuance of a request for proposals for district procurement of electronic equipment and apparatus, with the contract being awarded to the proposal that is most beneficial to the district considering price and all other factors.

Rather than seek competitive bids, the district may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

*(cf. 0440 - District Technology Plan)*

*(cf. 3230 - Federal Grant Funds)*

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

Whenever the competitive negotiation process is determined to be appropriate for such procurements, the district shall use the following procedures: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources, and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Governing Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district, considering price and all other factors.

**PROCUREMENT OF TECHNOLOGICAL EQUIPMENT (continued)**

7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.

Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer. (Public Contract Code 20118.2)

*Legal Reference:*

**PUBLIC CONTRACT CODE**

*20118.2 Contracting by school districts; technological equipment*

## Administrative Regulation

### Business and Noninstructional Operations

AR 3543(a)

#### TRANSPORTATION SAFETY AND EMERGENCIES

**Cautionary Notice:** Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Note: The following regulation is for use by districts that provide school bus transportation services and employ their own school bus drivers. Districts that contract out for all transportation services may revise this regulation as appropriate to ensure that the contracting firm meets all legal requirements regarding transportation safety.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus or, if no defect or deficiency was discovered or reported, shall so indicate. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

*(cf. 3540 - Transportation)*

*(cf. 3541.1 - Transportation for School-Related Trips)*

*(cf. 3542 - School Bus Drivers)*

#### Passenger Restraint Systems

Note: Pursuant to Vehicle Code 27316 and 27316.5, any school bus or student activity bus purchased or leased for use in California must be equipped with a passenger restraint system if the bus was manufactured on or after the dates specified in law, as described below. Although it is the manufacturer's responsibility to ensure installation of appropriate passenger restraint systems, the district should be aware that buses manufactured or purchased from outside California may need to be modified to comply with the state's requirements. In addition, according to the California Department of Education's (CDE) [Passenger Restraints Frequently Asked Questions](#), districts may, but are not required to, retrofit older school buses with passenger restraint systems. In determining whether to retrofit buses, the CDE recommends that districts consider the age of the bus, the total cost of the retrofit, and the required reinspection of the bus by the California Highway Patrol.

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)



**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:
  - a. Is designed for carrying 16 or fewer passengers and the driver
  - b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

Note: The following **optional** paragraph reflects legislative intent of Vehicle Code 27316.

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Note: Pursuant to Vehicle Code 27316, no person, district, or organization may be held criminally liable if a passenger improperly uses or fails to use the passenger restraint system. However, the CDE's Passenger Restraints Frequently Asked Questions encourages districts to develop procedures to enforce disciplinary actions for nonuse or improper use of the passenger restraint system.

The following **optional** paragraph may be expanded to specify the steps that should be taken by the driver to reasonably ensure that all passengers are properly restrained (e.g., verbal instructions to students, visual inspection), which may vary depending on the age/grade levels of the students. Such steps also may be incorporated in district regulations adopted pursuant to 5 CCR 14103 related to student conduct on buses, bus driver authority, and the suspension of riding privileges; see BP/AR 5131.1 - Bus Conduct.

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)  
(cf. 5144 - Discipline)

**Fire Extinguishers**

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

**Electronic Communications Devices**

Note: Vehicle Code 23125 prohibits a person from driving a school bus while using a wireless telephone except for work-related or emergency purposes. Vehicle Code 23123.5, as amended by AB 1785 (Ch. 660, Statutes of 2016), prohibits the driver of a motor vehicle (including a school bus or school activity bus pursuant to Vehicle Code 415 and 545) from using an electronic wireless communications device for any purpose, including, but not limited to, text-based communication, but provides an exception for voice-operated and hands-free operation or for a function that requires only a single swipe or tap of the driver's finger as long as the device is mounted on the windshield, dashboard, or center console of the vehicle. The following paragraph limits the use of any electronic communications device to work-related or emergency purposes. The district should consult legal counsel if it is considering allowing broader use of such devices.

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

**Safe Bus Operations**

Note: Pursuant to Education Code 39834, any Governing Board member, employee, or other person who knowingly operates or permits operation of a school bus in excess of its seating capacity is guilty of a misdemeanor. However, the Board is authorized to adopt policy that allows seating capacities to be exceeded in cases of emergency; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Note: Vehicle Code 34501.6 **mandates** any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers for school activity trips discretionary authority to discontinue operation when it is unsafe.

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

**Unauthorized Entry**

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

**Transportation Safety Plan for Boarding and Exiting Buses**

Note: The district should modify items #1-2 below to reflect grade levels offered by the district. A district that does not maintain any of grades prekindergarten through 8 should delete items #1-2.

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall address all of the following: (Education Code 39831.3)

1. Determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Boarding and exiting a school bus at a school or other trip destination

Note: SB 1072 (Ch. 721, Statutes of 2016) amended Education Code 39831.3 to require that the transportation plan include the procedures specified in items #4-5 below.

4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus

Note: The procedures included in the transportation safety plan to ensure that a student is not left unattended on a bus may include the requirements of Vehicle Code 28160, as added by SB 1072 (Ch. 721, Statutes of 2016). Pursuant to Vehicle Code 28160, on or before the beginning of the 2018-19 school year, each school bus, school activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child care provider to transport children) must be equipped with a "child safety alert system" (i.e., a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle). Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

**TRANSPORTATION SAFETY AND EMERGENCIES** (continued)

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

**Parental Notifications**

Note: The following section is for use by districts that offer any of grades prekindergarten through 6 and should be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safely walking to and from school bus stops

*(cf. 5145.6 - Parental Notifications)*

**Student Instruction**

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

Note: Item #2 below is for use by districts that offer any of grades prekindergarten through 8 and should be revised to reflect the grade levels offered by the district.

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
  - a. Proper loading and unloading procedures, including escorting by the driver
  - b. How to safely cross the street, highway, or private road
  - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
  - d. Proper passenger conduct
  - e. Bus evacuation procedures
  - f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the CHP.

*(cf. 3580 - District Records)*

Note: Item #3 below applies to all students in grades prekindergarten through 12.

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

**Bus Accidents**

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

*Legal Reference:*EDUCATION CODE

39830-39843 Transportation, school buses

39860 Contract for transportation; requirement that student not be left unattended

51202 Instruction in personal and public health and safety

PENAL CODE

241.3 Assault against school bus driver

243.3 Battery against school bus driver

VEHICLE CODE

415 Definition of motor vehicle

545-546 Definition of school bus and student activity bus

22112 Loading and unloading passengers

23123.5 Use of wireless telephone or communications device while driving; exceptions

23125 Use of wireless telephone prohibited while driving school bus

27316-27316.5 Passenger restraint systems

28160 Child safety alert system

34500 California Highway Patrol responsibility to regulate safe operation of school buses

34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses

34501.6 School buses; reduced visibility

34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations

CODE OF REGULATIONS, TITLE 5

14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety

2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

American School Bus Council: <http://www.americanschoolbuscouncil.org>

California Association of School Transportation Officials: <http://www.castows.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration:

<http://www.nhtsa.dot.gov>

(11/08 11/12) 12/16

**Policy Reference UPDATE Service**

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# **Administrative Regulation**

## **Transportation Safety And Emergencies**

AR 3543

### **Business and Noninstructional Operations**

Cautionary Notice 2013-14: AB 110 (Ch. 20, Statutes of 2013) amended Government Code 17581.5 to relieve districts from the obligation, until July 1, 2014, to perform any activities that are deemed to be reimbursable state mandates under that section. As a result, certain provisions of the following policy or administrative regulation that reflect those requirements may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment listed in 13 CCR 1215, including any defect or deficiency discovered by or reported to him/her which would affect safe operation or result in mechanical breakdown of the bus, or indicating that no defect or deficiency was discovered or reported. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

In the event of a school bus accident, the driver shall immediately notify the California Highway Patrol, the Superintendent or designee, and, if the bus is operated under contract, the driver's employer. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

### **Passenger Restraint Systems**

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver



2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:

- a. Is designed for carrying 16 or fewer passengers and the driver
- b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

(cf. 5131.1 - Bus Conduct)  
(cf. 5144 - Discipline)

#### Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

#### Electronic Communications Devices

A bus driver shall not drive a school bus or student activity bus while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, a call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. For work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)



A bus driver shall not drive while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email, unless the device is specifically designed and configured to

allow voice-operated and hands-free operation and is used in that manner. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

### Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

### Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

### Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include all of the following: (Education Code 39831.3)

1. Procedures for determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Procedures for boarding and exiting a school bus at a school or other trip destination

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)



## Parental Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safety while walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

## Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.
2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
  - a. Proper loading and unloading procedures, including escorting by the driver
  - b. How to safely cross the street, highway, or private road
  - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
  - d. Proper passenger conduct
  - e. Bus evacuation procedures



f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the California Highway Patrol.

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Legal Reference:

EDUCATION CODE

39830-39842 Transportation, school buses

51202 Instruction in personal and public health and safety

PENAL CODE



241.3 Assault against school bus driver  
243.3 Battery against school bus driver  
VEHICLE CODE  
415 Definition of motor vehicle  
545-546 Definition of school bus and student activity bus  
22112 Loading and unloading passengers  
23123 Use of wireless telephone prohibited while driving motor vehicle  
23123.5 Text communications prohibited while driving motor vehicle  
23125 Use of wireless telephone prohibited while driving school bus  
27316-27316.5 Passenger restraint systems  
34500 California Highway Patrol responsibility to regulate safe operation of school buses  
34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses  
34501.6 School buses; reduced visibility  
34508 California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses  
CODE OF REGULATIONS, TITLE 5  
14100-14105 School buses and student activity buses  
CODE OF REGULATIONS, TITLE 13  
1200-1293 Motor carrier safety  
2480 Airborne toxic control measure; limitation on bus idling  
CODE OF REGULATIONS, TITLE 19  
574-575.3 Inspection and maintenance of fire extinguishers  
CODE OF FEDERAL REGULATIONS, TITLE 49  
571.1-571.500 Motor vehicle standards, including school buses

#### Management Resources:

##### WEB SITES

California Association of School Business Officials: <http://www.casbo.org>  
California Association of School Transportation Officials: <http://www.castoways.org>  
California Department of Education, Office of School Transportation:  
<http://www.cde.ca.gov/ls/tn>  
California Highway Patrol: <http://www.chp.ca.gov>  
National Coalition for School Bus Safety: <http://www.ncsbs.org>  
National Transportation Safety Board: <http://www.nts.gov>  
U.S. Department of Transportation, National Highway Traffic Safety Administration:  
<http://www.nhtsa.dot.gov>

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: October 24, 2013 Eureka, California

## Board Policy

All Personnel

BP 4030(a)

### NONDISCRIMINATION IN EMPLOYMENT

Note: The following Board policy and accompanying administrative regulation are **mandated** pursuant to Government Code 11138 and 2 CCR 11023, as added by Register 2015, No. 50. The California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996) prohibits employers from discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, sex, sexual orientation, gender, gender identity, gender expression, religious creed, physical or mental disability, medical condition, marital status, or genetic information. Pursuant to 2 CCR 11009, as amended by Register 2015, No. 50, these same protections apply to unpaid interns and volunteers. Consequently, the district is required to also notify unpaid interns and volunteers about these protections. For more information about volunteers, see BP/AR 1240 - Volunteer Assistance.

The same or similar protections are available to employees and job applicants under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).

For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 4111/4211/4311 - Recruitment and Selection)*

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

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

Note: The following paragraph illustrates unlawful discriminatory practices as specified in Government Code 12940. Pursuant to Labor Code 1197.5, an employer is prohibited from paying an employee at wage rates less than the rates paid to employees of the opposite sex for work requiring equal skill, effort, and

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

responsibility and performed under similar conditions, except when the payment is based on some other bona fide factor such as education, training, or experience. In addition, Labor Code 1197.5, as amended by SB 1063 (Ch. 866, Statutes of 2016), prohibits the payment of different wage rates to employees for similar work based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation under the bona fide factor exception.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

*(cf. 4151/4251/4351 - Employee Compensation)*

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

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

Note: Item #4 below addresses the numerous specific practices prohibited under Government Code 12940 or 2 CCR 11006-11086 in relation to certain protected categories. For example, because "sex" as defined in Government Code 12926 includes pregnancy, childbirth, breastfeeding, or related medical conditions, any of these conditions may be the basis for an employee's sex discrimination claim. As the specific prohibitions are too numerous to list in policy, it is recommended that district legal counsel be consulted when questions arise as to any specific claim.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

*(cf. 4033 - Lactation Accommodation)*

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

- b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.



**NONDISCRIMINATION IN EMPLOYMENT (continued)**

- c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - *Employees with Infectious Disease*)

- d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

(cf. 4032 - *Reasonable Accommodation*)

Note: Retaliation against complainants or other participants in the grievance procedures is prohibited by Government Code 12940 and 34 CFR 110.34. In addition to the general prohibition against retaliation, Government Code 12940 provides that an employee who requests accommodation for his/her physical or mental disability or religious belief is protected from retaliation as specified below. CSBA recommends that this protection be extended to all protected characteristics and has modified the policy accordingly.

In Thompson v. North American Stainless LP, the U.S. Supreme Court held that a third party may file an anti-retaliation suit.

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Note: Pursuant to 2 CCR 11019, in certain instances, an employee's (especially a supervisor's) knowledge or notice of prohibited conduct of another employee or individual may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940 provides that an employer may be responsible for the sexual harassment of employees by nonemployees where the employer knows or should have known of the conduct and failed to take immediate and corrective action. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

See the accompanying administrative regulation for requirements related to the identification of the employee who will be responsible for compliance with the nondiscrimination laws.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

Note: Government Code 12940 requires districts to take all reasonable steps, including training, to prevent prohibited discrimination and harassment. In addition, 2 CCR 11023, as added by Register 2015, No. 15, imposes an affirmative duty on the district to create a workplace environment that is free from all prohibited practices. For details of such measures, see the accompanying administrative regulation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*

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

*Legal Reference: (see next page)*

**NONDISCRIMINATION IN EMPLOYMENT (continued)***Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination*CIVIL CODE*51.7 Freedom from violence or intimidation*GOVERNMENT CODE*11135 Unlawful discrimination**11138 Rules and regulations**12900-12996 Fair Employment and Housing Act*PENAL CODE*422.56 Definitions, hate crimes*CODE OF REGULATIONS, TITLE 2*11006-11086 Discrimination in employment**11013 Recordkeeping**11019 Terms, conditions and privileges of employment**11023 Harassment and discrimination prevention and correction**11024 Sexual harassment training and education*CODE OF REGULATIONS, TITLE 5*4900-4965 Nondiscrimination in elementary and secondary education programs*UNITED STATES CODE, TITLE 20*1681-1688 Title IX of the Education Amendments of 1972*UNITED STATES CODE, TITLE 29*621-634 Age Discrimination in Employment Act**794 Section 504 of the Rehabilitation Act of 1973*UNITED STATES CODE, TITLE 42*2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended**2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended**2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008**2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964**6101-6107 Age discrimination in federally assisted programs**12101-12213 Americans with Disabilities Act*CODE OF FEDERAL REGULATIONS, TITLE 28*35.101-35.190 Americans with Disabilities Act*CODE OF FEDERAL REGULATIONS, TITLE 34*100.6 Compliance information**104.7 Designation of responsible employee for Section 504**104.8 Notice**106.8 Designation of responsible employee and adoption of grievance procedures**106.9 Dissemination of policy**110.1-110.39 Nondiscrimination on the basis of age*COURT DECISIONS*Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863**Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837**Management Resources: (see next page)*

## **NONDISCRIMINATION IN EMPLOYMENT (continued)**

### *Management Resources:*

#### CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

#### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

#### U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

#### WEB SITES

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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

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### **Policy Reference UPDATE Service**

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# **Board Policy**

## **Nondiscrimination In Employment**

BP 4030

### **Personnel**

The Board of Education is determined to provide district employees and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or association with a person or group with one or more of these actual or perceived characteristics..

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

The Board also prohibits discrimination against any employee or job applicant in compensation, terms, conditions, and other privileges of employment and the taking of any adverse employment action, including, but not limited to, termination or the denial of employment, promotion, job assignment, or training, against an employee or job applicant based on any of the categories listed above.

(cf. 4032 - Reasonable Accommodation)  
(cf. 4154/4254/4354 - Health and Welfare Benefits)

Prohibited discrimination on the basis of religious creed includes discrimination based on an employee's or job applicant's religious belief or observance, including his/her religious dress or grooming practices. In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes the district's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. However, the district shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.

Prohibited sex discrimination includes discrimination based on an employee's or job applicant's pregnancy, childbirth, breastfeeding, or any related medical condition.

(cf. 4033 - Lactation Accommodation)



Harassment consists of unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

The Board also prohibits retaliation against any district employee or job applicant who opposes any discriminatory employment practice by the district or its employee, agent, or representative or who complains, testifies, assists, or in any way participates in the district's complaint procedures pursuant to this policy. No employee or job applicant who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who does report such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

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

Legal Reference:  
EDUCATION CODE  
200-262.4 Prohibition of discrimination



## CIVIL CODE

51.7 Freedom from violence or intimidation

## GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

## PENAL CODE

422.56 Definitions, hate crimes

## CODE OF REGULATIONS, TITLE 2

11019 Terms, conditions and privileges of employment

## CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

## UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

## UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

## UNITED STATES CODE, TITLE 42

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

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

## CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

## CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

## COURT DECISIONS

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

## Management Resources:

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors,



June 1999

WEB SITES

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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

Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: September 8, 2016 Eureka, California

## Administrative Regulation

All Personnel

AR 4030(a)

### NONDISCRIMINATION IN EMPLOYMENT

Note: Pursuant to Government Code 11138 and 2 CCR 11023, as added by Register 2015, No. 50, districts are **mandated** to adopt rules and regulations to ensure that district programs and activities are free from unlawful discriminatory practices. Pursuant to 2 CCR 11009, as amended by Register 2015, No. 50, it is unlawful to discriminate against any person who serves in an unpaid internship or other limited-duration program to gain unpaid work experience, on any basis protected by Government Code 12940.

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws. For example, pursuant to 34 CFR 104.7, 106.8, and 110.25, the district is required to designate the person(s) responsible for the overall implementation of the requirements of federal laws which prohibit discrimination on the basis of disability, sex, and age, i.e., Section 504 of the Rehabilitation Act of 1973 (29 USC 794), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), and the Age Discrimination in Employment Act (29 USC 621-634). The district should fill in the blanks below to designate the responsible employee and his/her contact information.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-2417

### Measures to Prevent Discrimination

Note: Pursuant to Government Code 12940 and 2 CCR 11023, as added by Register 2015, No. 50, the district is required to take all reasonable steps to prevent unlawful discrimination and harassment. 2 CCR 11023, as added, specifies certain requirements to be included in the district's policy. The following section reflects the requirements of 2 CCR 11023 and other applicable laws or regulations, as indicated.

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
  - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
  - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
  - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

2. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)
  - a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
  - b. Sending the policy via email with an acknowledgment return form
  - c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
  - d. Discussing the policy with employees upon hire and/or during a new hire orientation session
  - e. Any other way that ensures employees receive and understand the policy

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

3. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior
4. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

Note: Pursuant to 2 CCR 11023, as added by Register 2015, No. 50, if the district has 50 or more employees, its sexual harassment prevention training must include instruction for its supervisors as specified in the following paragraph.

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

(cf. 1240 - *Volunteer Assistance*)  
 (cf. 4119.11/4219.11/4319.11 - *Sexual Harassment*)  
 (cf. 4131 - *Staff Development*)  
 (cf. 4231 - *Staff Development*)  
 (cf. 4331 - *Staff Development*)

5. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
6. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

**Complaint Procedure**

Note: 2 CCR 11023, as added by Register 2015, No. 50, **mandates** that a district's policy include a complaint process with specified requirements. Some of the requirements of 2 CCR 11023 are similar to those required under existing case law.

Courts have held that an employer may mitigate liability for hostile environment employment discrimination when (1) the employer took reasonable care to prevent and promptly correct the discriminatory or harassing conduct (i.e., provided a complaint procedure) and (2) the aggrieved employee unreasonably failed to take advantage of corrective opportunities offered by the employer (i.e., failure to file a complaint). In its June 1999 Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, EEOC outlines the elements of an effective complaint procedure to include (1) a clear explanation of the process; (2) protection against retaliation; (3) designation of multiple individuals authorized to receive complaints; (4) a mechanism for prompt, thorough, and impartial investigation; (5) assurance of immediate and appropriate corrective action; and (6) information about time frames for filing charges with the EEOC or the DFEH.

While the EEOC's guidance recommends a "prompt" investigation, neither the law nor the EEOC delineates a specific time frame for resolution. The EEOC's guidance acknowledges that whether an investigation is considered "prompt" may vary depending on the seriousness and complexity of the circumstances and that intermediate measures may be necessary to prevent further harassment during the investigation.

The following section, including the listed timelines, is consistent with the EEOC's guidance and should be modified to reflect district practice.

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform his/her direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

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

*(cf. 4032 - Reasonable Accommodation)*

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. He/she shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

*(cf. 3580 - District Records)*

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

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

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*

**NONDISCRIMINATION IN EMPLOYMENT (continued)****Other Remedies**

Note: Items #1-3 below state the time limits within which employees must file their complaints. The EEOC's guidance states that it is important for employers' nondiscrimination policies to contain information about time frames for filing charges of unlawful discrimination or harassment with the EEOC or DFEH. Employees should be informed that the deadline for filing charges starts to run from the last date of the unlawful act, not from the conclusion of the employer's complaint investigation. Pursuant to DFEH procedures, DFEH will automatically forward any complaint it has accepted for investigation to the EEOC when the matter falls within the EEOC's jurisdiction.

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

Note: Pursuant to Government Code 12960, an employee has one year to file a complaint with DFEH, although that period may be extended under certain circumstances, such as when a person obtains knowledge of the unlawful practice after the expiration of the one-year period.

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960

Note: 42 USC 2000e-5 specifies that a person must file a discrimination complaint with the EEOC within 180 days of the alleged discriminatory act. Pursuant to 42 USC 2000e-5, the 180-day timeline for compensation discrimination starts when the discriminatory paycheck is received and that each discriminatory paycheck restarts the timeline for the filing of a complaint.

2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

(12/15) 12/16



# **Administrative Regulation**

## **Nondiscrimination In Employment**

AR 4030  
**Personnel**

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Director of Personnel Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-2417

### **Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, and retaliation against district employees, volunteers, interns, and job applicants, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, to employees, volunteers, interns, job applicants, and the general public by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in all district schools and offices, including staff lounges and other prominent locations

c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)

2. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior

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

3. Provide training to employees, volunteers, and interns regarding the district's



nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

(cf. 1240 - Volunteer Assistance)  
(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

4. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law

#### Complaint Procedure

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant who is an employee shall inform his/her supervisor. However, if the supervisor is the person against whom the employee is complaining, the employee shall inform the coordinator or the Superintendent. A job applicant shall inform the coordinator or the Superintendent or designee.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

2. Investigation Process: The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint



procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

(cf. 3580 - District Records)

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

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

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, correct the effect on the complainant, and ensure that retaliation or further discrimination or harassment does not occur.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Board of Education:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

(cf. 1312.1 - Complaints Concerning District Employees)



(cf. 9321 - Closed Session Purposes and Agendas)

#### Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: June 2, 2016 Eureka, California

## **Exhibit**

### **Nondiscrimination In Employment**

E 4030

#### **Personnel**

The Eureka Cit Schools is an equal employment opportunity employer and supports the principles of non-discrimination.

