

MADERA UNIFIED SCHOOL DISTRICT
Madera: Unified For Student Success

Board of Trustees Meeting
AGENDA

Regular Meeting

Tuesday, August 26, 2014

Madera Unified School District Boardroom – 1902 Howard Road, Madera, California 93637

5:30 PM – Closed Session • 7:00 PM – Public Meeting

7:10 PM Public Hearings:

**Madera Unified School District Initial Proposal to Madera Adult Educators for the
2014/2015 School Year**

OUR MISSION

Highest Student Achievement
Orderly Learning Environment
Financially Sound and Effective Organization

The public is welcome to comment on any item listed on the Closed Session agenda
immediately following the Call to Order of Public Meeting at 5:30 p.m.

1. **5:30 PM: Call to Order of Public Meeting** – Closed Session Immediately Convened
Public Hearing for visitors who wish to address the Board on Closed Session items:
Fifteen minutes of this portion of the meeting are reserved for members of the public to address
the Board on Closed Session items. Speakers seeking to comment on other items are requested to
make those comments during the Public Comment portion of the meeting at 7:00 p.m. Speakers
are limited to three (3) minutes. The School Board is prohibited by law from taking
action on matters discussed that are not on the Agenda, and no adverse conclusions should be
drawn if the School Board does not respond to public comment at this time. If you wish to
address the Board, come to the microphone and state your name and address.
 - A. **Pupil Personnel Matters**
 1. Student Hearings/Expulsions (Education Code 35146, 48900, 48918)
 - B. **Personnel**
 1. Public Employee Discipline/Dismissal/Release/Reassignment/Resignation
(Government Code Section 54957, 54957.1)
 2. Public Employee Appointment/Employment—Staffing List
(Government Code Section 54957)
 - C. **Conference With Labor Negotiator;** District Representative: Kent Albertson; Employee
Organizations: MUTA, CSEA (Government Code section 54957.6)
 - D. **Conference with Legal Counsel – Existing Litigations:** (Government Code section
54956.9(a)) Name of cases:
Daren Miller vs. Madera USD, Case No. MCV055774
Rosalinda Galvez vs. Madera USD, Case No. MCV063978
Steve Wisener vs. Madera USD, Case No. MCV068066
Crystalle Martinez vs. Madera USD
Raymond Kaitangian vs. Madera USD
Pedro Martinez vs. Madera USD

Audio File No. 4-2014/15

Jacinta Martinez vs. Madera USD

Anticipated Litigation; Significant exposure to litigation pursuant to Government Code section 54956.9(b): 2 cases

E. **Superintendent's Evaluation**

F. **Adjournment of Closed Session**

7:00 PM – Public Meeting Begins
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2. Reconvene Public Session

3. Roll Call, Pledge of Allegiance, Opening and Acknowledgement of Visitors and Media, and Invocation

4. Closed Session Reportable Actions (Government Code Section 54957.1)

5. Adoption of Agenda

Action to add or delete items from any portion of the agenda or to discuss any consent agenda items must be taken prior to adoption of the agenda (Board Bylaw 9323.2).

6. Student Board Representative Report

Madera High: Justin Toney

Madera South High: Mayeli Alvarado

Public Hearings:

- **Madera Unified School District Initial Proposal to Madera Adult Educators for the 2014/2015 School Year**

7. Communications

- A. Public Hearing for visitors who wish to speak on a subject not on the board agenda. Fifteen minutes of this portion of the meeting are reserved for members of the public to address the Board on items not listed on the agenda and within the jurisdiction of the School Board. Speakers are limited to three (3) minutes. If the subject is an item on the Agenda, the Board President has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The School Board is prohibited by law from taking action on matters discussed that are not on the Agenda, and no adverse conclusions should be drawn if the School Board does not respond to public comment at this time. If you wish to address the Board, come to the microphone and state your name and address.