Eureka City Schools does not discriminate on the basis of race, color, national origin, gender (including sexual harassment), handicap [or disability], or age in any of its policies, procedures, or practices. This non-discrimination policy covers admission and access to, and treatment and employment in, the district's program and activities, including vocational education. Inquiries regarding the equal opportunity policies, the filing of grievances, or to request a copy of the district's grievance procedures may be directed to:

Assistant Superintendent of Educational Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-3363

The following grievance resolution procedure is for use by students, parents/guardians, employees, job applicants, or members of the general public where alleged violations regarding discrimination have occurred or are occurring in the operation of Eureka City Schools:

#### **Level I**

The complainant will first meet informally with the school site administrator. If the complainant's concerns are not clear or cannot be resolved through informal discussion, the school site administrator may request that the complaint be put in writing and submitted to the administrator may. The administrator will respond to the complainant in writing within ten working days.

#### **LEVEL II**

In the event that a grievance or complaint cannot be satisfactorily resolved at Level I, the complainant may meet with the District Coordinator for Title VI, Title IX, and Section 504. Every reasonable attempt will be made to resolve the problem in a manner acceptable to all parties.

\* The complainant may present his or her grievance to the District Coordinator orally or in writing, describing specifically the time, place, nature and participants of the alleged discriminatory acts or policies. If the complainant's concerns are not clearly understood when presented orally, the district Coordinator may request that they be presented in writing. The



District Coordinator will respond to the complainant in writing within ten working days.

\* The District Coordinator shall conduct any investigation necessary to resolve the complaint, including discussion with the complainant, the person against whom the complaint was filed, appropriate staff members and students, and a review of all relevant documents. In the event that a response from third parties is necessary, the District Coordinator may designate up to ten additional working days for investigation for the complaint. An additional period of time, with the complainant's consent, may be allowed for resolution of the grievance

### LEVEL III

If the problem cannot be resolved at the second level, the complainant shall have the right to present the grievance to the Superintendent, following the same procedures as in Level II.

### LEVEL IV

In the event that the matter cannot be resolved at the third level, the complainant may request a hearing before the Board of Education. Any such request must be made in writing within 20 working days after receipt of the decision of the Superintendent. The Board shall grant the hearing request for the next regular meeting. The Board shall hear all information relevant to the grievance and shall render its decision at the next regular Board meeting.

### ALTERNATE STEPS IN THE GRIEVANCE PROCEDURE

In the event that the grievance is against the individual responsible for the grievance process at any level, the complainant may address the grievance directly to the next appropriate level.

Eureka City Schools and its designated representatives reserve the right to conduct its investigation in any manner deemed appropriate and which is not contrary to law. Grievants will make themselves available at reasonable times during these investigations for personal conferences. At their expense, grievants may select their own representative to accompany them to any conference, however, it is necessary for each grievant to be physically present to respond to questions.

These grievance procedures have been developed according to legal requirements and are designed to expedite a response to expressed concerns regarding discrimination.

Exhibit EUREKA CITY UNIFIED SCHOOL DISTRICT  
Version: September 13, 2000 Eureka, California

## Board Policy

All Personnel

BP 4119.11(a)

4219.11

**SEXUAL HARASSMENT**

4319.11

Note: Education Code 231.5 **mandates** the district to have a written policy on sexual harassment. As part of this mandate, the district also should adopt a sexual harassment policy related to students; see BP/AR 5145.7 - Sexual Harassment.

Generally, courts recognize two types of conduct as constituting sexual harassment. "Quid Pro Quo" ("this for that") sexual harassment is considered to have occurred when a person in a position of authority makes another individual's educational or employment benefits conditional upon that other person's willingness to engage in unwanted sexual behavior (e.g., promising a promotion for sex). "Hostile environment" sexual harassment, on the other hand, is conduct by the perpetrator that is so severe, persistent, or pervasive that it creates a hostile, intimidating, or abusive educational or professional environment for another. Sexual harassment also covers retaliatory behavior against a complainant, witness, or other participant in the complaint process. Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

Sexual harassment is prohibited pursuant to Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17) and/or Title IX of the Education Amendments of 1972 (42 USC 2000h-2-2000h-6), as well as the California Fair Employment and Housing Act, Government Code 12900-12996.

Pursuant to Government Code 12940, employers may be held liable for sexual harassment committed against their workers by clients, customers, or other third parties if they knew or should have known of the harassment and failed to take immediate and appropriate corrective action to stop the harassment.

The Governing Board prohibits sexual harassment of district employees. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

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

*(cf. 4030 - Nondiscrimination in Employment)*

Note: Federal and state courts have provided guidance that may help employers avoid liability or mitigate damages in sexual harassment cases. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court outlined measures that may enable employers to reduce damages, including establishing anti-harassment policies, communicating those policies to employees, consistently enforcing their policies, preserving the confidentiality of employees who report harassment, and preventing retaliation against reporting employees. The U.S. Supreme Court has held, in Burlington Industries v. Ellerth, that, for certain claims under federal law, an employer may defend against sexual harassment claims by proving that: (1) reasonable care was exercised to prevent and promptly correct any sexually harassing behavior, and (2) the employee (victim) failed to take advantage of the preventive and corrective opportunities provided by the employer.



## **SEXUAL HARASSMENT (continued)**

Pursuant to Government Code 12950.1, employers with 50 or more employees are required to provide two hours of sexual harassment training to supervisory employees. See the accompanying administrative regulation for timelines and training requirements.

Items #1-4 below reflect the courts' guidance and Government Code 12950.1, and should be modified to reflect district practice.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Note: Pursuant to 2 CCR 11034, as amended by Register 2015, No. 50, the district may be liable for sexual harassment committed by a supervisor, coworker, or a third party. In addition, as part of its affirmative duty to prevent sexual harassment, the district is required pursuant to 2 CCR 11023, as amended by Register 2015, No. 50, to instruct supervisors to report complaints.

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Note: In Faragher v. City of Boca Raton, one of the factors relied on by the U.S. Supreme Court in finding liability for harassment by a supervisor was the failure of the policy to provide an assurance to its employees that harassing supervisors may be bypassed in registering complaints.

**SEXUAL HARASSMENT (continued)**

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*

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

Note: In addition to district sanction against employees who engage in sexual harassment, Government Code 12940 provides that such employees may be held personally liable in a court of law for any damage to the victim(s).
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*Legal Reference: (see next page)*

## SEXUAL HARASSMENT (continued)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

#### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

#### LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

#### CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

#### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

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### Management Resources:

#### OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

*Protecting Students from Harassment and Hate Crime*, January 1999

#### WEB SITES

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

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<http://www.ed.gov/about/offices/list/ocr/index.html>

(7/05 12/15) 12/16

### Policy Reference UPDATE Service

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# **Board Policy**

## **Sexual Harassment**

**BP 4119.11**  
**Personnel**

### **Purpose**

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the district has a cooperative agreement, to engage in sexual harassment.

It is the policy of the Board of Education of the Eureka City Schools District to provide an employment environment free of sexual harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

### **Definition**

For the purposes of this policy, sexual harassment is defined by Education Code Section 212.5, "Sexual harassment means unwelcome sexual conduct including, advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution."

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment



include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

#### Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, agent or student of the District should report the facts of the incident(s) to the site administrator or supervisor. If the site administrator or supervisor is the alleged harasser, the employee should report to the Superintendent. A written report of the alleged incident will be filed and forwarded to the Superintendent. A copy of Board policy will be provided to the employee who makes the complaint.

Employees who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person that the conduct is unwanted, offensive, and must stop, but are encouraged to do so. An aggrieved individual is not required to complain to his or her supervisor if that supervisor is the individual who is harassing them.

#### Filing Complaints with State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

Equal Employment Opportunity Commission  
901 Market Street  
San Francisco, CA 94103  
(415) 356-5061

The State Fair Employment and Housing Commission  
30 Van Ness Avenue  
San Francisco, CA 94102  
(415) 557-2005.



## Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

## Retaliation is Prohibited

The initiation of an allegation of sexual harassment will not cause any reflection on the individual reporting the incident or witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or other matters pertaining to his or her status in any District programs or activities. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action as defined in this policy.

## Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

## Disciplinary Action

Employees who violate this policy shall be subject to disciplinary action up to and including dismissal. Such disciplinary action will be in accordance with applicable policies, laws, and/or collective bargaining agreements.

When disciplinary action is necessary the Superintendent will be consulted to determine what course of action is appropriate.

## Investigation

The Superintendent is authorized to develop regulations by which reports of sexual harassment shall be addressed. Such process shall include an informal resolution process, an investigation, and issuance of a summary report.

## Appeal Procedure

Either the complaining party or the accused may appeal the summary report to the Superintendent. Appeals should be made within 10 business days from the date of the issuance



of the summary report. Procedures shall be set forth in the Administrative Regulations.

#### Administrative Regulations

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy.

#### Training and Curriculum

To implement this policy, the Superintendent or designee will determine appropriate training programs for staff and students. Employees in a supervisory capacity will be trained, as required by law, at least every two (2) years beginning January 1, 2006. Teachers are not considered to be supervisory for purposes of Government Code Section 12950.1

#### Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer Mailing.

#### Special Assistance

It is expected that questions may arise concerning this policy. For assistance in these matters, individuals may contact the Superintendent.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

##### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

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1102.1 Discrimination: sexual orientation

##### CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

##### CODE OF REGULATIONS, TITLE 5

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##### UNITED STATES CODE, TITLE 42

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Management Resources:

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GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

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Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: January 17, 2013 Eureka, California



## **Board Policy**

### **Sexual Harassment**

BP 4219.11  
**Personnel**

#### **Purpose**

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the district has a cooperative agreement, to engage in sexual harassment.

It is the policy of the Board of Education of the Eureka City Schools District to provide an employment environment free of sexual harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

#### **Definition**

For the purposes of this policy, sexual harassment is defined by Education Code Section 212.5, "Sexual harassment means unwelcome sexual conduct including, advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution."

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment



include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

#### Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, agent or student of the District should report the facts of the incident(s) to the site administrator or supervisor. If the site administrator or supervisor is the alleged harasser, the employee should report to the Superintendent. A written report of the alleged incident will be filed and forwarded to the Superintendent. A copy of Board policy will be provided to the employee who makes the complaint.

Employees who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person that the conduct is unwanted, offensive, and must stop, but are encouraged to do so. An aggrieved individual is not required to complain to his or her supervisor if that supervisor is the individual who is harassing them.

#### Filing Complaints with State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

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The State Fair Employment and Housing Commission  
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## Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

## Retaliation is Prohibited

The initiation of an allegation of sexual harassment will not cause any reflection on the individual reporting the incident or witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or other matters pertaining to his or her status in any District programs or activities. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action as defined in this policy.

## Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

## Disciplinary Action

Employees who violate this policy shall be subject to disciplinary action up to and including dismissal. Such disciplinary action will be in accordance with applicable policies, laws, and/or collective bargaining agreements.

When disciplinary action is necessary the Superintendent will be consulted to determine what course of action is appropriate.

## Investigation

The Superintendent is authorized to develop regulations by which reports of sexual harassment shall be addressed. Such process shall include an informal resolution process, an investigation, and issuance of a summary report.

## Appeal Procedure

Either the complaining party or the accused may appeal the summary report to the Superintendent. Appeals should be made within 10 business days from the date of the issuance



of the summary report. Procedures shall be set forth in the Administrative Regulations.

#### Administrative Regulations

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy.

#### Training and Curriculum

To implement this policy, the Superintendent or designee will determine appropriate training programs for staff and students. Employees in a supervisory capacity will be trained, as required by law, at least every two (2) years beginning January 1, 2006. Teachers are not considered to be supervisory for purposes of Government Code Section 12950.1

#### Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer Mailing.

#### Special Assistance

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#### Legal Reference:

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Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: January 17, 2013 Eureka, California

# **Board Policy**

## **Sexual Harassment**

**BP 4319.11**  
**Personnel**

### **Purpose**

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It is the policy of the Board of Education of the Eureka City Schools District to provide an employment environment free of sexual harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

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## Time Limits

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When disciplinary action is necessary the Superintendent will be consulted to determine what course of action is appropriate.

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#### Notification

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#### Special Assistance

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#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

##### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

##### LABOR CODE

1101 Political activities of employees

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##### CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

##### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

##### UNITED STATES CODE, TITLE 42

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**CODE OF FEDERAL REGULATIONS, TITLE 34**

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**Management Resources:**

**OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS**

**GENERAL**

**Protecting Students from Harassment and Hate Crime, January, 1999**

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**Policy EUREKA CITY UNIFIED SCHOOL DISTRICT**

**adopted: January 17, 2013 Eureka, California**



## Administrative Regulation

All Personnel

AR 4119.11(a)

4219.11

SEXUAL HARASSMENT

4319.11

Note: The following administrative regulation is **mandated** pursuant to Education Code 231.5 and includes reasonable steps for preventing the occurrence of discrimination and harassment as required pursuant to Government Code 12940 (California Fair Employment and Housing Act). The focus of this administrative regulation is on sexual harassment by and of employees. Pursuant to Government Code 12940 and 2 CCR 11009, as amended by Register 2015, No. 50, interns, volunteers, and job applicants are entitled to the same protection against sexual harassment as applicable to employees.

For information related to sexual harassment involving students, see BP/AR 5145.7 - Sexual Harassment.

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

### Definitions

Note: In Oncale v. Sundowner Offshore Services, Inc., the U.S. Supreme Court held that same-sex sexual harassment could be actionable under Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17).

*Prohibited sexual harassment* includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Note: Pursuant to Government Code 12940, conduct may meet the definition of sexual harassment regardless of whether or not the alleged harasser is motivated by sexual desire for the victim.

*Prohibited sexual harassment* also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

## **SEXUAL HARASSMENT (continued)**

**Note:** Pursuant to Government Code 12940, the district may be held liable for sexual harassment committed against employees by clients, customers, or other third parties if the district knew, or should have known, of the harassment and failed to take immediate and appropriate corrective action to stop the harassment. The following paragraph clarifies that sexual harassment may include acts by supervisors, co-workers, or other parties and should be modified to reflect district practice.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

### **Training**

**Note:** The following paragraph is consistent with a district's affirmative duty to protect its employees from sex discrimination, including sexual harassment, pursuant to 2 CCR 11023, as added by Register 2015, No. 50. In addition, since BP/AR 5145.7 - Sexual Harassment requires employees to report sexual harassment against students, training such employees to recognize and address sexual harassment incidents furthers the district's interest in protecting both employees and students against prohibited conduct. Thus, it is strongly recommended that districts periodically provide sexual harassment training or information to all their employees, especially those who work at school sites.

Provision of periodic training to all district employees could also help foster a positive work environment and mitigate damages against a district in the event of sexual harassment litigation. In Department of Health Services v. Superior Court (McGinnis), the California Supreme Court held that employers that have taken reasonable steps to prevent and correct workplace sexual harassment may be able to reduce damages in the event of a lawsuit. Such steps may include establishing anti-harassment policies and communicating those policies to employees.

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee,

## SEXUAL HARASSMENT (continued)

employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. 1312.3 - *Uniform Complaint Procedures*)  
(cf. 4030 - *Nondiscrimination in Employment*)  
(cf. 5145.7 - *Sexual Harassment*)

**Note: The remainder of this section is for use by districts with 50 or more employees.** Although the law does not require districts with fewer than 50 employees to provide sexual harassment training to supervisors, court decisions have held that providing training may help mitigate damages in sexual harassment suits. Additionally, provision of supervisor training may be a factor in determining whether a district has taken reasonable steps to prevent discrimination and harassment pursuant to Government Code 12940.

Government Code 12950.1 requires such districts to provide two hours of sexual harassment training and education once every two years to every supervisory employee, defined as any employee with the authority to take employment action, including hiring, transferring, suspending, and disciplining other employees, or recommend such action if the exercise of that authority is not merely routine or clerical in nature. All newly hired supervisors or employees promoted to a supervisory position must receive the training within six months of their hire or assumption of the supervisory position. Compliance with this law does not insulate the district from any liability for harassment.

Governing Board members, as elected officials, are not usually considered "supervisors"; however, since Board members have the authority to hire, reward, or discipline the Superintendent and other employees, Board members may also be required to receive sexual harassment training. Districts should consult with legal counsel to ensure that the appropriate individuals receive training.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A *supervisory employee* is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

(cf. 4300 - *Administrative and Supervisory Personnel*)

**Note:** Government Code 12950.1 and 2 CCR 11024, as amended and renumbered by Register 2015, No. 50, require that the training for supervisory employees contain specified components and be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation.

## **SEXUAL HARASSMENT (continued)**

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

## **SEXUAL HARASSMENT (continued)**

### **Notifications**

Note: Education Code 231.5 requires that the district provide copies of its policy on sexual harassment to staff, as specified below. In addition, 2 CCR 11024 requires that supervisory employees undergoing mandatory training receive a copy of the district's policy and acknowledge receipt of the policy; see item #6 in the section "Training" above.

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

Note: Government Code 12950 requires the Department of Fair Employment and Housing (DFEH) to develop posters and information sheets on employment discrimination and the illegality of sexual harassment. These documents are available on DFEH's web site.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC

**SEXUAL HARASSMENT (continued)**

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

(3/08 10/15) 12/16



# **Administrative Regulation**

## **Sexual Harassment**

AR 4119.11

### **Personnel**

#### **Purpose**

It is the purpose of this Administrative Regulation to implement the District's Adult Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of Education's commitment to providing a work environment free from sexual harassment as defined by board policy.

#### **Reporting Procedure**

Any employee who believes he or she has been sexually harassed by an employee, student, or agent of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to the school site administrator/site manager.

Employees may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the employee to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the site manager/administrator and the Superintendent. The Superintendent shall determine who shall conduct the investigation. A copy of Board Policy will be given to the employee.

#### **Confidentiality**

The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

#### **Retaliation**

The initiation of an allegation of sexual harassment by an employee will not adversely affect employment status in any way. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.



## Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Employees wishing to report allegations to additional agencies, such as the Equal Employment Opportunity Commission, should know that these agencies follow a time limit for reporting alleged incidents of sexual harassment.

## Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent shall set up a process. If the informal process does not result in a mutually agreeable resolution to the complaint, the investigation procedure shall be initiated.

If the complaining party or accused does not wish to participate in the informal process, the investigation procedure will be initiated.

## Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the employee who believes they have been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the administrator/investigator should determine if the employee has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. Upon receipt of a complaint, the site administrator or individual designated by the Superintendent shall develop a written report of the allegations. This will be done in consultation with the employee making the complaint. The Superintendent shall then designate an investigator.
2. The investigator shall, as soon as possible after the incident has been reported, inform the employee accused of sexual harassment of the allegation and they will be given an opportunity to respond. The person accused shall not receive a copy of the complaint but shall be informed of the allegations in writing. The name of the complaining party shall remain confidential to the extent possible. The accused will be given a copy of Board Policy.
3. The investigator shall inform all parties, including the employee making the allegation, witnesses, and the accused, of their rights, including the fact that the employee making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
4. The investigator shall conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation findings shall be filed within twenty-five (25) days



from the date the employee made the allegation with the Superintendent or from the date the informal process is terminated. The Superintendent may extend the timeline depending on the nature of the investigation. Written notice of the extension shall be provided to all parties. Upon completion of the investigation, the Superintendent, within ten (10) days, will provide by mail a summary of the findings to the employee who reported the harassment and to the person accused.

a. For purposes of this Policy and Administrative Regulation "days" means days that the District office is open for business.

5. When the Superintendent determines that sexual harassment has occurred, and/or disciplinary action is necessary, the Superintendent shall determine what course action is appropriate.

#### Disciplinary Action/Remedial Action

Employees who are found to have engaged in sexual harassment or inappropriate conduct may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with board policy, state law, and applicable collective bargaining agreements.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination.

Because of rights to privacy regarding discipline, the nature of the discipline will not be disclosed to the individual filing the complaint unless authorized by the person being disciplined.

Depending on the findings of the investigation, the District will also review and consider possible actions to remedy any harm suffered by the employee who is determined to be a victim of sexual harassment. Depending on the results of the investigation, the District shall consider needs of the victim, including counseling services.

#### Appeal Procedures

Either the complaining party or the accused may appeal the summary report of the investigation to the Superintendent. Appeals must be made in writing within 10 business

days from the date of the issuance of the summary report. (days means days that District office is open for business)

The appeal shall set forth the reasons for the appeal. The Superintendent or designee shall be responsible for responding to the appeal. The decision of the Superintendent shall be in writing and shall be final. The written decision shall be issued within 20 calendar days of the appeal.

#### Notification



There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer mailing.

#### Special Assistance

To obtain additional information regarding any of the procedures outlined in this administrative regulation, one should contact the Superintendent.

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: January 17, 2013 Eureka, California



# **Administrative Regulation**

## **Sexual Harassment**

AR 4219.11

### **Personnel**

#### **Purpose**

It is the purpose of this Administrative Regulation to implement the District's Adult Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of Education's commitment to providing a work environment free from sexual harassment as defined by board policy.

#### **Reporting Procedure**

Any employee who believes he or she has been sexually harassed by an employee, student, or agent of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to the school site administrator/site manager.

Employees may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the employee to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the site manager/administrator and the Superintendent. The Superintendent shall determine who shall conduct the investigation. A copy of Board Policy will be given to the employee.

#### **Confidentiality**

The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

#### **Retaliation**

The initiation of an allegation of sexual harassment by an employee will not adversely affect employment status in any way. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.



## Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Employees wishing to report allegations to additional agencies, such as the Equal Employment Opportunity Commission, should know that these agencies follow a time limit for reporting alleged incidents of sexual harassment.

## Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent shall set up a process. If the informal process does not result in a mutually agreeable resolution to the complaint, the investigation procedure shall be initiated.

If the complaining party or accused does not wish to participate in the informal process, the investigation procedure will be initiated.

## Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the employee who believes they have been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the administrator/investigator should determine if the employee has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. Upon receipt of a complaint, the site administrator or individual designated by the Superintendent shall develop a written report of the allegations. This will be done in consultation with the employee making the complaint. The Superintendent shall then designate an investigator.
2. The investigator shall, as soon as possible after the incident has been reported, inform the employee accused of sexual harassment of the allegation and they will be given an opportunity to respond. The person accused shall not receive a copy of the complaint but shall be informed of the allegations in writing. The name of the complaining party shall remain confidential to the extent possible. The accused will be given a copy of Board Policy.
3. The investigator shall inform all parties, including the employee making the allegation, witnesses, and the accused, of their rights, including the fact that the employee making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
4. The investigator shall conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation findings shall be filed within twenty-five (25) days



from the date the employee made the allegation with the Superintendent or from the date the informal process is terminated. The Superintendent may extend the timeline depending on the nature of the investigation. Written notice of the extension shall be provided to all parties. Upon completion of the investigation, the Superintendent, within ten (10) days, will provide by mail a summary of the findings to the employee who reported the harassment and to the person accused.

a. For purposes of this Policy and Administrative Regulation "days" means days that the District office is open for business.

5. When the Superintendent determines that sexual harassment has occurred, and/or disciplinary action is necessary, the Superintendent shall determine what course action is appropriate.

#### Disciplinary Action/Remedial Action

Employees who are found to have engaged in sexual harassment or inappropriate conduct may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with board policy, state law, and applicable collective bargaining agreements.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination.

Because of rights to privacy regarding discipline, the nature of the discipline will not be disclosed to the individual filing the complaint unless authorized by the person being disciplined.

Depending on the findings of the investigation, the District will also review and consider possible actions to remedy any harm suffered by the employee who is determined to be a victim of sexual harassment. Depending on the results of the investigation, the District shall consider needs of the victim, including counseling services.

#### Appeal Procedures

Either the complaining party or the accused may appeal the summary report of the investigation to the Superintendent. Appeals must be made in writing within 10 business

days from the date of the issuance of the summary report. (days means days that District office is open for business)

The appeal shall set forth the reasons for the appeal. The Superintendent or designee shall be responsible for responding to the appeal. The decision of the Superintendent shall be in writing and shall be final. The written decision shall be issued within 20 calendar days of the appeal.

#### Notification



There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer mailing.

#### Special Assistance

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Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: January 17, 2013 Eureka, California



# **Administrative Regulation**

## **Sexual Harassment**

AR 4319.11

### **Personnel**

#### **Purpose**

It is the purpose of this Administrative Regulation to implement the District's Adult Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of Education's commitment to providing a work environment free from sexual harassment as defined by board policy.

#### **Reporting Procedure**

Any employee who believes he or she has been sexually harassed by an employee, student, or agent of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to the school site administrator/site manager.

Employees may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the employee to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the site manager/administrator and the Superintendent. The Superintendent shall determine who shall conduct the investigation. A copy of Board Policy will be given to the employee.

#### **Confidentiality**

The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

#### **Retaliation**

The initiation of an allegation of sexual harassment by an employee will not adversely affect employment status in any way. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.



## Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Employees wishing to report allegations to additional agencies, such as the Equal Employment Opportunity Commission, should know that these agencies follow a time limit for reporting alleged incidents of sexual harassment.

## Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent shall set up a process. If the informal process does not result in a mutually agreeable resolution to the complaint, the investigation procedure shall be initiated.

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a. For purposes of this Policy and Administrative Regulation "days" means days that the District office is open for business.

5. When the Superintendent determines that sexual harassment has occurred, and/or disciplinary action is necessary, the Superintendent shall determine what course action is appropriate.

#### Disciplinary Action/Remedial Action

Employees who are found to have engaged in sexual harassment or inappropriate conduct may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with board policy, state law, and applicable collective bargaining agreements.

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Because of rights to privacy regarding discipline, the nature of the discipline will not be disclosed to the individual filing the complaint unless authorized by the person being disciplined.

Depending on the findings of the investigation, the District will also review and consider possible actions to remedy any harm suffered by the employee who is determined to be a victim of sexual harassment. Depending on the results of the investigation, the District shall consider needs of the victim, including counseling services.

#### Appeal Procedures

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days from the date of the issuance of the summary report. (days means days that District office is open for business)

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#### Notification



There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer mailing.

#### Special Assistance

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Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: January 17, 2013 Eureka, California



## Board Policy

Students

BP 5030(a)

### STUDENT WELLNESS

Note: The Healthy, Hunger-Free Kids Act of 2010 (42 USC 1758b) **mandates** each district participating in the National School Lunch Program (42 USC 1751-1769j) or any program in the Child Nutrition Act of 1966 (42 USC 1771-1793), including the School Breakfast Program, to adopt a districtwide school wellness policy. The following policy fulfills this mandate and should be revised to reflect district practice. Other policies in the district's policy manual will likely contain additional provisions supporting this wellness policy, such as BP 3312 - Contracts, BP/AR 3550 - Food Service/Child Nutrition Program, BP/AR 3552 - Summer Meal Program, BP/AR 3553 - Free and Reduced Price Meals, BP/AR 3554 - Other Food Sales, BP/AR 6142.7 - Physical Education and Activity, and BP/AR 6142.8 - Comprehensive Health Education.

Although the Governing Board has discretion under 42 USC 1758b to determine specific policies appropriate for its schools, 7 CFR 210.30, as added by 81 Fed. Reg. 50151, provides a framework and guidelines to assist districts in establishing their student wellness policies, including minimum content requirements, assurance of stakeholder participation in the development and updates, and periodic assessment and disclosure of compliance with the district's wellness policy. The U.S. Department of Agriculture (USDA) and Centers for Disease Control and Prevention (CDC) provide resources and implementation tools on their web sites. In addition, CSBA's Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide summarizes research on the relationship between nutrition and physical activity and student achievement, provides worksheets for policy development, and contains other resources that may be useful in the development of the wellness policy.

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

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

*(cf. 1020 - Youth Services)*  
*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*

**STUDENT WELLNESS (continued)**

*(cf. 5141.6 - School Health Services)*

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*

*(cf. 6164.2 - Guidance/Counseling Services)*

**School Wellness Council**

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, require that districts permit specified stakeholders to participate in the development, implementation, and periodic review and update of the district's wellness policy. One method to achieve continuing involvement of those groups and other key stakeholders is through the creation of a school wellness council, as recommended in the CDE's Health Framework for California Public Schools. Pursuant to Government Code 54952, committees created by formal action of the Board are subject to open meeting laws (the Brown Act); see AR 1220 - Citizen Advisory Committees.

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

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

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 9140 - Board Representatives)*

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

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

**Goals for Nutrition, Physical Activity, and Other Wellness Activities**

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, **mandate** that the district's wellness policy include goals for the activities specified below.

**STUDENT WELLNESS (continued)**

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

*(cf. 0000 - Vision)*

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

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

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*

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

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

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

*(cf. 6177 - Summer Learning Programs)*

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

*(cf. 5142.2 - Safe Routes to School Program)*

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

*(cf. 6145.2 - Athletic Competition)*

**STUDENT WELLNESS (continued)**

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

*(cf. 1330.1 - Joint Use Agreements)*

Professional development may be regularly offered to the nutrition program director, managers, and staff, as well as health education teachers, physical education teachers, coaches, activity supervisors, and other staff as appropriate to enhance their knowledge and skills related to student health and wellness.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

**Nutrition Guidelines for All Foods Available at School**

Note: 42 USC 1758b mandates that the district's wellness policy include nutrition guidelines that are consistent with federal nutrition standards, as specified below. Also see AR 3550 - Food Service/Child Nutrition Program.

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

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

**STUDENT WELLNESS (continued)**

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

(cf. 3550 - Food Service/Child Nutrition Program)  
 (cf. 3552 - Summer Meal Program)  
 (cf. 3553 - Free and Reduced Price Meals)  
 (cf. 5141.27 - Food Allergies/Special Dietary Needs)  
 (cf. 5148 - Child Care and Development)  
 (cf. 5148.3 - Preschool/Early Childhood Education)

Note: Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times, unless the Board adopts a resolution demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. See AR 3550 - Food Service/Child Nutrition Program for policy language related to these requirements. Also see CSBA's policy brief [Increasing Access to Drinking Water in Schools](#) for further information and sample strategies for providing water and encouraging consumption. Information on potential funding sources to comply with the potable water requirement is available on the CDE web site.

The Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, districts are **mandated** to include, within the wellness policy, standards for all foods and beverages which are made available to students outside the district's food services program (e.g., sales through vending machines, student stores, and fundraisers). Nutrition standards and other requirements pertaining to such food sales are addressed in AR 3554 - Other Food Sales.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

(cf. 3312 - Contracts)  
 (cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

**STUDENT WELLNESS (continued)**

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

Note: Pursuant to 7 CFR 210.30, as added by 81 Fed. Reg. 50151, only those foods and beverages that are allowed for sale on campus during the school day may be marketed within the district. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50159-50160, clarifies that this includes, but is not limited to, marketing by way of signage, vending machine exteriors, menu boards, coolers, trash cans, cups, and scoreboards, but does not apply to materials for educational purposes. It also states that existing items do not need to be immediately replaced, but as new contracts are signed and/or durable equipment replaced, these guidelines should be followed.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

*(cf. 1325 - Advertising and Promotion)*

**Program Implementation and Evaluation**

Note: 42 USC 1758b and 7 CFR 210.30 require the district to identify an individual with the authority and responsibility to ensure that each district school complies with the wellness policy. The Analysis of Comments to the federal regulations, 81 Fed. Reg. 50151 pg. 50155, recommends that districts provide a means of contacting the designated individual by providing a district or school phone number and/or email address.

The Superintendent designates the individual(s) identified below as the individual(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

Director of Student Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-2422

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*



**STUDENT WELLNESS (continued)**

Note: 42 USC 1758b and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, require an assessment of the implementation and compliance of the wellness policy, as specified in the paragraph below. At its discretion, the district may revise the following paragraph to reflect a more frequent schedule.

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.30)

Note: 42 USC 1758b requires that the district assessment include a comparison of the district's policy with model wellness policies. See the USDA's web site for model policies and best practices recommended by federal and state agencies and nongovernmental organizations.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

Note: Items #1-9 below are **optional** and may be revised to reflect district practice. For further information about the following indicators and a list of other possible indicators, see CSBA's [Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies](#). The guide also describes possible data sources that may be used for each indicator and includes a sample report format. Indicators selected by the district may include a mix of process measures (e.g., level of student participation, number of classes, staffing, and costs) as well as outcome measures that assess the policy's impact on students (e.g., physical fitness test results, Body Mass Index, and food choices).

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program

**STUDENT WELLNESS (continued)**

4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards
5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
6. Results of the state's physical fitness test at applicable grade levels
7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

**Note:** In addition to the district self-assessment described above, 7 CFR 210. 18, as amended by 81 Fed. Reg. 50151, requires that the CDE conduct administrative reviews of all districts at least once every three years to ensure that districts are complying with their wellness policy. See section "Records" below for information about records that may be required for this assessment. The USDA's Food and Nutrition Service may grant a one-year extension to the CDE's three-year review cycle if needed for efficient state management of the program.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

**Notifications**

**Note:** Pursuant to Education Code 49432, as amended by SB 1169 (Ch. 280, Statutes of 2016), 42 USC 1758b, and 7 CFR 210.30, as added by 81 Fed. Reg. 50151, the district is required to inform the public of the content and implementation of the wellness policy and the district's progress towards meeting the goals of the policy, as described below.

**STUDENT WELLNESS (continued)**

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

*(cf. 5145.6 - Parental Notifications)*

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

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6020 - Parent Involvement)*

Note: As amended by SB 1169 (Ch. 280, Statutes of 2016), Education Code 49432 no longer requires schools to post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or other central eating areas. Education Code 49432 continues to authorize, but does not require, schools to post a summary of nutrition and physical activity laws and regulations. The following paragraph is **optional**.

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

**Records**

Note: 7 CFR 210.30, as added by 81 Fed. Reg. 50151, requires the district to retain records to document compliance with the federal regulation. The following paragraph outlines the records that, at a minimum, must be retained by the district.

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

*Legal Reference: (see next page)*

**STUDENT WELLNESS (continued)***Legal Reference:*EDUCATION CODE

33350-33354 CDE responsibilities re: physical education  
 38086 Free fresh drinking water  
 49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001  
 49490-49494 School breakfast and lunch programs  
 49500-49505 School meals  
 49510-49520 Nutrition  
 49530-49536 Child Nutrition Act  
 49540-49546 Child care food program  
 49547-49548.3 Comprehensive nutrition services  
 49550-49562 Meals for needy students  
 49565-49565.8 California Fresh Start pilot program  
 49570 National School Lunch Act  
 51210 Course of study, grades 1-6  
 51210.1-51210.2 Physical education, grades 1-6  
 51210.4 Nutrition education  
 51220 Course of study, grades 7-12  
 51222 Physical education  
 51223 Physical education, elementary schools  
 51795-51798 School instructional gardens  
 51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations  
 15510 Mandatory meals for needy students  
 15530-15535 Nutrition education  
 15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Program, especially:  
 1758b Local wellness policy  
 1771-1793 Child Nutrition Act, especially:  
 1773 School Breakfast Program  
 1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.33 National School Lunch Program, especially:  
 210.30 Wellness policy  
 220.1-220.22 National School Breakfast Program

COURT DECISIONS

*Frazer v. Dixon Unified School District*, (1993) 18 Cal.App.4th 781

*Management Resources:*CSBA PUBLICATIONS

*Integrating Physical Activity into the School Day*, Governance Brief, April 2016  
*Increasing Access to Drinking Water in Schools*, Policy Brief, April 2013  
*Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies*, rev. 2012  
*Nutrition Standards for Schools: Implications for Student Wellness*, Policy Brief, rev. April 2012  
*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide*, rev. 2012  
*Physical Activity and Physical Education in California Schools*, Research Brief, April 2010  
*Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement*, 2009

*Management Resources continued: (see next page)*

**STUDENT WELLNESS (continued)***Management Resources: (continued)*CSBA PUBLICATIONS (continued)Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009Physical Education and California Schools, Policy Brief, rev. October 2007School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONSPhysical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003CALIFORNIA PROJECT LEAN PUBLICATIONSPolicy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006CENTER FOR COLLABORATIVE SOLUTIONSChanging Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, January 2015CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONSSchool Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, rev. 2012FEDERAL REGISTERRules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONSFit, Healthy and Ready to Learn, rev. 2012U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONSDietary Guidelines for Americans, 2016WEB SITESCSBA: <http://www.csba.org>Action for Healthy Kids: <http://www.actionforhealthykids.org>Alliance for a Healthier Generation: <http://www.healthiergeneration.org>California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/mu>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>California School Nutrition Association: <http://www.calsna.org>Center for Collaborative Solutions: <http://www.ccscenter.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>Dairy Council of California: <http://www.dairycouncilofca.org>National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>National Association of State Boards of Education: <http://www.nasbe.org>School Nutrition Association: <http://www.schoolnutrition.org>Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>

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# **Board Policy**

## **Student Wellness**

BP 5030

### **Students**

The Board of Education recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)  
(cf. 3513.3 - Tobacco-Free Schools)  
(cf. 3514 - Environmental Safety)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.61 - Drug Testing)  
(cf. 5131.62 - Tobacco)  
(cf. 5131.63 - Steroids)  
(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.3 - Health Examinations)  
(cf. 5141.31 - Immunizations)  
(cf. 5141.32 - Health Screening for School Entry)  
(cf. 5141.6 - School Health Services)  
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)  
(cf. 6164.2 - Guidance/Counseling Services)

### **School Health Council/Committee**

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

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



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

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

#### Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

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

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6143 - Courses of Study)

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)  
(cf. 6177 - Summer Learning Programs)

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

(cf. 1325 - Advertising and Promotion)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through the delivery of standards-based physical education. Students shall also be provided opportunities to participate in moderate to vigorous physical activities during recess, through school athletic



programs, extracurricular programs, before- and after-school programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 5142.2 - Safe Routes to School Program)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development may be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

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

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

(cf. 1100 - Communication with the Public)  
(cf. 1112 - Media Relations)  
(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)  
(cf. 6020 - Parent Involvement)

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

(cf. 5131.2 - Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy



eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

#### Nutritional Guidelines for Foods Available at School

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

(cf. 3550 - Food Service/Child Nutrition Program)  
(cf. 3552 - Summer Meal Program)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 5141.27 - Food Allergies/Special Dietary Needs)  
(cf. 5148 - Child Care and Development)  
(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)  
(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 - School-Connected Organizations)

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which



they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

#### Program Implementation and Evaluation

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

The Superintendent or designee shall periodically assess the implementation and effectiveness of this policy.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)

In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

#### Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

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

#### Legal Reference:

EDUCATION CODE

33350-33354 CDE responsibilities re: physical education



49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49561 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

51795-51796.5 School instructional gardens

51880-51921 Comprehensive health education

CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769 National School Lunch Program, especially:

1758b Local wellness policy

1771-1791 Child Nutrition Act, especially:

1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.23 National School Breakfast Program

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Increasing Access to Drinking Water in Schools, Policy Brief, March 2013

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006



**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

**CALIFORNIA PROJECT LEAN PUBLICATIONS**

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

**CENTER FOR COLLABORATIVE SOLUTIONS**

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010

**CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS**

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005

**FEDERAL REGISTER**

Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088-4167

**NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS**

Fit, Healthy and Ready to Learn, 2000

**U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS**

Dietary Guidelines for Americans, 2005

Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

**WEB SITES**

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):  
<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:  
<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

**Policy EUREKA CITY UNIFIED SCHOOL DISTRICT**

adopted: August 21, 2014 Eureka, California



## **Administrative Regulation**

### **Wellness Policy**

AR 5030

#### **Students**

##### **Physical Education**

All K-12 students (including students with disabilities and/or special health care needs and those in alternative education settings) will receive physical education instruction as designated in the Education Code (51210.51222, and 51223, and 51225.3):

- A minimum of 200 minutes for every 10 school days for students in grades 1-6
- A minimum of 400 minutes for every 10 school days for students in grades 7-12

Teachers assigned to deliver physical education instruction will receive focused, ongoing professional development related to curriculum, instruction, and assessment in physical education.

Students will spend at least fifty percent (50%) of physical education class time participating in moderate to vigorous physical activity.

Class size will be consistent with the requirements of quality instruction and safety. (CCR, Title 5, Section 10060).

All students in grades five, seven and nine will participate in the State mandated fitness test (EC Section 60800) and will receive their test results in the first month of the following year.

Physical education curriculum will be designed to directly improve fitness test results. The fitness test will be made relevant to all students and their families through education about the testing process and feedback regarding their results.

In addition to the required physical fitness test, assessment of student learning and accurate reporting of progress will be an ongoing process in physical education.

Teachers and other school and community personnel will not use physical education or activity (e.g. running laps, push-ups) as punishment or a behavior consequence.

Opportunities for physical activity (e.g. recess) can be modified only if the mandated minutes are met during the same day.

##### **Daily Recess**



All elementary school students will have at least 20 minutes a day of supervised recess, preferably outdoors, during which school personnel will encourage moderate to vigorous physical activity monitored by a designated person.

Schools will discourage extended periods (i.e., periods of two or more hours) of inactivity. When activities, such as mandatory school-wide testing, make it necessary for students to remain indoors for long periods of time, schools will give students periodic breaks during which they are encouraged to stand and be active.

#### Student Safety during Physical Activity

The school/district will ensure that students and staff have access to appropriate hydration (e.g., water or other fluids).

Facilities and equipment used for physical activity will be properly monitored and maintained to ensure participants' safety.

School staff will receive training and be certified in first aid and cardiopulmonary resuscitation (CPR). The district will provide opportunities for training and encourage participation.

The school/district, in conjunction with a credentialed school nurse or a student's personal health care provider, will develop policies that outline guidelines for student participation in physical activity at school when medical conditions exist. These policies will be communicated to all members of the school community working with those students and be designed to protect their well being and provide for maximum participation in physical activity, at an appropriate level.

#### Physical Activity Outside of the School Day

The district will continue to offer structured physical activity opportunities within the existing after-school programs (Community Learning Centers).

The district will encourage school sites to offer structured physical activity opportunities for all students outside the school day. Delivery of such activities will be site specific.

The district will support community partnerships and efforts to obtain funding to provide after school physical activity endeavors.

The district will encourage sites to support physical activity clubs such as bicycle rodeos, running club, track team, walking club, dance troupe, jump road, etc...

The district will support a district-wide "Wellness Week" in the beginning of the school year dedicated to nutrition and fitness. Family participation and education will be emphasized.

#### Quality of Food - Nutritional Standards

##### Elementary Schools



Food and beverages sold or served, as part of federally reimbursed meal programs must meet the nutrition recommendation of the current United States Dietary Guidelines for Americans.

- No more than 30 percent of total calories from fat, averaged over a week
- No more than 10 percent of total calories from saturated fat, averaged over a week
- Not more than 35 percent of the total weight of the food item, excluding fruit and vegetables, is composed of sugar

The only food that shall be sold during breakfast and lunch periods is food that is sold as a full meal through a federal reimbursable meal program.

In addition, individually sold portions of nuts, nut butters, seeds, eggs, cheese packaged for individual sale, fruit, vegetables that have not been deep fried, and legumes may be sold. Individually sold dairy items and whole grain food items may be sold, provided they meet the 35/ 10/35 guidelines listed below and do not exceed 175 calories per individual food item at elementary schools.

The only beverages that shall be sold in elementary schools are:

- Water, with no added sweeteners
- Milk (two-percent, one-percent, or nonfat or rice milk, soy milk or other similar nondairy milk) -Fruit juice, preferably 100 percent but at least 50 percent fruit juice, with no added sweeteners
- Vegetable juice, at least 50 percent vegetable juice, with no added sweeteners.

#### Middle, Junior High and High Schools

The only food that may be sold outside the federal reimbursable meal programs must meet the following requirements:

- Not more than 35 percent of its total calories shall be from fat (excluding nuts, nut butters, seeds, eggs and cheese)
- Not more than 10 percent of its total calories shall be from saturated fat and trans fat combined (excluding eggs and cheese)
- Not more than 35 percent of its total weight shall be composed of sugar, including naturally occurring and added sugar (excluding fruit and vegetables)
- Calories shall not exceed 250 calories per food item - Entree items (i.e. foods generally regarded as being the primary food in a meal, including but not limited to, sandwiches, burritos,



pasta and pizza) shall not exceed 400 calories per food item and 4 grams of fat per 100 calories.

The only beverages that shall be sold in middle and high schools are:

- Water, with no added sweeteners
- Milk (two-percent, one-percent, or nonfat or rice milk, soy milk, or other similar nondairy milk)
- Fruit juice, preferably 100 percent but at least 50 percent fruit juice, with no added sweeteners
- Vegetable juice, at least 50 percent vegetable juice with no added sweeteners
- Electrolyte replacement beverages with no more than 42 grams of added sweeteners per 20-ounce serving.

A production system will be developed and implemented to reduce the use of processed foods and increase the use of basic fresh foods that emphasize fruits, vegetables, whole grains and dairy foods which are low in fat, added sugars and sodium.

The use of fresh fruits and vegetables will be encouraged by making fruit and vegetables available at all points where food is sold and promoting the intake of 5 servings of fruits and vegetables per day.

During school hours, home-prepared products will not be allowed to be sold on campus due to the potential of food borne illness. However, site approval may be required from the principal or designee for special occasions involving foods that may not meet these nutritional standards. These foods and service methods must meet food safety standards as specified by the Food Service Department (i.e. multicultural events).

Annually, food service staff will be provided training in food safety, marketing, preparation and service of health menu items.

The district will provide to parents information on safe food handling, as well as healthy foods that would be acceptable for special events (i.e. classroom parties).

To the extent permitted under the National School Lunch and School Breakfast Programs, students in all grades shall be allowed to decline a certain number of meal items they do not intend to consume.

#### Student Access

An efficient and cost effective system will be implemented for preparing and distributing healthy foods to all sites including the use of carts, vending machines and classroom service.