8. Information and Reports

- A. Educational Services
- Discipline Report
 - Charter Schools Update
 - Safety and Security at our schools
- B. Support Services
- Developer Fees Update

- C. Performance Management & Internal Communications
 - Graduation Update
- D. Superintendent's Time
 - Opening of schools

9. Consent Agenda

Items listed under the consent agenda are considered to be routine and are acted on by the Board of Trustees in one motion. There is no discussion of these items prior to the Board vote unless a member of the Board or staff requests specific items be considered and discussed separately and/or removed from the Consent Agenda prior to the adoption of the Agenda. It is understood that the Administration recommends approval on all consent items. Each item on the consent agenda approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:

1. Request Approval of Regular Board Meeting Minutes of August 12, 2014
[Regular Board Meeting Minutes of August 12, 2014](#)10
2. Request approval to sell/dispose of Surplus Property
[Agenda Item Cover](#)24
[Surplus/Obsolete Property List](#)25
3. Request Approval of Memorandum of Understanding between Educational Testing Service (ETS) and Madera Unified School District (MUSD) to authorize Madera Adult School (MAS) as a HiSET authorized Testing Center effective September 1, 2014 - December 31, 2016
[Agenda Item Cover](#)27
[Memorandum of Understanding](#)28
4. Request Approval of an Interagency Agreement between Madera Unified School District/Madera Adult School and Community Action Partnership for the purpose of referring mutual students/clients for the 2014-2015 school year
[Agenda Item Cover](#)38
[Agreement](#)39
5. Request Approval of Memorandum of Understanding between Madera Unified School District and Madera County Health Department for the Supplemental Nutrition Assistance Program Education (SNAP-Ed) for the 2014/15 school year.
[Agenda Item Cover](#)41
[Memorandum of Understanding](#)42
6. The Governing Board is requested to adopt the findings, conclusions and recommendations related to the possible expulsion or readmission of pupils as these are presented to the board in one or more of the following forms of documentation:
 - Report(s) of Administrative hearing Panel(s)
 - Expulsion Status Review Report(s) by the Superintendent's Designee
 - Stipulated Expulsion Agreement(s)

The Governing Board is also requested to issue orders consistent with the above referenced findings, conclusions and recommendations related to the possible expulsion or readmission of pupils in the cases of the following students, herein

identified by their district-assigned identification numbers: 401681, 303636, 502139, 303080, 601064, 401057, 201868, 16113, 301329, 502227, 402492, 304090, 202748, 503111, 2302, 301383, 301793, 19989, 303667, 303995, 401210, 603014, 302738, 501559, 15511, 203027 and 12669.

[Agenda Item Cover](#)51

B. Human Resources Items

1. Staffing List 8/26/14

[Staffing List 8-26-14](#)52

2. Request Approval of Job Description for Family Support Specialist

[Agenda Item Cover](#)53

[Job Description - Family Support Specialist](#)54

C. Field Trip/Employee Conference Requests

1. Field Trips - 8/26/14

[Field Trips](#)58

2. Employee Conference - 8/26/14

[Employee Conferences](#)59

10. Old Business

A. Request Approval of Agreement between Madera Unified School District (District) and the City of Madera (City) to assign (2) school resource officers (SRO's) to provide law enforcement services to the District for the 2014-2015 school year

[Agenda Item Cover](#)60

[Agreement](#)61

B. Second Reading and Request Approval of Common Core State Standards Spending Plan - Proposal for the 2013-2014 and 2014-2015 Fiscal Years

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[Proposal](#)74

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C. Third Reading and Approval of Revised Board Policies, Administrative Regulations, and Exhibits for Educational Services