Marketing of the school lunch program will include input from a wide variety of school sources. Input from students, PTSA's and school groups or clubs will be sought.

Non-nutritious foods and beverages, including but not limited to candy, soft drinks, and chewing gum, cannot be sold by or to students during their official school day (defined as one half hour before the official school day begins, until one half hour after the official school day ends).

The Food Service Department will enter into partnerships with interested student groups to provide food-selling opportunities while sharing labor and profits from such events.

The Food Service Department will work with administration at each school site to establish a process for approving sale of food by all groups during the school day and to provide equitable access and distribution of revenues for appropriate uses.

#### Maintenance of a Healthy Environment

Advertising of food and beverages on vending machines will promote healthy food choices.

All primary school administrators will evaluate schedules and, if possible, promote playtime before eating lunch.

Lunch will be served at appropriate intervals from other meals, in accordance with current USDA guidelines (e.g., at least two hours between the start of breakfast and the start of lunch).

Eureka City Unified School District will do everything possible to prevent overt identification of their low-income students and to ensure that those students are not stigmatized or otherwise treated differently because they avail themselves of free and reduced price meals and snacks.

Each school site will encourage parent/family involvement in the nutritional well being of students through limiting celebrations involving foods that do not fall within the mandates of the Wellness Policy.

Each school site will encourage parent/family involvement in the nutritional well being of the students through information made available through newsletters, posters, signs, etc.

#### Monitoring and Policy Review

To help with evaluation/monitoring of the district's Wellness Policy, each school in the district will conduct a baseline assessment of the school's existing nutrition and physical activity using the School Health Index. The results of those school-by-school assessments will be compiled at the district level to identify and prioritize needs.

School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the Superintendent (or if done at the school level, to the school principal). In addition, the school district will report on the most recent USDA School Meals Initiative (SMI) review findings and any resulting changes.



If the district has not received a SMI review from the state agency within the past five years, the district will request from the state agency that a SMI review be scheduled as soon as possible.

The District Wellness Committee will establish an implementation time-line for the Wellness Policy. Progress on the time-line will be discussed in the Committee's Annual Report to the Board.

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: August 23, 2006 Eureka, California

## Administrative Regulation

### Students

AR 5111.1(a)

### DISTRICT RESIDENCY

#### Criteria for Residency

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)

Note: State law provides a number of options under which a student may attend school in a district other than the district where he/she resides. For instance, a student attending a school identified as low achieving on the state's Open Enrollment List may transfer to a school in any other district in the state subject to certain conditions, pursuant to Education Code 48350-48361; see BP/AR 5118 - Open Enrollment Act Transfer. If the district chooses to enter into an interdistrict attendance agreement pursuant to Education Code 46600-46611, a student may request a permit to attend school in a different district when both the district of residence and the district of proposed attendance have agreed to allow interdistrict attendance. If the Governing Board has declared the district to be a "school district of choice" pursuant to Education Code 48300-48316, the district may accept a specific number of interdistrict transfers into the district through a random, unbiased selection process. See BP/AR 5117 - Interdistrict Attendance for further information about these options. Pursuant to Education Code 48204, 48301, and 48356, students admitted under any of these options are deemed to have met district residency requirements. The district should revise item #3 as appropriate to reflect options provided by the district.

3. The student is admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)

**DISTRICT RESIDENCY (continued)**

7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

*(cf. 6183 - Home and Hospital Instruction)*

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

Note: Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of 2016), a student will be deemed to meet district residency requirements if his/her parent/guardian is transferred or is pending transfer to a military installation (i.e., a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense or the U.S. Coast Guard) within district boundaries.

9. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within district boundaries. (Education Code 48204.3)

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

**Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

Note: The following section is **optional**. Education Code 48204 permits, but does not require, districts to admit a student whose parent/guardian is employed within district boundaries for a minimum of 10 hours during the school week (so-called "Allen bill transfers"). If the district chooses to grant residency status to such students, it may nevertheless deny enrollment to students under the circumstances identified in items #1-3 below. AB 2537 (Ch. 106, Statutes of 2016) amended Education Code 48204 to indefinitely extend the district's authority to grant residency under these circumstances.

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.

**DISTRICT RESIDENCY (continued)**

## 3. Other circumstances exist that are not arbitrary.

Note: The following paragraph is **optional**. In 84 Ops.Cal.Atty.Gen. 198 (2001), the Attorney General opined that overcrowding is not an "arbitrary consideration" within the meaning of Education Code 48204. Therefore, a district may deny an application when the district's school facilities are overcrowded at the relevant grade level. The Attorney General also clarified that, once a student is admitted, he/she must be allowed to continue to attend school in the district through the highest grade level offered by the district, even if the school subsequently becomes overcrowded at the relevant grade level. Although Attorney General opinions are not binding on the courts, they are generally afforded deference when there is no specific statutory or case law to the contrary. The following paragraph is based on this Attorney General opinion.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

~~Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years.~~ The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

Note: Education Code 48204 prescribes limits on the number of net Allen bill transfers out of the district (the difference between the number of students entering and exiting the district) that a district may allow each fiscal year, unless waived by the sending district. The limits are based on the average daily attendance (ADA) of the district, as follows: five percent of ADA for districts with 500 or less ADA; three percent of ADA or 25 students, whichever is greater, for districts with an ADA of 501-2,500; and one percent of ADA or 75 students, whichever is greater, for districts with an ADA of 2,501 or more. The following paragraph may be modified to specify the percentage that applies to the district's ADA.

Even if the district has not authorized Allen bill transfers into the district, Education Code 48204 provides that the district may disallow transfers out of the district, within the specified limits, by students whose parent/guardian is employed within the boundaries of another district.

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

**Proof of Residency**

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following documents. A student shall be required to annually provide verification of continued residency on this basis. (Education Code 48204.1)



**DISTRICT RESIDENCY (continued)**

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student

Note: Pursuant to Education Code 48204, a student shall be deemed a resident of the district if he/she lives with a caregiving adult within district boundaries; see item #5 in section "Criteria for Residency" above. Family Code 6552 provides an affidavit which authorizes a caregiver 18 years of age or older to enroll a minor in school and requires the caregiver's attestation that the student lives with the caregiver. If the student stops living with the caregiver, Family Code 6550 requires the caregiver to so notify the school.

9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

*(cf. 5141 - Health Care and Emergencies)*

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

Note: The following paragraph is for use by districts in which there is a military installation within district boundaries. Pursuant to Education Code 48204.3, as added by SB 1455 (Ch. 312, Statutes of 2016), a parent/guardian who is seeking residency status based on his/her transfer or pending transfer to a military installation within district boundaries may provide any of the following types of proof of residence.

A parent/guardian who is transferred or pending transfer into a military installation within district boundaries shall provide proof of residence within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

**DISTRICT RESIDENCY (continued)**

Note: Federal and state law require the immediate enrollment of homeless youth (Education Code 48852.7; 42 USC 11432), foster youth (Education Code 48853.5), or student who has had contact with the juvenile justice system (Education Code 48645.5), regardless of his/her ability to provide the school with records normally required for enrollment, including proof of residency. If a dispute arises over the enrollment of a homeless or foster youth, the student must be allowed to attend school while the district liaison conducts a dispute resolution process. See BP/AR/E 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

The California Department of Education's web site provides sample forms to obtain a declaration and affidavit from the parent/guardian or other qualified adult relative of a homeless child attesting that the family does not have a fixed, regular, adequate nighttime residence and indicating the current location where the family lives.

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

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

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

*(cf. 6173.3 - Education for Juvenile Court School Students)*

**Safe at Home/Confidential Address Program**

Note: Government Code 6205-6210 authorize the Secretary of State to provide victims of domestic violence, stalking, or sexual assault with a substitute address to use in place of their residence, work, or school address in all public records. Under this program, the Secretary of State receives any mail sent to the substitute address and forwards it to the program participant's confidential address. Pursuant to Government Code 6207, the district must accept and use the substitute address designated by the Secretary of State as a participant's substitute address for all communication and correspondence with program participants. The participant will present a laminated identification card containing his/her substitute address and a four-digit authorization number. The district may verify the enrollment of a student in the program by contacting the Safe At Home program.

Program participants have been advised by the Secretary of State to provide administrators with their actual residence location only for school emergency purposes and to establish residency within the district.

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

*(cf. 3580 - District Records)*

(11/11 12/15) 12/16

**Policy Reference UPDATE Service**

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# **Administrative Regulation**

## **District Residency**

AR 5111.1

### **Students**

#### **Criteria for Residency**

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student has been admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)

(cf. 5117 - Interdistrict Attendance)

(cf. 5118 - Open Enrollment Act Transfers)

4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)

(cf. 6183 - Home and Hospital Instruction)

8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)

#### **Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

District residency status may be granted to a student if at least one of his/her parents/guardians is



physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Board of Education.
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

#### Proof of Residency

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt
3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency



7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student
9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

(cf. 5141 - Health Care and Emergencies)

The Superintendent or designee shall make a reasonable effort to secure evidence that a homeless or foster youth resides within the district, including, but not limited to, a utility bill, letter from a homeless shelter, hotel/motel receipt, or affidavit from the student's parent/guardian or other qualified adult relative.

However, a homeless or foster youth shall not be required to provide proof of residency as a condition of enrollment in district schools. (Education Code 48852.7, 48853.5; 42 USC 11432)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

#### Safe at Home/Confidential Address Program

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

(cf. 3580 - District Records)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: June 2, 2016 Eureka, California



## **Board Policy**

### **District Residency**

BP 5111.1

#### **Students**

The Board of Education desires to admit all students who reside within district boundaries or who fulfill the district residency requirements through other means as allowed by law. The Superintendent or designee shall develop procedures to facilitate the receipt and verification of students' proof of residency.

(cf. 5116 - School Attendance Boundaries)

The Superintendent or designee shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. (Education Code 48980)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall require parents/guardians to provide documentation of the student's residency upon admission to a district school. A copy of the document or written statement offered as verification of residency shall be maintained in the student's mandatory permanent record. (5 CCR 432)

(cf. 5111 - Admission)

(cf. 5125 - Student Records)

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into a student's citizenship or immigration status.

A student's enrollment may be denied when the submitted documentation is insufficient to establish district residency. In any such case, the Superintendent or designee shall notify the parent/guardian in writing, including specific reasons for the denial.

#### **Investigation of Residency**

When the Superintendent or designee reasonably believes that a student's parent/guardian has provided false or unreliable evidence of residency, he/she may make reasonable efforts to determine that the student meets district residency requirements. An investigation may be initiated when the Superintendent or designee is able to identify specific, articulable facts supporting the belief that the parent/guardian has provided false or unreliable evidence of residency. (Education Code 48204.1, 48204.2)



The Superintendent or designee may assign a trained district employee to conduct the investigation. The investigation may include the examination of records, including public records, and/or interviews of persons who may have knowledge of the student's residency.

If necessary, the Superintendent or designee may employ the services of a private investigator to conduct the investigation. Before hiring a private investigator, the Superintendent or designee shall make other reasonable efforts to determine whether the student resides in the district. (Education Code 48204.2)

The investigation shall not include the surreptitious collection of photographic or videographic images of persons or places subject to the investigation. However, the use of technology is not prohibited if done in open and public view. (Education Code 48204.2)

Any employee or contractor engaged in the investigation shall truthfully identify himself/herself as an investigator to individuals contacted or interviewed during the course of the investigation. (Education Code 48204.2)

#### Appeal of Enrollment Denial

If the Superintendent or designee, upon investigation, determines that a student does not meet district residency requirements and denies the student's enrollment in the district, he/she shall provide the student's parent/guardian an opportunity to appeal that determination. (Education Code 48204.2)

The Superintendent or designee shall send the student's parent/guardian written notice specifying the basis for the district's determination. This notice shall also inform the parent/guardian that he/she may, within 10 school days, appeal the decision and provide new evidence of residency.

The burden shall be on the parent/guardian to show why the district's determination to deny enrollment should be overruled. (Education Code 48204.2)

A student who is currently enrolled in the district shall be allowed to remain in attendance at his/her school pending the results of the appeal. A student who is not currently enrolled in the district shall not be permitted to attend any district school unless his/her appeal is successful.

In an appeal to the Superintendent of a determination that district residency requirements were not met, the Superintendent shall review any evidence provided by the parent/guardian or obtained during the district's investigation and shall make a decision within 10 school days of receipt of the parent/guardian's request for the appeal. The Superintendent's decision shall be final.

#### Enrollment Not Requiring District Residency

When approved by the Board and the appropriate agency, the district may enroll students from other countries who are in the United States on an F-1 visa or are participating in an international



exchange program under the sponsorship of a government-approved agency.

(cf. 5111.2 - Nonresident Foreign Students)

(cf. 6145.6 - International Exchange)

District residency is not required for enrollment in a regional occupational center or program if there are openings in the program or class. (Education Code 52317)

(cf. 6178.2 - Regional Occupational Center/Program)

#### Legal Reference:

##### EDUCATION CODE

220 Prohibition of discrimination

35160.5 Intradistrict open enrollment

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance permits

48050-48054 Nonresidents

48200-48208 Compulsory education law, especially:

48204 Residency requirements

48204.1-48204.2 Evidence of residency

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act transfers

48852.7 Education of homeless students; immediate enrollment

48853.5 Education of foster youth; immediate enrollment

48980 Notifications at beginning of term

52317 Regional occupational program, admission of persons including nonresidents

##### FAMILY CODE

6550-6552 Caregivers

##### GOVERNMENT CODE

6205-6210 Confidentiality of residence for victims of domestic violence

##### CODE OF REGULATIONS, TITLE 5

432 Retention of student records

##### UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

##### COURT DECISIONS

Katz v. Los Gatos-Saratoga Joint Union High School District, (2004) 117 Cal.App.4th 47

#### Management Resources:

##### CSBA PUBLICATIONS

Legal Guidance Regarding International Student Exchange Placement Organizations, April 2014

##### OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Information on the Rights of All Children to Enroll in School: Questions and Answers for States, School Districts and Parents, 2012

##### WEB SITES



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

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

California Secretary of State, Safe at Home Program: <http://www.sos.ca.gov/safeathome>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: June 2, 2016 Eureka, California

## Board Policy

### Students

BP 5116.2(a)

#### INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

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

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

*(cf. 6173.3 - Education for Juvenile Court School Students)*

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

#### Students Convicted of Violent Felony or Misdemeanor

Note: Education Code 48929, as added by SB 1343 (Ch. 154, Statutes of 2016), authorizes a district to involuntarily transfer a student who has been convicted of a violent felony as defined in Penal Code 667.5(c) (including, but not limited to, attempted murder, rape, assault, kidnapping, and robbery) or a misdemeanor associated with possession of a firearm as specified in Penal Code 29805, whenever the student is enrolled at the same school as a student who was a victim of the crime.

In order to exercise this authority, Education Code 48929 mandates the Governing Board to adopt, at a regularly scheduled meeting, policy that contains the following provisions: (1) a requirement that the student and his/her parent/guardian be notified of the right to request a meeting with the principal or designee; (2) a requirement that the school first attempt to resolve the conflict using restorative justice, counseling, or other services; (3) whether the decision to transfer a student is subject to periodic review and the procedure for conducting the review; and (4) the process to be used by the Board to consider and approve or disapprove the recommendation of the principal or designee to transfer the student. Education Code 48929 also requires the district to provide notice of the policy to parents/guardians as part of the annual parental notification required by Education Code 48980.

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)



**INVOLUNTARY STUDENT TRANSFERS (continued)**

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

*(cf. 5138 - Conflict Resolution/Peer Mediation)*

*(cf. 5144 - Discipline)*

*(cf. 6164.2 - Guidance and Counseling Services)*

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

Note: The following paragraph may be revised to reflect district practice. Education Code 48929 **mandates** that the Board adopt policy describing the process to be used by the Board to consider and take action on the recommendation to transfer a student under this law, but does not prescribe any such process.

Education Code 35146 provides that the Board must meet in closed session to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. See BB 9321 - Closed Session Purposes and Agendas.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

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

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

*(cf. 5145.6 - Parental Notifications)*

## INVOLUNTARY STUDENT TRANSFERS (continued)

### Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

Note: Item #1 below is for use by districts that maintain high schools. Education Code 48432 requires such districts to establish and maintain continuation education schools or classes whenever there are any students residing in the district who are subject to compulsory continuation education. Pursuant to Education Code 48432.5, districts that assign students to continuation schools are mandated to adopt rules and regulations governing procedures for involuntary transfer of students to continuation schools. See BP/AR 6184 - Continuation Education for language fulfilling this mandate.

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

*(cf. 6184 - Continuation Education)*

Note: Education Code 48660-48666 authorize districts to establish community day schools for expelled students, certain probation-referred students pursuant to Welfare and Institutions Code 300 or 602, and students referred by a school attendance review board or through another formal district process. Pursuant to Education Code 48662, districts establishing a community day school are mandated to adopt policy that provides procedures for the involuntary transfer of students to the school. See BP/AR 6185 - Community Day Schools for language fulfilling this mandate.

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

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

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

*(cf. 6185 - Community Day School)*

*Legal Reference: (see next page)*

## INVOLUNTARY STUDENT TRANSFERS (continued)

### *Legal Reference:*

#### EDUCATION CODE

35146 *Closed sessions; student matters*

48430-48438 *Continuation classes, especially:*

48432.5 *Involuntary transfer to continuation school*

48660-48666 *Community day schools, especially:*

48662 *Involuntary transfer to community day school*

48900 *Grounds for suspension and expulsion*

48929 *Transfer of student convicted of violent felony or misdemeanor*

48980 *Notice at beginning of term*

#### PENAL CODE

667.5 *Violent felony, definition*

29805 *Misdemeanors involving firearms*

#### WELFARE AND INSTITUTIONS CODE

300 *Minors subject to jurisdiction*

602 *Minors violating laws defining crime; ward of court*

### *Management Resources:*

#### WEB SITES

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

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

## Board Policy

Students

BP 5141.21(a)

### ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following **optional** policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, 49414.3, 49414.5, 49423, and 49423.1 and the permissive guidelines in 5 CCR 600-611. Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes districts to make emergency naloxone hydrochloride or another opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer medication to students with epilepsy suffering from seizures, is repealed on its own terms effective January 1, 2017. Although the procedures in Education Code 49414.7 are no longer required, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication, pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson.

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

(cf. 5141.24 - Specialized Health Care Services)

(cf. 6159 - Individualized Education Program)

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

Note: 5 CCR 604 authorizes a parent/guardian to administer medication to his/her child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423,

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

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

*(cf. 6116 - Classroom Interruptions)*

The Superintendent or designee shall make available epinephrine auto-injectors at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

Note: The following optional paragraph is for use by any district that, at its discretion, chooses to make emergency naloxone hydrochloride or other opioid antagonist available at its schools for the purpose of providing emergency medical aid, pursuant to Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016). In choosing to make such medications available, the district should be aware of the possibility of increased liability and should consult legal counsel accordingly.

~~The Board authorizes the Superintendent or designee to make available naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)~~

Note: The following optional paragraph may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster.

The Superintendent or designee ~~shall~~ may collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

*(cf. 3516 - Emergencies and Disaster Preparedness Plan)*



## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

### Administration of Medication by School Personnel

Note: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, 49414.3, 49414.5, 49423, and 49423.1 specifically authorize the use of trained, unlicensed school employees to administer medications to students suffering from allergic reactions, opioid overdose, severe hypoglycemia, or asthma. Moreover, in American Nurses Association v. Torlakson, the California Supreme Court held that, as with other prescription medications, state law permits trained, unlicensed school personnel to administer insulin to students where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication. The medication must be administered in accordance with a written health care provider statement and parental consent.

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)

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

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

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.3, 49414.5, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

*Legal Reference: (see next page)*

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

### Legal Reference:

#### EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49414.3 Emergency medical assistance; administration of medication for opioid overdose

49414.5 Providing school personnel with voluntary emergency training

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

#### BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

#### CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

#### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

#### UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

#### COURT DECISIONS

*American Nurses Association v. Torlakson*, (2013) 57 Cal.4th 570

### Management Resources:

#### AMERICAN DIABETES ASSOCIATION PUBLICATIONS

*Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes*, May 2006

*Training Standards for the Administration of Epinephrine Auto-Injectors*, rev. 2015

*Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools*, August 2007

*Program Advisory on Medication Administration*, 2005

#### NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

*Helping the Student with Diabetes Succeed: A Guide for School Personnel*, June 2003

#### WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

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### Policy Reference UPDATE Service

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# **Board Policy**

## **Administering Medication And Monitoring Health Conditions**

BP 5141.21

### **Students**

The Board of Education believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan as applicable.

(cf. 6159 - Individualized Education Program)

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

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

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

(cf. 6116 - Classroom Interruptions)

In addition, the Superintendent or designee may collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

### **Administration of Medication by School Personnel**



Any medication prescribed by an authorized health care provider, including, but not limited to, emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by the school nurse or other designated school personnel only when the Superintendent or designee has received written statements from both the student's parent/guardian and authorized health care provider. (Education Code 49414.7, 49423; 5 CCR 600)

When medically unlicensed school personnel are authorized by law to administer any medication to students, such as emergency antiseizure medication, auto-injectable epinephrine, insulin, or glucagon, the Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.5, 49414.7, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

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

School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.

(cf. 3530 - Risk Management/Insurance)  
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

#### Legal Reference:

##### EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

##### EDUCATION CODE (continued)

49414.5 Providing school personnel with voluntary emergency training

49414.7 Emergency medical assistance: administration of epilepsy medication

49422-49427 Employment of medical personnel, especially:



49423 Administration of prescribed medication for student  
49423.1 Inhaled asthma medication  
49480 Continuing medication regimen; notice  
BUSINESS AND PROFESSIONS CODE  
2700-2837 Nursing, especially:  
2726 Authority not conferred  
2727 Exceptions in general  
3501 Definitions  
CODE OF REGULATIONS, TITLE 5  
600-611 Administering medication to students  
620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel  
UNITED STATES CODE, TITLE 20  
1232g Family Educational Rights and Privacy Act of 1974  
1400-1482 Individuals with Disabilities Education Act  
UNITED STATES CODE, TITLE 29  
794 Rehabilitation Act of 1973, Section 504  
COURT DECISIONS  
American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

**Management Resources:**

**CSBA PUBLICATIONS**

Pandemic Influenza, Fact Sheet, September 2007

**AMERICAN DIABETES ASSOCIATION PUBLICATIONS**

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

**NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS**

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

**WEB SITES**

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

American Diabetes Association: <http://www.diabetes.org>

California Department of Education, Health Services and School Nursing:  
<http://www.cde.ca.gov/ls/he/hn>

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

**Policy EUREKA CITY UNIFIED SCHOOL DISTRICT**  
adopted: November 13, 2014 Eureka, California



## Administrative Regulation

Students

AR 5141.21(a)

### ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Note: The following administrative regulation reflects requirements for the administration of medication to students on a continuing medication regimen or in emergency medical situations at school or a school-related activity. The district should consult legal counsel as necessary to ensure that all legal requirements are met.

Education Code 49414.7, which authorized trained, unlicensed school personnel to administer anti-seizure medication to students with epilepsy, repealed on its own terms effective January 1, 2017. However, districts may choose to continue to train unlicensed school personnel to administer anti-seizure medication under the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson. Such administration must be contingent upon a physician's written authorization for unlicensed personnel to administer the medication to the particular student. The district may revise the following regulation to reflect any district requirements related to the administration of such medication.

#### Definitions

*Authorized health care provider* means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

*Other designated school personnel* means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

*Medication* may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Note: Education Code 49414, as amended by AB 1386 (Ch. 374, Statutes of 2016), defines "epinephrine auto-injector" as follows.

*Epinephrine auto-injector* means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

*Anaphylaxis* means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - Asthma Management)

## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

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

Note: Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), provides the following definition of "opioid antagonist." See section "Emergency Medication for Opioid Overdose" below for requirements for districts that choose to provide opioid antagonists to school nurses or other designated school personnel to administer to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

*Opioid antagonist* means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

### **Notifications to Parents/Guardians**

Note: Pursuant to Education Code 48980, districts must notify parents/guardians, at the beginning of each school year, of their rights and responsibilities (see section "Parent/Guardian Responsibilities" below) under Education Code 49423 pertaining to the administration of medication by school employees and self-administration of epinephrine by students. Though notification is not required for self-administration of any medication other than epinephrine, it is recommended that the annual notification include other medications to facilitate implementation by school personnel.

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

*(cf. 5145.6 - Parental Notifications)*

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Note: The following paragraph is **optional**.

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794).

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

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

### Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

Note: Education Code 49423 and 5 CCR 600 authorize districts to administer prescribed medication only upon receipt of written statements from the student's authorized health care provider and parent/guardian. Appropriate statements must be received before students are allowed to carry and self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine pursuant to Education Code 49423, or asthma medication pursuant to Education Code 49423.1. Districts may choose to allow students to carry and self-administer other types of medication beyond those authorized by the Education Code. If so, the district should modify the following section accordingly. See the accompanying Board policy.

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)

Note: Pursuant to 5 CCR 606, the district is authorized to establish rules for the delivery and storage of medication on a school site.

3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

### **Parent/Guardian Statement**

Note: 5 CCR 603 authorizes the district to establish specific requirements regarding the parent/guardian's written statement. The following list should be modified to reflect the district's requirements.

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

### **Health Care Provider Statement**

Note: Education Code 49423 and 49423.1 and 5 CCR 602 list items that the authorized health care provider's written statement must contain, as specified in items #1-5 below. Districts that request additional information in the statement should modify the following list accordingly.

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602)
2. The name of the medication (Education Code 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)

Note: Items #6-8 below may be revised to reflect district practice.

6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
7. Possible side effects of the medication



## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

8. Name, address, telephone number, and signature of the student's authorized health care provider

### **District Responsibilities**

Note: The following section should be modified to reflect district practice.

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered

Note: 5 CCR 601 specifies items that districts may, but are not required to, include in the medication log, as provided in item #4 below.

4. Maintain for each student a medication log which may:
  - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
  - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication

Note: 5 CCR 601 specifies items that may be included in the medication record, as detailed below. In addition, 5 CCR 607 authorizes the district to establish policies regarding documentation of medication, including the maintenance of the medication record.

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student

6. Ensure that student confidentiality is appropriately maintained

*(cf. 5125 - Student Records)*

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

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

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6153 - School-Sponsored Trips)*

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication

9. Keep all medication to be administered by the district in a locked drawer or cabinet

10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects

11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose

Note: 5 CCR 609 authorizes the district to establish policies regarding unused, discontinued, or outdated medication.
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12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances

13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance

## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

### **Emergency Epinephrine Auto-Injectors**

Note: Education Code 49414 requires districts to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

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

Note: Education Code 49414 specifies topics to be included in training for employees who volunteer to be trained in the use of epinephrine auto-injectors. Education Code 49414 requires the Superintendent of Public Instruction (SPI), in consultation with specified agencies and organizations, to review the minimum standards for the training at least every five years. These standards are available on the California Department of Education's web site.

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

(cf. 4131 - *Staff Development*)

(cf. 4231 - *Staff Development*)

(cf. 4331 - *Staff Development*)

## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

Note: Education Code 49414 specifies the type of epinephrine auto-injectors that must be provided to each school and the district personnel authorized to obtain the prescriptions. The following paragraphs may be revised to reflect the position(s) assigned to fulfill this responsibility and the grade levels maintained by the district.

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

*(cf. 3290 - Gifts, Grants and Bequests)*

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

*(cf. 3580 - District Records)*

### **~~Emergency Medication for Opioid Overdose~~**

Note: The following section is **optional**. Education Code 49414.3, as added by AB 1748 (Ch. 557, Statutes of 2016), authorizes, but does not require, districts to make emergency naloxone hydrochloride or another

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

opioid antagonist available to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. Districts that choose to provide the medication must meet specified requirements as provided below. Such districts may revise the following section to indicate the grade levels at which such medication will be available (e.g., at secondary schools only).

~~The district may elect to make emergency naloxone hydrochloride or another opioid antagonist available at schools for the purpose of providing emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. In determining whether to make this medication available, the Superintendent or designee shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to providing an opioid antagonist and training personnel to administer the medication. (Education Code 49414.3)~~

~~When available at the school site, the school nurse shall provide emergency naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person exhibiting potentially life-threatening symptoms of an opioid overdose at school or a school activity. Other designated personnel who have volunteered and have received training may administer such medication when a school nurse or physician is unavailable, and shall only administer the medication by nasal spray or auto-injector. (Education Code 49414.3)~~

~~At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer naloxone hydrochloride or another opioid antagonist, describing the training that the volunteer will receive, and explaining the right of the volunteer to rescind his/her offer to volunteer at any time, including after receiving training. The notice shall also include a statement that no benefit will be granted to or withheld from any employee based on his/her offer to volunteer and that there will be no retaliation against any employee for rescinding his/her offer to volunteer. (Education Code 49414.3)~~

~~Note: Pursuant to Education Code 49414.3, the training provided to designated school personnel must be based on standards adopted by the SPI in consultation with specified agencies and organizations. The SPI is required to review those standards at least once every five years. Required topics of the training include (1) techniques for recognizing symptoms of an opioid overdose; (2) standards and procedures for the storage, restocking, and emergency use of the medication; (3) basic emergency follow-up procedures; and (4) recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation. In addition, the CDE is required to include on its web site a clearinghouse for best practices in training nonmedical personnel to administer an opioid antagonist to students.~~

~~The principal or designee may designate one or more volunteer employees to receive initial and annual refresher training, based on standards adopted by the SPI, regarding the storage and emergency use of naloxone hydrochloride or another opioid antagonist. The training~~



## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

~~shall be provided at no cost to the employee, conducted during his/her regular working hours, and be provided by a school nurse or other qualified person designated by an authorizing physician and surgeon. Written materials provided during the training shall be retained at the school for reference. (Education Code 49414.3)~~

~~A school nurse, other qualified supervisor of health, or, if the district does not have a qualified supervisor of health, a district administrator shall obtain a prescription for naloxone hydrochloride or another opioid antagonist for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or manufacturers. (Education Code 49414.3)~~

~~If the medication is used, the school nurse, other qualified supervisor of health, or district administrator, as applicable, shall restock the medication as soon as reasonably possible, but no later than two weeks after it is used. In addition, the medication shall be restocked before its expiration date. (Education Code 49414.3)~~

~~Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering naloxone hydrochloride or another opioid antagonist for emergency aid shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414.3)~~

~~A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414.3, including, but not limited to, the acceptance of the naloxone hydrochloride or another opioid antagonist from a manufacturer or wholesaler. (Education Code 49414.3)~~

~~The Superintendent or designee shall maintain records regarding the acquisition and disposition of naloxone hydrochloride or another opioid antagonist for a period of three years from the date the records were created. (Business and Professions Code 4119.8)~~

(12/13 12/14) 12/16

# **Administrative Regulation**

## **Administering Medication And Monitoring Health Conditions**

AR 5141.21

### **Students**

#### **Definitions**

Authorized health care provider means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

Emergency medical assistance for a student suffering an epileptic seizure means the administration of an emergency antiseizure medication such as diazepam rectal gel and other emergency medications approved by the federal Food and Drug Administration for patients suffering from epileptic seizures. (Education Code 49414.7; 5 CCR 621)

Epinephrine auto-injector means a disposable drug delivery system with a spring-activated needle that is designed for emergency administration of epinephrine to provide rapid, convenient first aid for persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

Anaphylaxis means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - Asthma Management)

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

#### **Notifications to Parents/Guardians**

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)



(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

#### Parent/Guardian Responsibilities

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49414.7, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)
3. If the student suffers from epilepsy, notifying the principal or designee whenever the student has had an emergency antiseizure medication administered to him/her within the past four hours on a school day. (Education Code 49414.7)
4. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

#### Parent/Guardian Statement

When district employees are to administer medication to a student, the parent/guardian's written statement shall:



1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall:  
(Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation
2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

#### Health Care Provider Statement

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer auto-injectable epinephrine or prescribed diabetes or asthma medication during school hours, the authorized health care provider's written



statement shall include:

1. Clear identification of the student (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
2. The name of the medication (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49414.7, 49423, 49423.1; 5 CCR 602, 626)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
6. Possible side effects of the medication
7. Name, address, telephone number, and signature of the student's authorized health care provider

When authorizing a district employee to administer emergency antiseizure medication to a student, the authorized health care provider's written statement shall also include the following: (Education Code 49414.7; 5 CCR 626)

1. Detailed seizure symptoms, including frequency, type, or length of seizures that identify when the administration of the medication becomes necessary
2. Any potential adverse responses by the student and recommended mitigation actions, including when to call emergency services
3. A protocol for observing the student after a seizure, including, but not limited to, whether he/she should rest in the school office or return to his/her class and the length of time he/she should be under direct observation
4. A statement that, following a seizure, a school administrator or other staff member shall contact the school nurse and the student's parent/guardian to continue the observation plan

#### District Responsibilities

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health



care provider's written statement

2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered
4. Maintain for each student a medication log which may:
  - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
  - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

(cf. 5125 - Student Records)

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose
12. Ensure that any unused, discontinued, or outdated medication is returned to the student's



parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances

13. Provide immediate medical assistance if needed and report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

#### Additional Requirements for Management of Epileptic Seizures

In addition to applicable provisions in the sections above, the Superintendent or designee shall make arrangements for assisting students with epilepsy who may suffer a seizure at school. Such arrangements shall include the following: (Education Code 49414.7; 5 CCR 620-627)

1. Services or Accommodations: Whenever a parent/guardian requests that a nonmedical district employee be trained to provide emergency medical assistance to his/her child, the parent/guardian shall be notified that the child may qualify for services or accommodations pursuant to 20 USC 1400-1482, the Individuals with Disabilities Education Act (IDEA), or 29 USC 794, Section 504 of the federal Rehabilitation Act of 1973 (Section 504).

(cf. 6159 - Individualized Education Program)

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

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

The Superintendent or designee shall assist the parent/guardian to explore that option and shall encourage him/her to adopt the option if the student is determined to be eligible for such service or accommodation.

If the student's parent/guardian refuses to have him/her assessed for services or accommodations under IDEA or Section 504, the Superintendent or designee may develop an individualized health plan, seizure action plan, or other appropriate health plan designed to acknowledge and prepare for the student's health care needs in school.

2. Request for Volunteers: The Superintendent or designee shall distribute an electronic notice to school staff no more than twice per school year per student whose parent/guardian has requested provision of emergency medical assistance pursuant to Education Code 49414.7. The notice shall be in bold print and, in accordance with Education Code 49414.7, shall contain a description of the request for a volunteer school employee, the training that such volunteer school employee will receive, the voluntary nature of the program, and the timelines for the volunteer school employee to rescind his/her offer. No other means of soliciting volunteer school employees shall be conducted.

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

If no employee volunteers to administer emergency antiseizure medication to a student,



the Superintendent or designee shall again notify the student's parent/guardian of the option to have the student assessed for services and accommodations under IDEA or Section 504.

3. Training: Any employee who volunteers to administer an emergency antiseizure medication shall receive from a licensed health care professional the training specified in 5 CCR 623 before administering such medication. The training shall include, but is not limited to:

- a. Recognition and treatment of different types of seizures
- b. Administration of an emergency antiseizure medication
- c. Basic emergency follow-up procedures, including, but not limited to, a requirement for the principal or designee to call the emergency 911 telephone number and to contact the student's parent/guardian, but not necessarily to transport the student to an emergency room
- d. Techniques and procedures to ensure student privacy

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5022 - Student and Family Privacy Rights)

When a trained employee has not administered an emergency antiseizure medication to a student within two years after completing the training and a student who may need the administration of an emergency antiseizure medication is enrolled in the school, the employee shall be retrained in order to retain the ability to administer an emergency antiseizure medication.

4. Notification of Administration: The Superintendent or designee shall establish a process for notifying the credentialed school nurse, or the Superintendent or designee as applicable, whenever an employee administers an emergency antiseizure medication to a student at a school site.

5. Supervision of Volunteers: Volunteer school employees shall be supervised by a licensed health care professional in accordance with 5 CCR 627.

#### Emergency Epinephrine Auto-Injectors

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the



training that the volunteer will receive. (Education Code 49414)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414, and shall be based on the standards developed by the Superintendent of Public Instruction. Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in his/her personnel file. (Education Code 49414)

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

A school may accept gifts, grants, and donations from any source for the support of the school in carrying of the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

(cf. 3290 - Gifts, Grants and Bequests)

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

(cf. 3580 - District Records)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: December 10, 2015 Eureka, California



For Reference Only

## Exhibit

### Administering Medication And Monitoring Health Conditions

E 5141.21

#### Students

#### PHYSICIAN'S RECOMMENDATIONS FOR MEDICATION

This form is to be filled in and signed by a licensed physician. The form should then be signed by the parents/guardians and returned to the school.

\_\_\_\_\_  
Student's Last Name First Middle Age Birth Date Month Day Year

\_\_\_\_\_  
Name of School Name of Principal Name of Teacher Type of Class Grade

The law allows any person to assist in carrying out a physician's recommendation. The school recognizes the desirability of following physician's recommendations as nearly as possible at school, just as does a parent at home or any other person (not necessarily a nurse) if the physician requests his/her assistance. The fact that this is a service or accommodation which the school is not legally required to perform is recognized by all parties signing this form, and in so signing they agree to hold the district, its officers, employees or agents, harmless from all liability, suits, claims of whatever nature or kind which might arise out of these arrangements.

Do you wish this child to receive medication at school?    q YES    q NO

If yes, please fill in the following blanks:

Form (tablet, pill, Name of Medication	Observed or Assisted Number to    Approximate    by Whom capsule, etc.)    be Taken    Time of Day    (self, teacher, nurse, etc.)
#1. _____	
#2. _____	
Precautions, if any _____	

How is medicine to be brought to school:

By whom (student, parent, etc.)? \_\_\_\_\_



How often (daily, weekly, etc.)? \_\_\_\_\_

In what kind of container (envelope, bottle, plastic container)? \_\_\_\_\_

Does the physician wish to be able to talk briefly by telephone with someone (teacher, nurse, principal, psychologist) at intervals (weekly, monthly, quarterly) to see how this child is faring? If so, indicate:

Person(s) \_\_\_\_\_ and intervals \_\_\_\_\_, and  
you will be notified as to numbers and times at which the person(s) may usually be reached at school by telephone.

IMPORTANT: Please discontinue this request as of the following date.  
\_\_\_\_\_ Month Day Year

After this date, changes or continuance of these arrangements must be secured by filling out a newly dated copy of this form.

Signature \_\_\_\_\_ Address \_\_\_\_\_ Telephone No. \_\_\_\_\_ -

Date \_\_\_\_\_

License \_\_\_\_\_

MD. No. \_\_\_\_\_

Physician \_\_\_\_\_ Mo/Day/Yr

Parents' or Guardians' Full Name \_\_\_\_\_ Mo/Day/Yr

Parent's or Guardian's Full Name \_\_\_\_\_ Mo/Day/Yr

SEE E 5141.21(c) FOR LEGAL PROVISIONS AND SUGGESTIONS FOR SCHOOL PROCEDURES.

SIGNATURES OF BOTH PARENTS OR GUARDIANS ARE NECESSARY IF THEY ARE LIVING WITH OR HAVE CUSTODY OF THE CHILD.

Background Information

LEGAL PROVISIONS

The purpose of allowing medication to be given to students by authorized school personnel is to help provide for their general welfare by following the instructions of their physicians. This position is clarified by the intent seen in the following sections from the Nursing Practice Act (Chapter 6 commencing at Section 2700) Division 2 of the Business and Professions Code):

NURSING OR MINISTRATIONS NOT PROHIBITED BY CHAPTER



"The performance by any person of such duties as required in the physical care of a patient and/or carrying out medical orders prescribed by a licensed physician: provided, such person shall not in any way assume to practice as a professional, registered, graduate or trained nurse." (Business and Professions Code Section 2727 (e)).

#### PRACTICES UNAUTHORIZED

"This chapter confers no authority to practice medicine or surgery." (Business and Professions Code 2726)

#### SUGGESTIONS FOR SCHOOL PROCEDURES

The procedures covering medication brought to school to be taken by students according to the provisions listed on the preceding form will be expedited if the following procedures are used:

1. Two copies of the form are supplied: one for the school files and one for the person authorized to administer the medication.
2. Only medication prescribed by the student's physician as being necessary to be taken by the student in the manner listed on this form should be brought to school.
3. Such medication should be taken by the student in accordance with instructions from the physician listed on this form.
4. Medication brought to school to be given to the student according to the provisions listed on this form should be in containers which are clearly marked with the name of the student; the name of the prescribing physician; an identification number or name of the medication; the druggist who dispensed the medication or the manufacturer; and the amount of medication to be taken at specified times or in specific situations.
5. All medications should be kept in a secure place. Any special instructions for storage or security measures of any medication should be written by the physician and given to school personnel so that such instructions can be followed.

ExhibitEUREKA CITY UNIFIED SCHOOL DISTRICT  
version: September 13, 2000 Eureka, California

## Board Policy

### Instruction

BP 6146.1(a)

### HIGH SCHOOL GRADUATION REQUIREMENTS

Note: The following policy is for use by districts that maintain grades 9-12.

Education Code 60851.5 provides that the administration of the California High School Exit Examination and the requirement that each student completing grade 12 successfully pass the exam as a condition of receiving a diploma or graduating from high school are suspended for the 2015-16, 2016-17, and 2017-18 school years.

The Governing Board desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)  
(cf. 5147 - Dropout Prevention)  
(cf. 6011 - Academic Standards)  
(cf. 6143 - Courses of Study)  
(cf. 6146.3 - Reciprocity of Academic Credit)

### Course Requirements

Note: Education Code 51225.3 specifies the courses that a student is required to complete in order to graduate from high school as listed in items #1-6 below.

Pursuant to Education Code 66204, each district that maintains a high school also is required to develop a process for submitting courses to the University of California to ensure that they align with the "a-g" course requirements for college admission.

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. ~~Three~~ Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

**Note: The following optional paragraph is for use only by districts that require more than two courses in mathematics for graduation and should be deleted by other districts.** Pursuant to Education Code 51225.3 and 51225.35, a district that requires more than two courses in mathematics may award up to one mathematics course credit for an approved computer science course, as defined. Any such course must have been approved by the University of California as a "category c" (mathematics) course in the university's "a-g" course admission criteria; see BP 6143 - Courses of Study.

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - *Mathematics Instruction*)

(cf. 6152.1 - *Placement in Mathematics Courses*)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - *Science Instruction*)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - *Civic Education*)

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

**Note:** Education Code 51225.3 authorizes the Board to include a course in career technical education (CTE) as an alternative to the visual or performing arts or foreign language course requirement for high school graduation. If the Board chooses to do so, it must, at a regular Board meeting prior to allowing a CTE course as an alternative, notify parents/guardians, students, teachers, and the public of information specified in Education Code 51225.3. In addition, the information must be included in the district's annual notification to parents/guardians pursuant to Education Code 48980; see the accompanying administrative regulation. Districts that do not allow this alternative course requirement should delete references to CTE in item #5 below.

The CTE course may be offered through different means, including a district-operated program, regional occupational center or program, or county office of education program pursuant to a joint powers agreement. See BP/AR 6178 - Career Technical Education and BP 6178.2 - Regional Occupational Center/Program for program details pertaining to CTE.

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

(cf. 6142.2 - World/Foreign Language Instruction)  
 (cf. 6142.6 - Visual and Performing Arts Education)  
 (cf. 6178 - Career Technical Education)  
 (cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

Note: Pursuant to Education Code 51225.3, the Board may prescribe additional coursework (e.g., health education, service learning) or other requirements (e.g., portfolios or senior projects) that district students must complete in order to obtain a diploma. If the Board does so, such courses or projects should be listed below.

If the district requires a course in health education for graduation, Education Code 51225.36 requires that the district include instruction in sexual harassment and violence, including, but not limited to, information on the affirmative consent standard pursuant to Education Code 67386. Also see AR 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction.

In addition, pursuant to Education Code 51225.6, as added by AB 1719 (Ch. 556, Statutes of 2016), a district that requires a course in health education for graduation is required to include instruction in compression-only cardiopulmonary resuscitation beginning in the 2018-19 school year. See AR 6143 - Courses of Study.

7. Freshman Seminar

Beginning in the 2015-2016 school year, Freshman Seminar is required for all 9th grade students as a yearlong course that also meets the HIV and sexual education requirements\*. As an alternative, 9th grade students enrolled in AVID 9 will also meet the yearlong Freshman Seminar and HIV sexual education requirement.

An exception consideration shall be made on a case-by-case basis based on a student meeting the following criteria:

- a. 8th grade GPA of 3.75 or higher
- b. Attendance in the "Excellent" or "Satisfactory" category in A2A
- c. Recommendation from two core subject teachers attesting to academic and organizational skills
- d. Contract signed by student and parent/guardian to complete HIV and sexual education requirement through College of the Redwoods or another accredited program prior to the end of Junior year at Eureka High School. Contract will state that failure to complete the HIV and sexual education requirement will preclude a student from receiving a diploma and participating in graduation ceremonies



**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

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

*(cf. 6142.8 - Comprehensive Health Education)*

Note: Education Code 51225.3 requires the Board to adopt alternative means for students to complete the prescribed course of study; see BP/AR 6146.11 - Alternative Credits Toward Graduation.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

*(cf. 6146.11 - Alternative Credits Toward Graduation)*

*(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)*

*(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)*

**Exemptions and Waivers**

Note: Education Code 51225.1 requires the district to exempt from any district-adopted graduation requirements a foster youth or homeless student who transfers into the district or between district high schools any time after completing his/her second year of high school, unless the Superintendent or designee makes a finding that the youth is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school; see AR 6173.1 - Education for Foster Youth and AR 6173 - Education for Homeless Children. AB 2306 (Ch. 464, Statutes of 2016) amends Education Code 51225.1 to extend this exemption and related requirements to a student transferring from a juvenile court school any time after his/her second year of high school; see AR 6173.3 - Education for Juvenile Court School Students.