[Agenda Item Cover](#)77

[AR 5111.2](#)78

[BP 5123](#)80

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[BP 5131.61](#)86

[BP 5141.21](#)89

[AR 5141.21](#)93

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[BP 5145.3](#)107

[AR 5145.3](#)110

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11. New Business

A. First Reading of Revised Board Bylaw 9324 - Minutes and Recordings

Audio File No. 4-2014/15

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B.	First Reading of Board Bylaw 9270 - Conflict of Interest	
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C.	First Reading of Program Adoption Recommendation for Integrated Math I for grades 9-12	
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D.	First Reading of Revised Board Policies, Administrative Regulations, and Exhibits for Educational Services Department	
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	BP 6162.5213
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	AR 4117.14/AR 4317.14266
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G.	First Reading of Revised Board Policy for Administrative & Support Services	
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H.	Request Approval of School Bus Sale Agreement between Madera Unified School District and Chowchilla Elementary School District	
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I.	Request Approval to enter into an agreement between Madera Unified School District and Creative Bus Sales to purchase passenger buses	
	<u>Agenda Item Cover</u>285
	<u>Creative Bus Sales Agreement</u>286
J.	Request Approval of Agreement between ATKINSON, ANDELSON, LOYA, RUUD & ROMO Law Firm and Madera Unified School District	
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K.	Request Approval of Commercial Warrant Listing	
	<u>Agenda Item Cover and Warrant Listing 7-30-14 through 8-6-14</u>294
12.	Announcements	
13.	Miscellaneous	
	A. Board Member Committee and Information Reports	
14.	Advanced Planning	
	Next Regular Board Meeting	
	Tuesday, September 9, 2014 7:00 p.m.	
	Madera Unified School District Boardroom – 1902 Howard Road, Madera, California 93637	
15.	Suggested Future Agenda Items	
16.	Adjournment	

Board Room Accessibility: The Madera Unified School District encourages those with disabilities to participate fully in the public meeting process. If you need a disability-related modification or accommodation to participate in the public meeting, please contact the Office of the Superintendent at 559-675-4500 extension 220 at least 48 hours before the scheduled Board of Trustees meeting so that we may make every reasonable effort to accommodate you. [Government Code § 54954.2;

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

The Board of Education of the Madera Unified School District convened in a **Regular Board Meeting** in the Madera Unified School District Boardroom, 1902 Howard Road, Madera, California on **Tuesday, August 12, 2014**, at 5:30 p.m.

ROLL CALL

Michael Salvador, President
Jose Rodriguez, Clerk
Ricardo Arredondo, Trustee – Public Meeting only
Lynn Cogdill, Trustee
Robert E. Garibay, Trustee
Ray G. Seibert, Trustee
Maria Velarde-Garcia, Trustee

Edward C. González, Superintendent
Victor Villar, Associate Superintendent of Educational Services
Sandon Schwartz, Assistant Superintendent Administrative and Support Services
Kent Albertson, Chief Human Resources Officer
Babatunde Ilori, Director of Performance Management and Internal Communications
Elizabeth Runyon, Chief Academic Officer
Gladys A. Wilson, Senior Administrative Assistant

Tomas Galvan, Information System Specialist
Rosa Baca, Interpreter

Rosalind Cox, Director of Facilities, Planning & Construction Management
Susan Harauteunian, Director of Purchasing
Curtis Manganaan, Director of Maintenance & Operations
Sandra Perez, Director of Child Nutrition
Marty Bitter, Director of District Athletics
Janet Grossnicklaus, Director of Curriculum, Instruction and Assessment
Dr. Rebecca Malmo, Director of Instruction Technology
Dr. Michael Mueller, Director of Student Services
Sheryl Sisil, Director of College and Career Readiness
Dr. Laura Tanner-McBrien, Director, Special Services
Marcheta Williams, Director of Visual and Performing Arts

Jesse Carrasco, Principal, Thomas Jefferson Middle School
Kimberly Bitter, Principal, James Monroe School
Isabel Guzman, Principal, Nishimoto School

David Holder, President, MUTA

There were approximately 35 visitors/District employees in attendance.

1. Call to Order of Public Meeting – Closed Session Immediately Convened

President Salvador called the Public Session of the Board of Education to order at 5:30 p.m.
President Salvador opened the floor to public comment on any item listed on the Closed Session Agenda.

David Holder, Madera, MUTA President, addressed concerns with the Common Core funding.

**MINUTE RECORD of Madera Unified School District Board of Education
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Amanda Wade, Madera, addressed concerns with evaluation tools for Teachers on Special Assignment. Ms. Wade also addressed concerns with parameters for bargaining teams.

Seeing no others come forward President Salvador closed public comment.

2. **Reconvene Public Session/Call to Order Regular Meeting**
3. **Roll Call, Pledge of Allegiance, Opening, Acknowledgement of Visitors and Media, and Invocation**

President Salvador adjourned the Closed Session at 7:10 p.m. and reconvened the Regular Meeting by calling the Public Session to order at 7:16 p.m. President Salvador asked Ms. Wilson to call the Roll of Trustees. President Salvador welcomed the visitors and lead the flag salute. President Salvador asked Pastor Randy Brannon of Grace Community Church to lead the invocation. President Salvador explained the rules governing the Board meeting. The meeting was recorded on Audio File No. 3-2014/15.

4. **Closed Session Reportable Actions (Government Code Section 54957.1)**

Superintendent González announced that there were no reportable actions taken by the Board during Closed Session.

5. **Adoption of Agenda – Motion No. 9-2014/15**

President Salvador stated that if the Board and/or Administration determined they wished to add to the Agenda under Miscellaneous Items, this would be the appropriate time.

Superintendent González requested the following changes to the agenda:

- Item No. 8A1 – Request Approval of Regular Board Meeting Minutes of July 22, 2014: Add *Babatunde Ilori, Director of Performance Management and Internal Communications* to the list of staff members present at the meeting.
- Item No. 8A3 – Request Approval to sell/dispose of Surplus Property: Revise language on Superintendent's recommendation section of the Agenda Item Cover sheet. The sentence should read "*The Superintendent recommends approval to sell/dispose surplus property.*"
- Item No. 8A15 – Remove item from the agenda.
- Item No. 8B1 – Staffing list: more names have been added to the list and a revised copy has been provided tonight.
- Item No. 8B3 – Request Approval of Consultant Services Agreement between Madera Unified School District and Jim Haney: Mr. Haney started providing his services on the first day of school. This item should read "*Request Ratification of Consultant Services Agreement between Madera Unified School District and Jim Haney.*"

President Salvador made a note that items under Consent Agenda should be under No. 8A on the Board agenda.

It was moved by Trustee Velarde-Garcia, seconded by Trustee Seibert, and unanimously carried to adopt the Agenda with the modification mentioned above.

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

Ayes: Trustees Cogdill, Garibay, Seibert, Velarde-Garcia, Arredondo, Clerk Rodriguez and President Salvador
Noes: None
Absent: None
Abstained: None

Public Hearings:

- **Madera Adult Educators (MAE) Initial Negotiation Proposal to Madera Unified School District for the 2014/2015 School Year**

President Salvador opened the Public Hearing for the Madera Adult Educators (MAE) Initial Negotiation Proposal to Madera Unified School District for the 2014/15 School Year at 7:24 p.m. Seeing no one come forward President Salvador closed the Public Hearing at 7:25 p.m.

- **Madera Unified School District Initial Negotiation Proposal to Madera Unified Teachers Association (MUTA) for the 2014/2015 School Year**

President Salvador opened the Public Hearing for the Madera Unified School District Negotiation Proposal to Madera Unified Teachers Association (MUTA) for the 2014/15 School Year at 7:25 p.m. Seeing no one come forward President Salvador closed the Public Hearing at 7:26 p.m.

6. Communications

A. Public Hearing

President Salvador opened the floor to public comment on any item not listed on the Agenda.