Pursuant to Education Code 51225.1, within 30 calendar days of the transfer of a foster youth, homeless student, or former juvenile court school student, the district is required to provide notice to the student of the availability of the exemption and whether the student qualifies for it. If the district fails to provide that notification, the student will be eligible for the exemption once notified, even if the notification is received after the termination of the court's jurisdiction over the foster youth or former juvenile court school student or after the homeless student ceases to be homeless.

Education Code 51225.1 also provides that, if an exempted student completes the statewide coursework requirements before the end of his/her fourth year of high school, the district or a district school must not require or request that he/she graduate before the end of his/her fourth year of high school.

Any complaint alleging the district's failure to comply with the requirements of Education Code 51225.1 may be filed using the district's uniform complaint procedures pursuant to 5 CCR 4600-4687; see BP/AR 1312.3 - Uniform Complaint Procedures.

A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer,

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)**

any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5145.6 - Parental Notifications)*

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

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

*(cf. 6173.3 - Education for Juvenile Court School Students)*

Note: Education Code 49701 requires district officials to help facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. If the district does not grant such a waiver, then "best efforts" must be used to provide the student with alternative means to acquire the required coursework so that he/she can graduate on time. See BP/AR 6173.2 - Education of Children of Military Families for additional language implementing this requirement.

In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)

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

**Retroactive Diplomas**

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

Note: The remainder of this section is **optional**.

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

**HIGH SCHOOL GRADUATION REQUIREMENTS (continued)***Legal Reference:*EDUCATION CODE

47612 Enrollment in charter school  
 48200 Compulsory attendance  
 48412 Certificate of proficiency  
 48430 Continuation education schools and classes  
 48645.5 Acceptance of coursework  
 48980 Required notification at beginning of term  
 49701 Interstate Compact on Educational Opportunity for Military Children  
 51224 Skills and knowledge required for adult life  
 51224.5 Algebra instruction  
 51225.1 Exemption from district graduation requirements  
 51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course  
 51225.3 High school graduation  
 51225.35 Mathematics course requirements; computer science

*Legal Reference: (continued)*EDUCATION CODE (continued)

51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation  
 51225.5 Honorary diplomas; foreign exchange students  
 51225.6 Compression-only cardiopulmonary resuscitation  
 51228 Graduation requirements  
 51240-51246 Exemptions from requirements  
 51250-51251 Assistance to military dependents  
 51410-51412 Diplomas  
 51420-51427 High school equivalency certificates  
 51430 Retroactive high school diplomas  
 51440 Retroactive high school diplomas  
 51450-51455 Golden State Seal Merit Diploma  
 51745 Independent study restrictions  
 56390-56392 Recognition for educational achievement, special education  
 60851.5 Suspension of high school exit examination  
 60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination  
 66204 Certification of high school courses as meeting university admissions criteria  
 67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation  
 4600-4687 Uniform complaint procedures

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

*Management Resources:*WEB SITES

CSBA: <http://www.csba.org>  
 California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>  
 University of California, List of Approved a-g Courses:  
<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

(12/13 12/15) 12/16

**Policy Reference UPDATE Service**

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# **Board Policy**

## **High School Graduation Requirements**

BP 6146.1

### **Instruction**

The Board of Education desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)  
(cf. 5147 - Dropout Prevention)  
(cf. 6143 - Courses of Study)  
(cf. 6146.3 - Reciprocity of Academic Credit)

### **Course Requirements**

To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6011 - Academic Standards)  
(cf. 6142.92 - Mathematics Instruction)  
(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)



4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics (Education Code 51225.3)

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education.

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)

7. Freshman Seminar

Beginning in the 2015-2016 school year, Freshman Seminar is required for all 9th grade students as a yearlong course that also meets the HIV and sexual education requirements\*. As an alternative, 9th grade students enrolled in AVID 9 will also meet the yearlong Freshman Seminar and HIV sexual education requirement.

An exception consideration shall be made on a case-by-case basis based on a student meeting the following criteria:

a. 8th grade GPA of 3.75 or higher

b. Attendance in the "Excellent" or "Satisfactory" category in A2A

c. Recommendation from two core subject teachers attesting to academic and organizational skills

d. Contract signed by student and parent/guardian to complete HIV and sexual education requirement through College of the Redwoods or another accredited program prior to the end of Junior year at Eureka High School. Contract will state that failure to complete the HIV and sexual education requirement will preclude a student from receiving a diploma and participating in graduation ceremonies



(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6142.8 - Comprehensive Health Education)

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)  
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)  
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

The Superintendent or designee shall exempt or waive specific course requirements for foster youth, homeless students, and children of military families in accordance with Education Code 51225.1 and 49701.

(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 - Education for Children of Military Families)

#### Retroactive Diplomas

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

#### Legal Reference:

##### EDUCATION CODE

47612 Enrollment in charter school  
48200 Compulsory attendance  
48412 Certificate of proficiency



48430 Continuation education schools and classes  
 48645.5 Acceptance of coursework  
 48980 Required notification at beginning of term  
 49701 Interstate Compact on Educational Opportunity for Military Children  
 51224 Skills and knowledge required for adult life  
 51224.5 Algebra instruction  
 51225.1 Exemption from district graduation requirements  
 51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course  
 51225.3 High school graduation  
 51225.35 Mathematics course requirements; computer science  
 51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation  
 51225.5 Honorary diplomas; foreign exchange students  
 51228 Graduation requirements  
 51240-51246 Exemptions from requirements  
 51250-51251 Assistance to military dependents  
 51410-51412 Diplomas  
 51420-51427 High school equivalency certificates  
 51450-51455 Golden State Seal Merit Diploma  
 51745 Independent study restrictions  
 56390-56392 Recognition for educational achievement, special education  
 60851.5 Suspension of high school exit examination  
 60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination  
 66204 Certification of high school courses as meeting university admissions criteria  
 67386 Student safety; affirmative consent standard  
 CODE OF REGULATIONS, TITLE 5  
 1600-1651 Graduation of students from grade 12 and credit toward graduation  
 COURT DECISIONS  
 O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

#### Management Resources:

#### WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

#### Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: June 2, 2016      Eureka, California



## **Administrative Regulation**

### **High School Graduation Requirements**

AR 6146.1

#### **Instruction**

#### **Notifications**

Requirements for graduation and specified alternative means for completing the prescribed course of study shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6145.6 - International Exchange)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

In the annual notification sent to parents/guardians pursuant to Education Code 48980, the Superintendent or designee shall include the following: (Education Code 48980)

1. Information about district high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California

2. A complete list of career technical education courses offered by the district that satisfy the subject matter requirements for admission to the California State University and the University of California, and which of the specific college admission requirements these courses satisfy

(cf. 5145.6 - Parental Notifications)

(cf. 6143 - Courses of Study)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: April 4, 2012 Eureka, California

## Board Policy

### Instruction

BP 6154(a)

#### HOMEWORK/MAKEUP WORK

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

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Note: The following **optional** paragraph may be revised to specify the average number of minutes of homework that may be expected per day at each grade level, or the district may adopt an administrative regulation that contains such guidelines.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

*(cf. 6011 - Academic Standards)*

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

*(cf. 4131 - Staff Development)*

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

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines also shall be included in student



**HOMEWORK/MAKEUP WORK (continued)**

and/or parent handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete his/her homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

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

*(cf. 6020 - Parent Involvement)*

Note: The following paragraph should be revised to reflect district practice. Pursuant to Education Code 8482.3, before-school and after-school programs operated under the After School Education and Safety Program (Education Code 8482-8484.65) and/or the federal 21st Century Community Learning Center program (Education Code 8484.7-8484.9; 20 USC 7171-7176) are required to include an educational and literacy component in which tutoring or homework assistance is provided in language arts, mathematics, history-social science, computer training, and/or science. If the district offers a before-school or after-school program under the 21st Century High School After School Safety and Enrichment for Teens program for grades 9-12 (Education Code 8420-8428; 20 USC 7171-7176), the program must include an academic assistance program, which may include homework assistance. See AR 5148.2 - Before/After School Programs. In addition, some districts offer a supervised study hall elective which high school students can take instead of other electives.

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

*(cf. 1240 - Volunteer Assistance)*

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

*(cf. 3541 - Transportation Routes and Services)*

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

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

*(cf. 6112 - School Day)*

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

*(cf. 6163.1 - Library Media Centers)*

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

**HOMEWORK/MAKEUP WORK (continued)****Makeup Work**

Note: Pursuant to Education Code 48205, students who miss school work because of an excused absence must be given full credit for makeup work satisfactorily completed within a reasonable period of time. State law does not require districts to give full credit for makeup work following an unexcused absence. However, CSBA's governance brief Research-Supported Strategies to Improve the Accuracy and Fairness of Grades recommends that student absence be dealt with separately from determining students' academic understanding and progress. Thus, the following paragraph provides for full credit to be awarded for satisfactory completion of makeup work regardless of the reason for the absence, an approach which is consistent with BP/AR 5121 - Grades/Evaluation for Student Achievement. Also see BP/AR 5113.1 - Chronic Absence and Truancy for strategies to address excessive excused and/or unexcused absences. The district may revise the following paragraph to reflect district practice, provided that it ensures compliance with Education Code 48205.

~~Students who miss school work shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.~~

With the exception of students who are deliberately truant from a class or school day, students who miss school work due to any absence (including suspension) shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. For each day of absence, students shall be provided at least an additional school day to complete makeup work. Students shall receive full credit for work satisfactorily completed within this time period.

*(cf. 5113 - Absences and Excuses)*

The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

*(cf. 5145.6 - Parental Notifications)*

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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

*Legal Reference: (see next page)*

## **HOMEWORK/MAKEUP WORK (continued)**

### *Legal Reference:*

#### EDUCATION CODE

8420-8428 21st Century High School After School Safety and Enrichment for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

#### UNITED STATES CODE, TITLE 20

7171-7176 21st Century Community Learning Centers

### *Management Resources:*

#### CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief,  
July 2016

#### WEB SITES

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

California State PTA: <http://www.capta.org>

(2/97 2/99) 12/16

### **Policy Reference UPDATE Service**

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## **Board Policy**

### **Homework/Makeup Work**

BP 6154

#### **Instruction**

The Board of Education recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards.

Homework is a valuable part of a student's education.

Homework:

- Allows students to preview, practices, and apply newly acquired skills.
- Prepares students for new content and deepens understanding of content that has already been introduced.
- Promotes planning and organization skills.
- Reinforces study habits, self-discipline and time management needed in further education and the world of work.

The Board expects students, parents/guardians and staff to view homework as an important part of students' learning. Homework assignments that are most beneficial to student learning are:

1. Focused on quality, rather than quantity
2. Clear in expectations. New homework material should be thoroughly explained.
3. Related to the content of study.
4. Reflective of the individual student's capacity.
5. Evaluated, commented on, and discussed in class.

(cf. 6011 - Academic Standards)

The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant, challenging and meaningful homework assignments that reinforce classroom learning objectives. Appropriate utilization of homework to promote student learning is within the scope of the California Standards for the Teaching Profession, and therefore subject to teacher evaluation.



(cf. 4115 - Evaluation/Supervision)  
(cf. 4131 - Staff Development)

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

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

Each site will provide support for students' homework efforts. The Superintendent or designee will establish and maintain after-school homework help/tutorial centers where students can receive encouragement and clarification about homework assignments from teachers or after-school program staff. Homework Hotlines and or Power School will be used to keep parents/guardians, and when appropriate, students informed about homework assignments.

(cf. 1240 - Volunteer Assistance)  
(cf. 1700 - Relations between Private Industry and the Schools)  
(cf. 3541 - Transportation Routes and Services)  
(cf. 5148 - Child Care and Development)  
(cf. 6112 - School Day)  
(cf. 6142.4 - Learning through Community Service)

### Makeup Work

Students who miss school work because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

Students who miss school work because of unexcused absences shall be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

(cf. 6182 - Opportunity School/Class/Program)

Legal Reference:  
EDUCATION CODE  
48205 Absences for personal reasons  
48913 Completion of work missed by suspended student



48980 Parental notifications

58700-58702 Tutoring and homework assistance program; summer school apportionment credit

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

Policy EUREKA CITY UNIFIED SCHOOL DISTRICT

adopted: August 23, 2006 Eureka, California



## **Administrative Regulation**

### **Homework/Makeup Work**

AR 6154

#### **Instruction**

The implementation of the District Homework Policy will take into consideration the following established guidelines related to the assigning of homework.

When designing homework, teachers will consider the following questions:

- Â• Does this assignment support the grade level standards and learning objectives?
- Â• What is the purpose of this assignment? (Review and practice, preview and prepare, in-depth exploration, develop study habits and organizational skills)
- Â• Is the assignment an extension of classroom instruction?
- Â• How will the learning objectives of the assignment be assessed?
- Â• What is the minimum amount of work that can be assigned to meet the objective?
- Â• Will there be time to grade this assignment and address it in the class?
- Â• How does the assignment account for individual differences among students? (Learning styles, learning disabilities, availability of parent/guardian support, access to supplies, and additional resources, gifted and talented students, etc.)
- Â• What additional skills, such as time-management and organization, will students need in order to achieve the learning objective, and have students received instruction or support for those skills?
- Â• Should homework be assigned over the weekend?

It is the teacher's responsibility when assigning homework to:

- Â• Communicate the purpose of the assignment to students: practice, reinforce, preview, etc.
- Â• Explain the instructions and performance expectations to the students.
- Â• Take time to answer any questions that arise.
- Â• Give students an estimate of the time to complete the assignment and assign homework



according to the following guideline:

- No more than 30 minutes of homework per night in grades K-1
- No more than one hour in grades 2-5, including time to gather and organize materials
- Â• Evaluate assignments and provide timely feedback to students.
- Â• Teach the skills being practiced on the assignment and ensure students have the materials required to complete the assignment.
- Â• Provide a timeline and checkpoints along the way to monitor for completion, if it is a long-term assignment.
- Â• Provide time in class for students to begin the assignment and to ask for clarification before working alone.

At the beginning of the school year, each teacher will provide a Homework Policy to students and parents/guardians, addressing:

- Â• Guidelines for homework completion (amount, quality, level of parent/guardian involvement, resources needed).
- Â• Procedures for homework - when it will be assigned and collected, expected format, where to turn it in, when it will be returned to students, etc.
- Â• How parents/guardians can monitor student homework.
- Â• How homework will be graded for completion, effort and accuracy.
- Â• The purpose of homework in your class and the relationship it has to grade level performance.
- Â• Policy on late work and absences. Students should be allowed to make up work missed due to absences.
- Â• Consequences for not completing homework.
- Â• How and when parents/guardians and students can reach you for assistance or questions.
- Â• Available school support services (tutorial, homework place, etc).

The Board also recognizes that an effective homework policy must include strong parent/guardian/school communication.

In order to promote student success, parents/guardians should:



- Â• Talk with their students about the importance of homework for school success.
- Â• Learn about each teacher's homework policy and grading expectations.
- Â• Ask children/students about their learning.
- Â• Bring questions to teachers for clarification.
- Â• Provide an environment conducive for homework completion (quiet place, consistent time, resources).
- Â• Monitor your student's progress.
- Â• Request makeup work if your child will be absent.
- Â• Contact the teacher if a student is struggling, i.e. spending too much time on assignments, or requiring a lot of assistance.

In order to optimize learning, students must:

- Â• Complete quality homework - do their best work.
- Â• Complete homework within the given time frame.
- Â• Be prepared with materials needed to complete each assignment.
- Â• Ask teachers and parents/guardians questions for understanding.
- Â• Inform parents/guardians and caregivers of homework expectations.
- Â• Monitor their own progress.
- Â• Use organizational tools that have been provided for them.
- Â• If absent, ask for any work as soon as possible.
- Â• Make up missed work as soon as possible.
- Â• Turn homework into the teacher without losing it.

Each school will annually address these homework policies and guidelines and their implementation at the site. Consideration will be given to the developmental appropriateness of homework to the learner and ensure that the quantity of homework is reasonably balanced across the subject matters in the Middle and High Schools.



Each School Site Council will annually place this matter on a regular meeting agenda for discussion.

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: August 23, 2006 Eureka, California

## Board Policy

### Instruction

BP 6164.6(a)

### IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: The following policy and accompanying administrative regulation address the identification and education of students who may be eligible for services under the provisions of Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794; 34 CFR 104.1-104.39). Pursuant to 34 CFR 104.33, eligible students are entitled to a free appropriate public education (FAPE) which is designed to meet the student's individual educational needs as adequately as the needs of students without disabilities are met. Enforcement of Section 504 requirements is the responsibility of the U.S. Department of Education's Office for Civil Rights (OCR), which monitors districts' policies, processes, and practices to ensure legal compliance.

A student may be identified as a student with a disability under Section 504 even though he/she is not identified as a child with a disability under the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482). The identification of students eligible for special education and related services under the IDEA is addressed at BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

The Governing Board believes that all children, including children with disabilities, should have the opportunity to learn in a safe and nurturing environment. The Superintendent or designee shall work to identify children with disabilities who reside within the jurisdiction of the district in order to ensure that they receive educational and related services required by law.

Note: Section 504 of the Rehabilitation Act of 1973 and its implementing regulations (34 CFR 104.1-104.39) prohibit discrimination on the basis of disability in district programs and activities; see BP 0410 - Nondiscrimination in District Programs and Activities.

The Superintendent or designee shall provide qualified students with disabilities with a free appropriate public education (FAPE), as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of students without disabilities are met. (34 CFR 104.33)

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.23 - Asthma Management)  
(cf. 5141.24 - Specialized Health Care Services)  
(cf. 5141.27 - Food Allergies/Special Dietary Needs)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

Note: Pursuant to 34 CFR 104.33, as interpreted by OCR in its January 2013 Dear Colleague Letter, a district's responsibility under Section 504 extends to providing students with disabilities equal opportunity to participate in extracurricular athletics and other nonacademic programs or activities that constitute the overall educational program.

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

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

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 52060 requires that the district adopt a local control and accountability plan (LCAP) that includes annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, students with disabilities are one of the numerically significant subgroups whose needs must be addressed in the LCAP, when there are at least 30 students with disabilities in the district or a school. See BP/AR 0460 - Local Control and Accountability Plan.

The district's local control and accountability plan shall include goals and specific actions to improve student achievement and other outcomes of students with disabilities. At least annually, the Superintendent or designee shall assess the district's progress in attaining the goals established for students with disabilities and shall report these results to the Board. (Education Code 52052, 52060)

*(cf. 0460 - Local Control and Accountability Plan)*

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

Note: The following **optional** paragraph ensures the availability of hearing officers to conduct impartial hearings to resolve disagreements about the provision of FAPE, pursuant to 34 CFR 104.36.

The Superintendent or designee shall maintain a list of impartial hearing officers who are qualified and willing to conduct Section 504 hearings. To ensure impartiality, such officers shall not be employed by or under contract with the district in any other capacity except as hearing officer and shall not have any professional or personal involvement that would affect their impartiality or objectivity in the matter.

*Legal Reference: (see next page)*



**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)***Legal Reference:*EDUCATION CODE49423.5 *Specialized physical health care services*52052 *Numerically significant student subgroups*52060-52077 *Local control and accountability plan*56043 *Special education, timelines*56321 *Assessment; development of IEP; parental notifications, consent*CODE OF REGULATIONS, TITLE 53051.12 *Health and Nursing Services*UNITED STATES CODE, TITLE 201232g *Family Educational Rights and Privacy Act of 1974*1400-1482 *Individuals with Disabilities Education Act*UNITED STATES CODE, TITLE 29705 *Definitions; Vocational Rehabilitation Act*794 *Rehabilitation Act of 1973, Section 504*UNITED STATES CODE, TITLE 4212101-12213 *Americans with Disabilities Act*CODE OF REGULATIONS, TITLE 2835.101-35.190 *Nondiscrimination on the basis of disability in state and local government services*CODE OF FEDERAL REGULATIONS, TITLE 34104.1-104.61 *Nondiscrimination on the basis of handicap, especially:*104.1 *Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*104.3 *Definitions*104.32 *Location and notification*104.33 *Free appropriate public education*104.34 *Educational setting*104.35 *Evaluation and placement*104.36 *Procedural safeguards*104.37 *Nonacademic services*104.7 *Responsible employee; grievance procedures*COURT DECISIONS*Christopher S. v. Stanislaus County Office of Education*, (2004) 384 F.3d 1205*Management Resources:*CSBA PUBLICATIONS*Rights of Students with Diabetes Under IDEA and Section 504*, Policy Brief, December 2007CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES*Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools*, August 2007U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Dear Colleague Letter and Resource Guide on Students with ADHD*, July 2016*Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*, October 2015*Dear Colleague Letter*, January 2013*Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools*, January 2012*Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973*, September 2007*Management Resources continued: (see next page)*

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

*Management Resources: (continued)*

**WEB SITES**

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

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

*U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>*

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# **Board Policy**

## **Identification And Education Under Section 504**

BP 6164.6

### **Instruction**

The Board of Education believes that all children, including children with disabilities, should have an opportunity to learn in a safe and nurturing environment. The district shall work to identify children with disabilities who reside within its jurisdiction in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide identified students with disabilities with a free appropriate public education, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. (34 CFR 104.33)

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 0430 - Comprehensive Local Plan for Special Education)
- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5141.23 - Asthma Management)
- (cf. 5141.24 - Specialized Health Care Services)
- (cf. 5141.27 - Food Allergies/Special Dietary Needs)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 6145.5 - Student Organizations and Equal Access)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.



**Legal Reference:**

**EDUCATION CODE**

49423.5 Specialized physical health care services

**CODE OF REGULATIONS, TITLE 5**

3051.12 Health and Nursing Services

**UNITED STATES CODE, TITLE 20**

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

**UNITED STATES CODE, TITLE 29**

705 Definitions; Vocational Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

**UNITED STATES CODE, TITLE 42**

12101-12213 Americans with Disabilities Act

**CODE OF FEDERAL REGULATIONS, TITLE 34**

104.1-104.61 Nondiscrimination on the basis of handicap, especially:

104.1 Purpose to effectuate Section 504 of the Rehabilitation Act of 1973

104.3 Definitions

104.32 Location and notification

104.33 Free appropriate public education

104.34 Educational setting

104.35 Evaluation and placement

104.36 Procedural safeguards

**COURT DECISIONS**

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205

**Management Resources:**

**CSBA PUBLICATIONS**

Rights of Students with Diabetes Under IDEA and Section 504, Policy Brief, November 2007

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

**U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Dear Colleague Letter; January 2013

Dear Colleague Letter and Questions and Answers on ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools; January 2012

Free Appropriate Public Education for Students with Disabilities: Requirements under Section 504 of the Rehabilitation Act of 1973, September 2007

**WEB SITES**

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

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

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

**Policy EUREKA CITY UNIFIED SCHOOL DISTRICT**

adopted: June 5, 2014                      Eureka, California



## Administrative Regulation

### Instruction

AR 6164.6(a)

### IDENTIFICATION AND EDUCATION UNDER SECTION 504

Note: Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794) prohibits discrimination on the basis of disability. The following **optional** administrative regulation focuses on district procedures for identifying and evaluating students who are eligible to receive a free appropriate public education (FAPE) under Section 504 and is consistent with guidance from the U.S. Department of Education Office for Civil Rights (OCR), which is responsible for enforcing the provisions of Section 504 and also for receiving and handling complaints from parents/guardians, students, and advocates.