Chuck Genseal, Madera, addressed his concerns with the school bond.

Seeing no others come forward, President Salvador closed Public Hearing.

7. Information and Reports

A. Educational Services

- The Academy for Excellence Report

Associate Superintendent of Educational Services, Victor Villar gave a report on the administrative retreat held on July 23 and 24.

- Common Core Spending Plan

Associate Superintendent of Educational Services, Victor Villar and Director of Educational Technology, Dr. Rebecca Malmo gave a presentation that itemized the proposed spending plan for Instructional Technology and Technology services. Mr. Villar and Dr. Malmo responded questions from the Board.

The Board requested information on the ongoing maintenance of the equipment listed on this presentation. The Board requested information on

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

the cost of Wi-Fi coverage that would cover a larger radius than the current radius at the school sites.

B. Human Resources

- Sunshine of the Madera Unified School District Initial Negotiation Proposal for the 2014-2015 School Year with the Madera Adult Educators

Chief Human Resources Officer, Kent Albertson, was available to answer questions from the Board.

C. Performance Management and Internal Communications

- Data Warehouse and Attendance Monitoring

Director of Performance Management and Internal Communications, Babatunde Ilori gave a brief presentation prior to introducing Eric Tilton, CEO of MJT Technologies LLC. Mr. Tilton gave a presentation on how a data warehouse could help a school district. Mr. Tilton answered questions from the Board.

D. Superintendent's Time

- Integrated Athletic Programs

Superintendent González informed the Board that staff is looking into a couple of integrated pilot programs. We may start with wrestling and possibly add soccer later in the year. An integrated system would help programs at the high school level. Staff will bring more information at a future Board meeting.

- Future Performing Arts Center

Superintendent González introduced Dr. Julia O'Kane, member of the Madera Arts Council. Dr. O'Kane informed the Board that the Arts Council has been researching on building an Arts center in Madera. Dr. O'Kane stated that the Arts Council would like participation from the Board members in the committee for this project. Members of the committee will be involved in discussions with the City Council after September 10.

Trustees Cogdill, Velarde-Garcia, Seibert and Rodriguez volunteered to be part of this committee. Trustee Rodriguez will serve as an alternate.

8. **Approval of Consent Agenda – Motion No. 10-2014/15**

Document Numbers 33-2014/15 through 51-2014/15

Resolution No. 5-2014/15

Staffing Changes, Exhibit B

President Salvador opened the item for public comment. Seeing no one come forward President Salvador closed public comment.

It was moved by Trustee Rodriguez, seconded by Trustee Arredondo and unanimously carried to approve the Consent Agenda.

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REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

Ayes: Trustees Cogdill, Garibay, Seibert, Velarde-Garcia, Arredondo, Clerk Rodriguez and President Salvador
Noes: None
Absent: None
Abstained: None

8A. Routine Business Transactions, Annual Renewal of Programs, Bids, Agreements, Notices of Public Hearings, and Proclamations:

1. Approval of Regular Board Meeting Minutes of July 22, 2014.
2. Adoption of Resolution No. 5-2014/2015: Notice of Action on Claim of CSEA and Steven A. Wisener.

Ayes: Trustees Cogdill, Garibay, Seibert, Velarde-Garcia, Arredondo, Clerk Rodriguez and President Salvador
Noes: None
Absent: None
Abstained: None

RESOLUTION NO. 5-2014/15
3. Approval to sell/dispose of Surplus Property.

DOCUMENT NO. 33-2014/15
4. Approval to submit the 2014-15 Migrant Education District Service Agreement.

DOCUMENT NO. 34-2014/15
5. Approval of Memorandum of Understanding between Madera Unified School District and Big Brothers Big Sisters of Central California (Bigs) for the period of August 13, 2014 through June 5, 2015.

DOCUMENT NO. 35-2014/15
6. Approval of Consultant Services Agreement between Madera Unified School District and Live Scan Fresno for the 2014 – 2015 school year.

DOCUMENT NO. 36-2014/15
7. Agreement between Madera Unified School District and Valley Diagnostic Labs in Madera for the 2014-2015 school year.

DOCUMENT NO. 37-2014/15
8. Approval of Consultant Services Agreement between Madera Unified School District, Madera High School and Learning for Living, Inc.: Breaking Down the Walls.

DOCUMENT NO. 38-2014/15
9. Approval of Consultant Services Agreement between Madera Unified School District and TEC Gymnastics for the 2014-2015 school year.

DOCUMENT NO. 39-2014/15
10. Approval to apply for the 2014-15 Agricultural Career Technical Education Incentive Grant for Madera South High School.

DOCUMENT NO. 40-2014/15

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

11. Approval of Axiom Contract for Services relating to Mandate Reimbursement Services for Non-Block Grant Mandates - Mandate Central V3.0
DOCUMENT NO. 41-2014/15

12. Approval of Services Agreements between Madera Unified School District and Educational Resource Consultants (ERC) to assist in the preparation of grant proposals to California Department of Education for the period of September 1, 2014 through grant submissions.
DOCUMENT NO. 42-2014/15

13. Approval of agreement between Madera Unified School District and Axiom Management Advisors and Consultant for School Accountability Report Card Builder (SARCBUILDER) Services for the 2014-15.
DOCUMENT NO. 43-2014/15

14. Ratification of License Agreement between Madera Unified School District and Axiom Advisors & Consultants, Inc., a California Corporation ("Consultant") for the 2014/15 school year.
DOCUMENT NO. 44-2014/15

15. Ratification of Agreement between ATKINSON, ANDELSON, LOYA, RUUD & ROMO Law Firm and Madera Unified School District.
PULLED

16. Approval to adopt the findings, conclusions and recommendations related to the possible expulsion or readmission of pupils as these are presented to the board in one or more of the following forms of documentation:
- Report(s) of Administrative hearing Panel(s)
 - Expulsion Status Review Report(s) by the Superintendent's Designee
 - Stipulated Expulsion Agreement(s)

The Governing Board is also requested to issue orders consistent with the above referenced findings, conclusions and recommendations related to the possible expulsion or readmission of pupils in the cases of the following students, herein identified by their district-assigned identification numbers: 301979, 301493, 303775, 602163, 401049, 8047, 200428, C-2013/14, 402105, 202429, 403880, 303474, 603072, 15110, 303230, 401765, 402208, 701479, 404113, 12126, 403879, 302366, 303816, 402573, 1841, 401593, 12249, 401402, 403882, 12170, 202818, 301161, 1001738, 403221, 202685, 302962, 403546 and 8480.

CONFIDENTIAL DOCUMENT NO. 45-2014/15

17. Approval of July 2014 Payroll Payment Order.
DOCUMENT NO. 46-2014/15

8B. Human Resources Items

1. Approval of Staffing List 8-12-14

Superintendent González announced that on the Staffing List there were four elementary counselors that were approved at this meeting. One of the recently hired counselors, Blanca Cisneros was present at the meeting.

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President Salvador congratulated Joanne Romo who was retiring after 30 years of service and Rosie Urbano who was retiring after 28 years.

DOCUMENT NO. 47-2014/15

2. Approval of Valenzuela/CAHSEE Lawsuit Settlement Quarterly Report on Williams Uniform Complaints for April-June 2014.

DOCUMENT NO. 48-2014/15

3. Ratification of the Consultant Services Agreement between Madera Unified School District and Jim Haney.

DOCUMENT NO. 49-2014/15

4. Approval of the Consultant Services Agreement between Madera Unified School District and Ron Pisk.

DOCUMENT NO. 50-2014/15

5. Approval of new Substitute Teacher daily rates for the Madera Unified School District.

DOCUMENT NO. 51-2014/15

9. New Business

- A. Approval of Agreement between Madera Unified School District (District) and the City of Madera (City) for the period of August 13, 2014 through June 30, 2015

Superintendent González recommended approval of this item.