Pursuant to 34 CFR 104.7, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Section 504. The district should fill in the blanks below to specify the position title and contact information of the designated employee(s).

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Assistant Superintendent of Educational Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-2400

### Definitions

Note: The following definitions are consistent with the Americans with Disabilities Act (ADA) Amendments Act of 2008 (42 USC 12101-12213), and its implementing regulations (28 CFR 35.101-35.190, as amended by 81 Fed. Reg. 53203).

For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

*Free appropriate public education* (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his/her parent/guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

Note: Pursuant to 28 CFR 35.108, a student is considered to have a disability when he/she has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having such impairment. Accordingly, a student may have a disability and technically meet eligibility requirements under Section 504, but not actually need any services. A Dear Colleague Letter issued by OCR in July 2016 clarifies that a district is not required to provide additional services to a student with a disability if the student does not need any special education or related service as a result of the disability. However, Section 504 still requires districts to protect a student who has a record of or is regarded as having such an impairment from discriminatory treatment. For example, it would be discriminatory and thus illegal to prohibit a student who has a record of bone cancer, even if currently in remission, from trying out for the basketball team based on his/her history of cancer.

As added by 81 Fed. Reg. 53203, 28 CFR 35.108 expands and clarifies the definition of "disability" and its associated terms. In general, the term "disability" must be interpreted broadly, in favor of providing "expansive coverage" to the maximum extent permitted by the ADA.

*Student with a disability* means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Note: As added by 81 Fed. Reg. 53203, 28 CFR 35.108 defines "physical and mental impairment" and provides a nonexhaustive list of conditions that qualify as physical and mental impairments, updated to include dyslexia, attention deficit hyperactivity disorder (ADHD), and disorders and conditions affecting the immune and circulatory systems. In the event that these conditions fall within the disabilities categories specified in the Individuals with Disabilities Education Act (IDEA), then the student may need to be considered for services under that law; see BP/AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

*Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

*Mental impairment* means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)

Note: 28 CFR 35.108, as added by 81 Fed. Reg. 53203, requires the term "substantially limits" to be construed broadly. An impairment is a disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population. Such comparison usually does not require scientific, medical, or statistical evidence. An impairment need not prevent or significantly or severely restrict the performance of a major life activity in order to qualify as substantially limiting.

28 CFR 35.108 also provides that (1) in determining whether or not an impairment substantially limits a major life activity, the ameliorative effects of mitigating measures, other than ordinary eyeglasses or contact lenses, may not be considered; (2) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and (3) an impairment that substantially limits one major life activity need not substantially limit other major life activities in order to be considered a substantially limiting impairment.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

Additionally, 28 CFR 35.108 expands the definition of "major life activities" to include the operation of specific major bodily functions.

*Substantially limits major life activities* means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. *Major life activities* also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment *substantially limits* a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. *Mitigating measures* are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

**Referral, Identification, and Evaluation**

Note: 34 CFR 104.35 requires the district to conduct an evaluation of any student who needs or is believed to need special education or related services under Section 504. However, the law does not require a specific procedure for referral of a student for the evaluation. Items #1-2 below provide such a procedure and should be modified to reflect district practice.

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Note: OCR has interpreted Section 504 to require districts to obtain parent/guardian permission for initial evaluations. Although the law is silent on the form of parent/guardian consent, it is recommended that the district obtain such consent in writing. The following paragraph should be modified to reflect district practice.

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

Note: 34 CFR 104.35 requires that the district's evaluation and placement procedures include the elements specified in items #a-c below.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

**Section 504 Services Plan and Placement**

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)



**IDENTIFICATION AND EDUCATION UNDER SECTION 504** (continued)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

Note: While there is no specific requirement that a Section 504 services plan (sometimes called an accommodation plan) be in writing, it is strongly recommended that the district develop a written plan for each student detailing the regular and/or special education and related services that the student will be provided in order to ensure that the student is receiving FAPE in accordance with 34 CFR 104.33.

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

*(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

*(cf. 5141.24 - Specialized Health Care Services)*

*(cf. 5141.26 - Tuberculosis Testing)*

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

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

Note: The law does not specify a time frame for completion of the evaluation and placement process, but OCR requires completion within "a reasonable amount of time." Generally, compliance with the timelines in the IDEA will be considered "reasonable" and thus in compliance with Section 504. However, Section 504 does not provide for an automatic suspension of the timelines during extended breaks or when schools are

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

not in session, as is permitted for the IDEA-associated timelines pursuant to Education Code 56043 and 56321. For timelines under the IDEA, see AR 6164.4 - Identification and Evaluation of Individuals for Special Education.

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

*(cf. 5116.1 - Intradistrict Open Enrollment)*  
*(cf. 5125 - Student Records)*

**Review and Reevaluation**

Note: 34 CFR 104.35 requires the district to establish procedures for the periodic reevaluation of a student who has been identified as needing services under Section 504. A reevaluation procedure consistent with the IDEA is one means of meeting this requirement. The following section should be modified to reflect district practice.

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

Note: As part of its responsibilities pursuant to 34 CFR 104.35, the district is required to reevaluate a student's needs before a significant change in his/her placement. Examples of actions that might constitute a "significant change in placement" triggering a reevaluation include, but are not limited to, expulsions; suspensions that exceed 10 school days within a school year; or removal from a fully integrated curriculum to a resource room, home instruction, independent study, or continuation school.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

**IDENTIFICATION AND EDUCATION UNDER SECTION 504** (continued)*(cf. 5144.1 - Suspension and Expulsion/Due Process)**(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))***Procedural Safeguards**

Note: 34 CFR 104.36 requires districts to adopt a system of procedural safeguards which must include the rights of parents/guardians to receive notice, examine relevant records, have an impartial hearing in which they would have an opportunity to participate and be represented by legal counsel, and a process for review of the hearing and decision as detailed in the following section.

Timelines suggested in this section should be revised to reflect district practice; however, OCR requires that the due process hearing procedures be completed within a "reasonably prompt time frame."

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*

Note: 34 CFR 104.36 requires that the district's procedural safeguards for Section 504 include an impartial hearing to resolve disagreements about the provision of FAPE. This Section 504 due process hearing is separate from the due process hearing procedures under the IDEA and from the district's uniform complaint procedures, which are used to resolve complaints regarding discriminatory treatment (e.g., harassment or accessibility issues). See BP/AR 1312.3 - Uniform Complaint Procedures.

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Note: According to OCR, the parent/guardian cannot be required to participate in an administrative review prior to exercising his/her right to a Section 504 due process hearing. Districts with questions should consult legal counsel, as appropriate.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, he/she may request a Section 504 due process hearing.

**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
  - a. The specific nature of the decision with which he/she disagrees
  - b. The specific relief he/she seeks
  - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
  - a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
  - b. Present written and oral evidence
  - c. Question and cross-examine witnesses
  - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.



**IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)**

**Notifications**

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

*(cf. 5145.6 - Parental Notifications)*

(3/09 4/13) 12/16

# **Administrative Regulation**

## **Identification And Education Under Section 504**

AR 6164.6

### **Instruction**

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Assistant Superintendent of Educational Services  
2100 J Street  
Eureka, CA 95501  
(707) 441-2400

### **Definitions**

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of nondisabled students are met, without cost to the student or his/her parent/guardian, except when a fee is imposed on nondisabled students. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.3)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine. (34 CFR 104.3)

Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (34 CFR 104.3)

Substantially limits major life activities means limiting a person's ability to perform functions such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities also includes major bodily functions such as functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Substantially limits shall be determined without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures include, but are not limited to,



medications, prosthetic devices, assistive devices, learned behavioral, or adaptive neurological modifications which an individual may use to eliminate or reduce the effects of an impairment. (42 USC 12102; 34 CFR 104.3)

#### Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If it is determined that the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

#### Section 504 Services Plan and Placement



Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)  
(cf. 5141.22 - Infectious Diseases)  
(cf. 5141.23 - Asthma Management)  
(cf. 5141.24 - Specialized Health Care Services)  
(cf. 5141.26 - Tuberculosis Testing)  
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.

4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame.



6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5125 - Student Records)

#### Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of nondisabled students. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

#### Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, he/she may request a Section 504 due process hearing.



Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
  - a. The specific nature of the decision with which he/she disagrees
  - b. The specific relief he/she seeks
  - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
  - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
  - b. Present written and oral evidence
  - c. Question and cross-examine witnesses
  - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

#### Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

Regulation EUREKA CITY UNIFIED SCHOOL DISTRICT  
approved: June 5, 2014 Eureka, California

**Do Not Adopt CSBA Recommendation**  
**Administrative Regulation**

**Instruction**

AR 6173.3(a)

**EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS**

Note: The following administrative regulation is for use by districts that maintain secondary schools. Juvenile court schools are operated by county offices of education pursuant to Education Code 48645-48646 and serve students who are under the protection or authority of the county juvenile justice system. Pursuant to Education Code 48645.2, such schools may be administered either by the County Superintendent of Schools or by the board of the district in which the juvenile court school is located, through a contract between the County Board of Education and the district's governing board.

Education Code 51225.1 and 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), establish educational rights of former juvenile court school students who transition into a district school. These include rights related to the immediate enrollment of such students, the immediate transfer of educational records, the transfer of coursework and credits, and exemption from district-established graduation requirements under certain conditions.

The following **optional** paragraph reflects the intent expressed in Education Code 48647 to encourage collaboration between the district and county agencies to ensure effective communication, enrollment, and placement practices.

The Superintendent or designee shall collaborate with the County Superintendent of Schools and the county probation department to facilitate the transition of students from a juvenile court school into the regular schools of the district. Such collaboration may include, but not be limited to, the development of data-sharing systems, communication strategies, and other structures that aid in the enrollment, placement, and continuous educational progress of such students.

**Enrollment**

Note: Education Code 48645.5 requires the immediate enrollment of a student who has had contact with the juvenile justice system. Pursuant to Education Code 48645.5 and 48853.5, such a student must be enrolled even if he/she (1) has outstanding fees, fines, textbooks, or other items or monies due to the previous school; (2) does not have clothing normally required by the school, such as school uniforms; or (3) is unable to produce records normally required for enrollment.

A former juvenile court school student transferring into a regular district school shall be immediately enrolled in the school. The Superintendent or designee shall not deny enrollment to a student solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

*(cf. 5111 - Admission)*

*(cf. 5111.1 - District Residency)*

*(cf. 5125 - Student Records)*

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

**EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)**

(cf. 5132 - Dress and Grooming)  
 (cf. 5141.26 - Tuberculosis Testing)  
 (cf. 5141.31 - Immunizations)

**Transfer of Coursework and Credits**

When a student transfers from a juvenile court school into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed at that school and shall not require the student to retake the course. If the student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall not be required to retake the portion of the course completed. (Education Code 48645.5, 51225.2)

However, a student may be required to retake the portion of the course completed if the Superintendent or designee, in consultation with the holder of educational rights for the student, finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a former juvenile court school student 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)

Note: The following paragraph should be revised to reflect district practice, consistent with district policy related to partial credit awarded to homeless students and foster youth. Although Education Code 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), requires districts to award partial credits to former juvenile court school students who transfer from school to school, there is no uniform system for calculating and awarding partial credits. The following paragraph reflects a recommendation in the California Child Welfare Council's Partial Credit Model Policy and Practice Recommendations and is consistent with the approach provided in AR 6173 - Education for Homeless Children and AR 6173.1 - Education for Foster Youth.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject.

In no event shall the district prevent a former juvenile court school student 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)

(cf. 6143 - Courses of Study)

**Graduation**

If a student completes district graduation requirements while being detained in a juvenile facility, the district shall issue the student a diploma from the school the student last attended, unless the County Superintendent issues the diploma. (Education Code 48645.5)



**EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)**

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

Note: The remainder of this section addresses the completion of graduation requirements by students who transfer from a juvenile court school to a district school after completing two years of high school. Education Code 51225.1, as amended by AB 2306 (Ch. 464, Statutes of 2016), exempts such students from district-established graduation requirements under certain conditions.

A student who transfers to a district school from a juvenile court school shall generally be expected to complete all courses required by Education Code 51225.3 and to fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a student who has completed his/her second year of high school transfers from a juvenile court school into a district school, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the student's social worker or probation officer of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the termination of the court's jurisdiction over the student. (Education Code 51225.1)

*(cf. 5145.6 - Parental Notifications)*

To determine whether a student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any former juvenile court school student who is granted an exemption and the person holding the right to make educational decisions for him/her how any 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 51225.1)

The district shall not require or request a former juvenile court school student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a student, the person holding the right to make educational decisions for the student, or the student's social worker or probation officer. (Education Code 51225.1)

**EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)**

If a student is exempted from local graduation requirements, the exemption shall continue to apply after the termination of the court's jurisdiction over the student or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a former juvenile court school student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if the student is under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

**Notification and Complaints**

Information regarding the educational rights of former juvenile court school students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Note: Education Code 51225.1 and 51225.2, as amended by AB 2306 (Ch. 464, Statutes of 2016), provide that complaints of noncompliance with specified requirements related to the educational rights of former juvenile court school students may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4687. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to the California Department of Education (CDE) and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint that the district has not complied with requirements regarding the education of former juvenile court school students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

*Legal Reference: (see next page)*

## EDUCATION FOR JUVENILE COURT SCHOOL STUDENTS (continued)

### *Legal Reference:*

#### EDUCATION CODE

48645-48648 Juvenile court schools

48853.5 Immediate enrollment

51225.1 Exemption from district graduation requirements

51225.2 Former juvenile court school student defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

60851.5 Suspension of high school exit examination

#### WELFARE AND INSTITUTIONS CODE

602 Minors violating law; ward of court

880-893 Wards and dependent children; juvenile homes, ranches and camps

#### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

### *Management Resources:*

#### CALIFORNIA CHILD WELFARE COUNCIL

*Partial Credit Model Policy and Practice Recommendations*

#### YOUTH LAW CENTER PUBLICATIONS

*Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools, 2016*

#### WEB SITES

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

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Juvenile Court Schools: <http://www.cde.ca.gov/sp/eo/jc>

Youth Law Center: <http://www.ylc.org>

## Board Bylaw

### Board Bylaws

BB 9240(a)

### BOARD TRAINING

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

CSBA's Professional Governance Standards include expectations that each individual Governing Board member will participate in professional development and commit the time and energy necessary to be an informed and effective leader. See CSBA's web site for education opportunities available through CSBA, including, but not limited to, CSBA's Institute for New and First-Term Board Members, Masters in Governance program, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, Brown Act Workshop, Back-to-School Webcast, other workshops and webinars on specific topics, and in-district governance consulting services.

The Governing Board believes that the Board's ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall be provided sufficient opportunities for professional development that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

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

*(cf. 9005 - Governance Standards)*

The Board and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members which includes comprehensive information regarding Board roles, policies, and procedures and the district's vision and goals, operations, and current challenges. Throughout their first term, Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

*(cf. 9230 - Orientation)*

All Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the district on issues that involve the entire governance team.



**BOARD TRAINING (continued)**

Note: CSBA recommends that board training and travel expenses be budgeted as separate items. While training is essential to maintain an effective, well-informed Board, travel expenses are incurred for a variety of reasons.

It is also recommended that the Board determine the manner in which board training activities that require the use of district funds will be selected or approved. Districts may allocate funds equally to each Board member and allow each member discretion to select activities that meet his/her needs, or may require that all activities or activities over a specified cost be approved by the full Board. The following paragraph may be revised to reflect district practice.

Funds for board training shall be budgeted annually for the Board and each Board member. In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's vision and goals and the needs of the Board or individual member to obtain specific knowledge and skills. The Board shall annually develop a board training calendar in order to schedule and track board training activities and to schedule opportunities for Board members to report on the activities in which they participated.

*(cf. 0000 - Vision)*

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

*(cf. 3100 - Budget)*

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

Note: Pursuant to Government Code 54952.2, a "meeting" subject to Brown Act requirements does not include the attendance of a majority of the Board's members at a conference or similar public gathering, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the Board. Also see BB 9320 - Meetings and Notices.

Board members may attend a conference or similar public gathering with other Board members and/or with the Superintendent or designee in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the district's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

*(cf. 9320 - Meetings and Notices)*

Board members shall report to the Board, orally or in writing, on the board training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and district.

*Legal Reference: (see next page)*

## **BOARD TRAINING (continued)**

*Legal Reference:*

**GOVERNMENT CODE**

54950-54963 *The Ralph M. Brown Act, especially:*

54952.2 *Meeting*

*Management Resources:*

**CSBA PUBLICATIONS**

*Professional Governance Standards for School Boards*

**WEB SITES**

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

California County Boards of Education: <http://www.theccbe.org>

National School Boards Association: <http://www.nsba.org>

(12/87 6/94) 12/16

**Policy Reference UPDATE Service**

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## **Board Bylaw**

### **Board Development**

BB 9240

#### **Board Bylaws**

Citizens elected to the Board of Education are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

All Board members may attend conferences for the purpose of Board development. Board business shall not be discussed at conferences.

(cf. 9230 - Orientation)

(cf. 9320 - Meetings and Notices)

Board members shall report to the Board, orally or in writing, as soon as possible on the inservice activities they attend.

Funds for Board development shall be budgeted annually for each Board member.

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

#### **Legal Reference:**

##### **EDUCATION CODE**

33360 Department of Education and statewide association of school district boards; annual workshop

##### **GOVERNMENT CODE**

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting

Bylaw EUREKA CITY UNIFIED SCHOOL DISTRICT  
adopted: September 13, 2000 Eureka, California

## Board Bylaw

### Board Bylaws

BB 9323(a)

#### MEETING CONDUCT

Note: Education Code 35010 **mandates** the Governing Board to "prescribe and enforce" rules for its own governance. These rules must not be inconsistent with law or with regulations prescribed by the State Board of Education. The following bylaw provides suggested rules and procedures for meeting conduct and reflects provisions of law as applicable.

#### Meeting Procedures

All Governing Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

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

Note: The law does not specify that a particular set of procedures must govern Board meetings. Although Robert's Rules of Order can serve as a useful guide, the Board may adopt any procedure that allows for the efficient and consistent conduct of meetings.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

*(cf. 9121 - President)*

Note: The following **optional** paragraph limits the length of Board meetings and should be revised to reflect district practice.

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at ~~10:30~~ 10:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

*(cf. 9320 - Meetings and Notices)*

Note: In Rubin v. City of Burbank, an appellate court held that inclusion of "sectarian prayer" at city council meetings, which communicated a preference for a particular religious faith and advanced one faith over another, was unconstitutional by directing the prayer "in the name of Jesus." The court held that it would be constitutional to require the city to advise those people conducting the prayer of this limitation. This opinion is consistent with an unpublished 9th Circuit federal court opinion which stated that an invocation "in the name of Jesus" was unconstitutional in that it displayed allegiance to a particular faith.



## MEETING CONDUCT (continued)

Some general guidelines for invocations can be found in an Attorney General's opinion (76 Ops.Cal.Atty.Gen. 281 (1993)) which stated that a county board of supervisors could open its sessions with an invocation when the invocation is (1) not required by law as a condition to the official proceedings, (2) not part of the deliberative agenda, (3) not offered, supervised, or approved as to content by a public officer, (4) not officially limited to a particular religion, (5) not disparaging of others, and (6) not directed towards proselytizing. However, because this is an unsettled area of law that is subject to frequent litigation, it is strongly recommended that districts consult legal counsel if they wish to open meetings with an invocation. Note that a different legal analysis applies to student-led or student-initiated prayer; see BP 5127 - Graduation Ceremonies and Activities.

### Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

Note: According to an Attorney General opinion (61 Ops.Cal.Atty.Gen. 243 (1978)), members of a public body have a duty to vote on issues before them so that the public is represented and receives the services which the public body was created to provide. Issues arise when a motion is tied and one Board member has abstained. The general parliamentary rule is that an abstention is counted as agreeing with the action taken by the majority of those who vote, whether affirmatively or negatively (66 Ops.Cal.Atty.Gen. 336 (1983)). However, a stronger argument could be made that the parliamentary rule is in conflict with Education Code 35164 which requires a majority vote of all of the membership of the Board in order for the Board to act (i.e., a majority of all of the membership of the Board must vote affirmatively in order to approve any action). In 55 Ops.Cal.Atty.Gen. 26 (1972), the Attorney General opined that, when a statutory requirement exists that requires an affirmative action of at least a majority of the members of the Board, the general rule that members not voting were deemed to have agreed with the action taken by the majority of those that voted is not applicable.

The following **optional** paragraph is consistent with CSBA's opinion that a majority of the Board must vote affirmatively for a motion to carry, but the law is not settled and contrary legal opinions may exist. It is strongly recommended that the district consult with legal counsel and modify the following paragraph to ensure consistency with district practice.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

Note: The following paragraph applies only to districts with seven member boards and **should be deleted by districts with a three or five member board.**

~~Provided the Board typically has seven members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how~~

**MEETING CONDUCT (continued)**

~~many members of the Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)~~

**Public Participation**

Note: Pursuant to Government Code 54953.3, a member of the public cannot be required to register his/her name, complete a questionnaire, or provide other information as a condition of attending a Board meeting. If an attendance list or similar document is posted near the entrance or circulated during the meeting, it must clearly state that signing or completing the document is voluntary.

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

Note: Education Code 35145.5 mandates the Board to adopt regulations which ensure that the public can address the Board regarding agenda items, as specified below.

District employees have the same right as members of the public to address the Board during a public Board meeting. In 90 Ops.Cal.Atty.Gen. 47 (2007), the Attorney General opined that, under the Ralph M. Brown Act, an administrative district employee cannot be prohibited from attending a Board meeting or from speaking during the public comment period, including comments on an employment-related issue.

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2)
3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the

**MEETING CONDUCT (continued)**

public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

*(cf. 9130 - Board Committees)*

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Note: Government Code 54954.3 authorizes regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. The following paragraph should be revised to reflect district practice.

If the Board limits the time for public comment, Government Code 54954.3, as amended by AB 1787 (Ch. 507, Statutes of 2016), requires the Board to provide at least twice the allotted time to a member of the public who utilizes a translator, as provided below.

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

**MEETING CONDUCT (continued)**

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
  - a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
  - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)

Note: The following **optional** item addresses the issue of specific charges or complaints against district employees in open Board meetings. Although the Board may inform the speaker of appropriate district complaint procedures, it cannot prohibit criticisms of the district and its employees, no matter how harsh. Board members and staff may briefly respond to the concerns raised by the complainant at the meeting.

In Baca v. Moreno Valley Unified School District, a federal district court issued a preliminary injunction against the district prohibiting it from enforcing its policy barring criticism of employees at public Board meetings. The court found that the district's policy violated the plaintiff's First Amendment rights by restricting the content of her speech. The court further noted that the district could not legally prevent a person from speaking in open session, even if the speech was clearly defamatory. It is recommended that the Board consult legal counsel if a question arises regarding public criticism of a district employee.

- c. The Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.

(cf. 1312.1 - *Complaints Concerning District Employees*)  
 (cf. 9321 - *Closed Session Purposes and Agendas*)

Note: As provided in item #7 below, Government Code 54957.9 authorizes the Board to remove persons who willfully disrupt or disturb a meeting. Examples of disruptive conduct might include conduct that is extremely loud, disturbing, or creates a health or safety risk. In McMahon v. Albany Unified School District, the court held that a speaker's constitutional rights were not violated when he was removed from a Board meeting after dumping a substantial amount of garbage on the floor of the meeting room. Because the speaker was not removed based on the content of his speech, the court upheld his conviction for a willful disruption of a public meeting. In City of San Jose v. Garbett, the court held that a legislative body may exclude from a meeting a person who has expressed a credible threat of violence that would place a reasonable person in fear for his/her safety or the safety of his/her immediate family and that serves no legitimate purpose.

However, the courts have found that a person's conduct must actually disrupt the meeting in order to warrant ejection. In Norse v. City of Santa Cruz, the court held that the city council improperly ejected a member of the public who gave the council a silent Nazi salute, on the grounds that the action did not interfere with the proceedings of the meeting.



**MEETING CONDUCT** (continued)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

**Recording by the Public**

Note: Government Code 54953.5 provides that any person attending an open meeting may record it with an audio or video recorder or a still or motion picture camera unless the Board makes a reasonable finding that the recording cannot continue without noise, illumination, or obstruction of view which would persistently disrupt the meeting. Government Code 54953.6 requires a similar finding before the Board can prohibit or restrict a broadcast of its meetings.

The following paragraph extends the right to record an open meeting to include recordings made by other devices such as a cell phone.

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

*Legal Reference: (see next page)*

## MEETING CONDUCT (continued)

### Legal Reference:

#### EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

#### CODE OF CIVIL PROCEDURE

#### 527.8 Workplace Violence Safety Act

#### GOVERNMENT CODE

- 54953.3 Prohibition against conditions for attending a board meeting
- 54953.5 Audio or video recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

#### PENAL CODE

- 403 Disruption of assembly or meeting

#### COURT DECISIONS

- City of San Jose v. Garbett*, (2010) 190 Cal.App.4th 526
- Norse v. City of Santa Cruz*, (9th Cir. 2010) 629 F.3d 966
- McMahon v. Albany Unified School District*, (2002) 104 Cal.App.4th 1275
- Rubin v. City of Burbank*, (2002) 101 Cal.App.4th 1194
- Baca v. Moreno Valley Unified School District*, (1996) 936 F.Supp. 719

#### ATTORNEY GENERAL OPINIONS

- 90 *Ops. Cal. Atty. Gen.* 47 (2007)
- 76 *Ops. Cal. Atty. Gen.* 281 (1993)
- 66 *Ops. Cal. Atty. Gen.* 336 (1983)
- 63 *Ops. Cal. Atty. Gen.* 215 (1980)
- 61 *Ops. Cal. Atty. Gen.* 243, 253 (1978)
- 59 *Ops. Cal. Atty. Gen.* 532 (1976)
- 55 *Ops. Cal. Atty. Gen.* 26 (1972)

### Management Resources:

#### CSBA PUBLICATIONS

- Call to Order: A Blueprint for Great Board Meetings*, 2015
- The Brown Act: School Boards and Open Meeting Laws*, rev. 2014

#### ATTORNEY GENERAL PUBLICATIONS

- The Brown Act: Open Meetings for Local Legislative Bodies*, 2003

#### WEB SITES

- CSBA: <http://www.csba.org>
- California Attorney General's Office: <https://oag.ca.gov>

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### Policy Reference UPDATE Service

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## **Board Bylaw**

### **Meeting Conduct**

BB 9323

#### **Board Bylaws**

##### **Meeting Procedures**

All Board of Education meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:00 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

(cf. 9320 - Meetings and Notices)

##### **Quorum and Abstentions**

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

##### **Public Participation**

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a



questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)

2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)

3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease

the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.



6. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.

The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3) In addition, the Board may not prohibit public criticism of district employees.

Whenever a member of the public initiates specific complaints or charges against an employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using the appropriate district complaint procedure.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 9321 - Closed Session Purposes and Agendas)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement.

#### Recording by the Public

The Superintendent or designee shall designate locations from which members of the public may broadcast, photograph, or tape record open meetings without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)



**Legal Reference:**

**EDUCATION CODE**

5095 Powers of remaining board members and new appointees  
32210 Willful disturbance of public school or meeting a misdemeanor  
35010 Prescription and enforcement of rules  
35145.5 Agenda; public participation; regulations  
35163 Official actions, minutes and journal  
35164 Vote requirements  
35165 Effect of vacancies upon majority and unanimous votes by seven member board

**GOVERNMENT CODE**

54953.5 Audio or video tape recording of proceedings  
54953.6 Broadcasting of proceedings  
54954.2 Agenda; posting; action on other matters  
54954.3 Opportunity for public to address legislative body; regulations  
54957 Closed sessions  
54957.9 Disorderly conduct of general public during meeting; clearing of room

**PENAL CODE**

403 Disruption of assembly or meeting

**COURT DECISIONS**

McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275

Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194

Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

**ATTORNEY GENERAL OPINIONS**

76 Ops.Cal.Atty.Gen. 281 (1993)  
66 Ops.Cal.Atty.Gen. 336 (1983)  
63 Ops.Cal.Atty.Gen. 215 (1980)  
61 Ops.Cal.Atty.Gen. 243, 253 (1978)  
55 Ops.Cal.Atty.Gen. 26 (1972)  
59 Ops.Cal.Atty.Gen. 532 (1976)

**Management Resources:**

**CSBA PUBLICATIONS**

The Brown Act: School Boards and Open Meeting Laws, rev. 2005

Board Presidents' Handbook, rev. 2002

Maximizing School Board Governance: Boardsmanship

**ATTORNEY GENERAL PUBLICATIONS**

The Brown Act: Open Meetings for Legislative Bodies, 2003

**WEB SITES**

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

California Attorney General's Office: <http://www.caag.state.ca.us>

**Policy EUREKA CITY UNIFIED SCHOOL DISTRICT**

adopted: December 12, 2013 Eureka, California





## **Appendix**



# Policy

## Topics

**Proposition 58 reverses requirement for English-only instruction**

**New law mandates policy on debt management**

**Juvenile court school students face challenges transitioning to regular schools**

**Board training is critical to effective governance**

### New resources from CSBA:

- » Implementing the Next Generation Science Standards
- » Reviewing charter school petitions
- » Fact sheet on Latino students

### CSBA education opportunities:

- » Institute for New and First-Term Board Members
- » County Board Governance Workshop
- » Board Presidents Workshop
- » Brown Act Workshop

## Proposition 58 reverses requirement for English-only instruction

Eighteen years after California voters passed Proposition 227 eliminating bilingual education in schools and mandating that nearly all instruction be in English, almost 73 percent of the electorate approved Proposition 58 in November to allow non-English languages to be used in public school instruction. Under Proposition 227, the only way that parents/guardians of English learners could opt out of the “structured English immersion” classroom was to request a waiver on the grounds that their child already possessed sufficient English language skills, that an alternate course of study would be better suited to the student’s rapid acquisition of basic English skills, or that the child had special physical, emotional, psychological or educational needs warranting an alternate course of educational study. Effective July 1, 2017, Proposition 58 authorizes parents/guardians to select a language acquisition program that best suits their child.

Districts and county offices of education (COEs) will still be required to offer a structured English immersion program that ensures English learners become proficient in English and have access to the core academic content standards. However, under the new law, districts/COEs also will be able to provide additional transitional or developmental programs for English learners that provide instruction in both English and a student’s native language in order to assist the student in achieving English proficiency and academic mastery of subject matter content and higher order skills. Furthermore, dual-language immersion programs may provide integrated language learning and academic instruction for native speakers of either English or another language.

As a result of Proposition 58, the waiver process to allow an alternative to structured English immersion has been eliminated, giving parents/guardians the choice of language acquisition programs available at the school. To the extent possible, a school must provide a particular language acquisition program designed to provide language instruction whenever such a program is requested by the parents/guardians of 30 or more students in a school or 20 or more students at any grade level. Information on the types of language programs available in the district/COE must be included as part of the annual parental notification required pursuant to Education Code 48980.

Proposition 58 also requires districts/COEs to solicit input on effective and appropriate instructional methods, including, but not limited to, language acquisition programs, as part of the parent/guardian and community engagement process required for the development of the Local Control and Accountability Plan (LCAP). Thus, before the LCAP is adopted by the board prior to July 1 each year, specific opportunities to discuss language acquisition programs should be provided.

CSBA plans to update BP/AR 6174 - Education for English Language Learners, BP 0460 - Local Control and Accountability Plan and E 5145.6 - Parental Notifications in the March 2017 Policy Update to reflect the provisions of Proposition 58.

Other recent changes will also impact policy on English learners. The federal Every Student Succeeds Act shifts accountability requirements related to English learners



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from Title III to Title I and deletes specified notification requirements. The state continues to transition to a new language proficiency assessment, the English Language Proficiency Assessments for California (ELPAC), which will include an initial screening test to identify students who may be English learners (operational July 2018) and a summative assessment which will be used to determine English learners' level of English proficiency and progress in acquiring the skills of listening, speaking, reading and writing in English (operational in spring 2018). Finally, pursuant to AB 2785 (Ch. 579, 2016), the California Department of Education (CDE) will be developing, by July 1, 2018, a manual providing guidance to districts/COEs on identifying, assessing, supporting and reclassifying English learners who may qualify for special education services and students with disabilities who may be classified as English learners.

## **New law mandates policy on debt management**

Under new law (SB 1029, Ch. 307, 2016), any district/COE that proposes to issue debt (bonds, notes, certificates of participation or other debt) will be required to certify that it has adopted a policy with specified components and that the proposed debt issuance is consistent with that policy. The certification must be filed with the California Debt and Investment Advisory Commission (CDIAC) as part of the Report of Proposed Debt Issuance, at least 30 days prior to the sale of any debt issue. The new law applies to any debt issue sold after the effective date of the bill (Jan. 1, 2017), including general obligation bonds authorized in the November 2016 elections.

The debt policy must include all of the following:

- » The purposes for which the debt proceeds may be used
- » The types of debt that may be issued
- » The relationship of the debt to, and integration with, the district's or COE's capital improvement program or budget, if applicable
- » Policy goals related to the district's or COE's planning goals and objectives
- » The internal control procedures that the district or COE has implemented, or will implement, to ensure that the proceeds of the proposed debt issuance will be directed to the intended use

An uncodified section of SB 1029 contains the Legislature's declaration that state and local agencies should adopt comprehensive written debt management policies pursuant to the recommendation of the Government Finance Officers Association (GFOA), a national association of government finance professionals.

SB 1029 also requires districts/COEs to prepare an annual report for any debt sold after January 1, 2017. The report is due to the CDIAC within seven months of the end of the reporting period (July 1 through June 30). Thus, the annual report would begin with the report due in January 2018. The report must include specified information regarding any debt authorized or outstanding during the reporting period and the use of proceeds of the debt.

According to the legislative bill analysis for SB 1029, the enhanced transparency requirements imposed by the new law are similar to requirements that already apply to some types of debts, including Mello-Roos districts' bonds and school districts' general obligation bonds. The new law applies similar standards to all types of state and local debt.

In a special release in December, CSBA will issue a new sample policy and regulation, BP/AR 3470 - Debt Issuance and Management, addressing the legal requirements for debt policies and reports. BP/AR 3470 will need to be significantly tailored to meet local needs and goals. Further information about debt policies is available on the CDIAC's website at [www.treasurer.ca.gov/cdiac](http://www.treasurer.ca.gov/cdiac) and on the GFOA's website at [www.gfoa.org/topic-areas/debt-management](http://www.gfoa.org/topic-areas/debt-management) and [www.gfoa.org/debt-management-policy](http://www.gfoa.org/debt-management-policy). Examples of detailed city and county debt policies are posted at [www.gfoa.org/financial-policy-examples-debt-management](http://www.gfoa.org/financial-policy-examples-debt-management).

## Juvenile court school students face challenges transitioning to regular schools

Juvenile court schools serve students who are under the protection or authority of the county juvenile justice system and have been placed in juvenile halls, juvenile homes, day centers, ranches, camps or regional youth education facilities. Such schools offer a standards-based curriculum leading to a high school diploma. If students are released from a juvenile facility, they are required to continue attending school until they graduate or receive a high school equivalency certificate.

Data on this student population are difficult to collect because of the transient nature of the program. Over 42,000 students spend at least some time in a California juvenile court school each year, according to CDE data. Some students may only attend for a few days or weeks while waiting for court trials or placement at another facility.

A recent report by the Youth Law Center (*Educational Injustice: Barriers to Achievement and Higher Education for Youth in California Juvenile Court Schools*, 2016) suggests that students in the California juvenile justice system are among the most academically at-risk student groups in the state. They often arrive at the juvenile court school already performing lower than their age-equivalent peers and having experienced one or more forms of trauma. Of students who completed both entry and exit assessments during the 2013-2014 school year, less than 60 percent demonstrated gains in reading or math proficiency. The dropout rate was nearly 38 percent. Data for 2011-12 showed that only 56 percent of juvenile court school students enrolled in their local school district within 30 to 90 days of exiting the juvenile court school. (The full report is available at [www.ylc.org](http://www.ylc.org).)

Recognizing that juvenile court school students are at greater risk of educational failure, AB 2306 (Ch. 464, 2016) grants juvenile court school students transferring to a regular school certain educational rights that are also available to homeless students and foster youth. These include requirements that the district/COE:

- » Immediately enroll a student and immediately transfer educational records
- » Award full credit for coursework completed at the juvenile court school, or partial credit for the portion of the course completed
- » Exempt the student from locally established graduation requirements if the student transfers any time after completing his or her second year of high school, unless the district/COE makes a finding that the student is reasonably able to complete the local requirements by the end of his or her fourth year of high school
- » Allow the student to stay in high school for a fifth year if it is determined that the student would be reasonably able to complete the locally established graduation requirements within the fifth year of high school

Complaints alleging failure to comply with any of these requirements may be addressed through the uniform complaint procedures.

CSBA has issued a new administrative regulation, AR 6173.3 - Education for Juvenile Court School Students, and has revised BP 6146.1 - High School Graduation Requirements to reflect the new law. BP/AR 1312.3 - Uniform Complaint Procedures and county board policy BP 6186 - Juvenile Court Schools will also be updated.

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## Board training is critical to effective governance

Just as staff members need professional development to continuously learn and improve their skills, school board members need professional development to understand their responsibilities, stay abreast of new developments in education, and develop skills to communicate effectively with each other, staff and the community.

New and first-term board members need specialized training to be prepared for their role as quickly as possible. Very few people who are elected or appointed to a governing board come into the job with the full scope of knowledge they will need to govern effectively and in compliance with law. Board development is equally important for veteran board members, as changing laws and new research continually affect board operations and strategies for providing high-quality education programs.

It is recommended that boards set aside funding for board training each year and make decisions about how such funds will be allocated to ensure that each board member has an opportunity to participate in activities that will improve his or her knowledge and skills. Boards should consider whether each board member will select activities within the amount allocated to him or her, or whether the full board will be involved in determining activities that are aligned with the district/COE vision and goals, district needs and/or individual board member needs.

In early 2016, CSBA's Board of Directors adopted four strategic priorities to drive the association's work for the next two to three years, one of which is to support the effectiveness of boards by increasing board members' participation in CSBA's board development activities. CSBA offers a carefully planned series of board development activities designed to address priorities of boards across the state.

Education opportunities available through CSBA include the Institute for New and First-Term Board Members, Masters in Governance program, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, The Brown Act Workshop, Back-to-School Webcast, other workshops and webinars on specific topics, and in-district governance consulting services. A full listing of upcoming activities is available at [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents).

CSBA's sample board bylaw BB 9240 - Board Training has been substantially revised to describe the purposes and goals of board development, suggest topics for orientation and training of new and first-term board members, encourage boards to specify the manner in which board development activities will be selected or approved, and clarify the prohibition against a majority of the board discussing district/COE business at a conference or public gathering.

## New resources from CSBA

### Implementing the Next Generation Science Standards

The California Next Generation Science Standards (CA-NGSS) (2013) and the updated *Science Framework for California Public Schools* (November 2016) establish expectations that science and engineering instruction will be provided to students at every grade level. They also shift the focus of instruction from knowing science facts to knowing and applying science concepts.

To inform board members about the content and implementation of the CA-NGSS and to provide recommendations on how governing boards can best support such efforts, CSBA has issued a governance brief *Supporting Implementation of the California Next Generation Science Standards* (CA-NGSS), available at [www.csba.org/GovernanceAndPolicyResources](http://www.csba.org/GovernanceAndPolicyResources). In addition, CSBA will update BP 6142.93 - Science Instruction in the March 2017 Policy Update.

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The governance brief includes information on the need for the CA-NGSS, the timeline for science instructional materials adoptions and assessments, the importance of providing professional development to help teachers and administrators better understand and integrate the standards, actions that boards can take to support implementation, questions for boards to consider and links to additional resources.

## Reviewing charter school petitions

CSBA has launched a series of governance briefs aimed at supporting boards to provide effective oversight of charter schools. The first issue in the Charter Schools in Focus series, *Managing the Petition Review Process*, addresses the responsibility of the board to ensure that a robust review process is conducted prior to making a decision on a charter petition. An effective review process is crucial to the determination of the likely success of the charter school and the establishment of parameters guiding the relationship between the district/COE and charter school.

Noting the relatively short timeline for the review process, the brief recommends that boards have policies, procedures and key staff in place prior to receiving any charter petition. Districts/COEs should have a review team in place, adopt policy regarding charter school authorization, determine whether any staff support will be available to petitioners, and provide information to the public and petitioners.

Once a petition is received, the board must follow a fair and efficient process that enables the district/COE to meet all deadlines required by law. The board must grant approval of the petition unless written factual findings are made that certain petition requirements have not been met. Some of these findings are subjective and so it is important for boards to have established clear criteria for evaluating the charter petition, including whether the charter presents an "unsound educational program," the petitioners are "demonstrably unlikely to successfully implement the program," or the petition does not contain "reasonably comprehensive" descriptions of the required components.

For assistance with the charter review process, see the governance brief at [www.csba.org/GovernanceAndPolicyResources](http://www.csba.org/GovernanceAndPolicyResources). Also see CSBA's *Charter Schools: A Guide for Governance Teams* and BP/AR 0420.4 - Charter School Authorization.

## Fact sheet on Latino students

*Latino Students in California's K-12 Public Schools*, a fact sheet issued by CSBA in October, summarizes key demographic and achievement data as part of an effort to highlight the opportunities and challenges facing Latino students. Key findings include:

- » Over half (54 percent) of California's K-12 students are Latino. The percentage varies widely across counties and school districts.
- » Latino students are the most economically disadvantaged ethnic student group in California. About 80 percent of Latino students are economically disadvantaged, compared to 28 percent of white students and 74 percent of African American students.
- » About one-third of Latino students are English learners.
- » State assessment results indicate that a significant achievement gap persists between Latino students and their white and Asian peers.
- » According to four-year cohort graduation data, 79 percent of Latinos graduate from high school compared to 88 percent of white students and 93 percent of Asian students, although the gap has closed slightly over the past five years.

For additional data on Latino students, read the full fact sheet at [www.csba.org/GovernanceAndPolicyResources](http://www.csba.org/GovernanceAndPolicyResources).

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Future governance briefs will expand on these data and offer information about research-supported strategies and recommendations for board members to promote Latino student achievement.

## **CSBA education opportunities**

### **Institute for New and First-Term Board Members**

The roles and responsibilities of a school board member are diverse, oftentimes complex, and always important. The Institute for New and First-Term Board Members is an innovative two-day seminar designed to help board members determine how they can be effective and make the greatest impact in their district or COE. The institute focuses on four major areas of board responsibility and authority: effective governance, finance, student learning and human resources.

Upcoming events include:

January 27-28: Sacramento, Hyatt Regency Sacramento  
February 24-25: Coronado, Marriott Coronado Island Resort & Spa  
March 17-18: Bakersfield, Bakersfield Marriott at the Convention Center  
March 24-25: Burlingame, Hilton San Francisco Airport Bayfront  
March 31-April 1: Anaheim, Sheraton Park Hotel at the Anaheim Resort  
April 7-8: Redding, Red Lion Hotel

The institute will be held 8:30 a.m. to 4:30 p.m. both days.

The registration fee (\$325 for early registration, \$350 for on-site registration) includes materials, lunch both days and refreshments. Registration is complimentary for superintendents who attend with their district's or COE's new board members.

To register online, go to [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents).

### **County Board Governance Workshop**

The two-day County Board Governance Workshop is one of the best opportunities for newly elected and first-term county board members to learn about their unique role and responsibilities. Offered by the California County Boards of Education in collaboration with CSBA, the training will present tools that county board members can use to become a more effective member of the governance team. Participants will explore and learn to apply processes related to budget and finance, the county board's appellate role involving inter-district transfers and expulsions, legislative advocacy, community leadership, Local Control and Accountability Plans, board policy and bylaws. The workshop also provides an opportunity to network with other county board members.

The training will be held in Sacramento on Jan. 27-28, from 8:30 a.m. to 4:00 p.m. each day. The \$355 registration fee includes lunch and materials.

Veteran board members are also encouraged to attend as an annual refresher course. Registration will be complimentary for superintendents who attend with three members of their county board.

To register online, go to [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents).

### **Board Presidents Workshop**

CSBA's Board Presidents Workshop prepares current and aspiring board presidents to provide leadership and strategic vision, forge effective governance teams, conduct meaningful meetings and focus efforts on improved student learning and achievement.

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This all-day workshop (8:30 a.m. to 4:00 p.m.) is scheduled at the following locations:

January 28: Sacramento, Hyatt Regency Sacramento

February 25: Coronado, Marriott Coronado Resort & Spa

The registration fee (\$250 for early registration, \$275 for on-site registration) includes materials, morning refreshments and lunch. A discounted rate is offered for participants who register to attend the Board Presidents Workshop and the Brown Act workshop in the same weekend.

For more information or to register, see [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents).

### **Brown Act Workshop**

Every board member needs to know about the Brown Act. Participants in this fact-filled workshop will increase their understanding of the intricacies and complexities of the Brown Act and learn how to apply the law. The program includes information about the development and distribution of the board agenda, open meeting laws and circumstances under which closed sessions are allowed or not allowed. The three-hour workshop will be held on Friday evenings, from 5:30 to 8:30 p.m., at the following locations:

January 27: Sacramento, Hyatt Regency Sacramento

February 24: Coronado, Marriott Coronado Island Resort & Spa

March 24: Burlingame, Hilton San Francisco Airport Bayfront

March 31: Anaheim, Sheraton Park Hotel at the Anaheim Resort

The registration fee is \$185 for early registration and \$210 for on-site registration. Participants who register to attend the Board Presidents Workshop during the same weekend in January or February will save \$75 on the total registration fee.

See [www.csba.org/TrainingAndEvents](http://www.csba.org/TrainingAndEvents) for more information and online registration.

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