President Salvador opened the item for public comment. Seeing no one come forward, President Salvador brought the item back to the Board for questions and comments.

The Board discussed this item extensively. Superintendent González, Kent Albertson and Sandon Schwartz answered questions from the Board. The following motion was made after the discussion:

It was moved by Trustee Seibert, seconded by Trustee Velarde-Garcia, to approve the Agreement between Madera Unified School District (District) and the City of Madera (City) for the period of August 13, 2014 through June 30, 2015.

Ayes: Trustees, Seibert, Velarde-Garcia, and President Salvador

Noes: Trustees Cogdill, Garibay, Arredondo, and Clerk Rodriguez

Absent: None

Abstained: None

**MOTION NO. 11-2014/15
MOTION DID NOT PASS**

The Board had more discussions after the Motion did not pass.

- B. Approval of Commercial Warrant Listing

**MINUTE RECORD of Madera Unified School District Board of Education
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Trustee Garibay requested to be recused from voting on this item as he has clients listed in the Commercial Warrant listing.

Superintendent González requested approval of the Commercial Warrant list.

President Salvador opened the item for public comment. Seeing no one come forward, President Salvador closed public comments and brought the item back to the Board for questions and comments.

It was moved by Trustee Velarde-Garcia, seconded by Trustee Seibert, and carried by majority to approve the Commercial Warrant Listing.

Ayes: Trustees Cogdill, Seibert, Velarde-Garcia, Arredondo, Clerk Rodriguez and President Salvador
Noes: None
Absent: None
Abstained: None
Recused: Trustee Garibay

**MOTION NO. 12-2014/15
DOCUMENT NO. 52-2014/15**

10. Announcements

President Salvador made the following announcements:

Trustee Garibay reminded the Board that the next Madera County School Board Association General Meeting will take place on August 27 at Minarets Middle School.

Superintendent González gave an unofficial enrollment update. Preliminary enrollment count shows we have grown by 358 students. Enrollment is heavy at the high schools.

Trustee Cogdill announced that a Candidate Evening will be held on September 28.

11. Miscellaneous

A. Board Member Committee and Information Reports

Trustee Rodriguez informed that he attended the CALSSD meeting on August 8. Trustee Rodriguez stated that school bonds were a main topic addressed at the meeting.

12. Advanced Planning

President Salvador made the following announcement:

Next Regular Board Meeting

Tuesday, August 26, 2014 at 7:00 p.m.

Madera Unified School District Boardroom – 1902 Howard Road, Madera, CA 93637

13. Suggested Future Agenda Items

**MINUTE RECORD of Madera Unified School District Board of Education
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Trustee Arredondo requested information on alternatives for the School Resource Officer and revisit this item in a time sooner. President Salvador supported this request.

Trustee Velarde Garcia praised the H&M professional development.

Trustee Cogdill requested information on the parameters, cost, and how the new infrastructure of the new high school will look like. Trustee Velarde-Garcia requested consideration of a Year-Round model for our high schools in the future.

Trustee Garibay expressed interest in the direction staff will follow now that the School Resource Officer agreement was not approved by the Board.

Trustee Rodriguez requested a Child Nutrition update.

14. Adjournment – Motion No. 13-2014/15

President Salvador adjourned the Public Session at 9:26 p.m.



Gladys A. Wilson, Senior Administrative Assistant
to the Superintendent and the Board of Trustees

Dated: August 12, 2014

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

MINUTES OF AUGUST 12, 2014

MOTION NO. 10-2014/15 and MOTION NO. 12-2014/15

RESOLUTION NO. 5-2014/15

DOCUMENTS NO. 33-2014/15 through NO. 51-2014/15 and DOCUMENT NO. 52-2014/15

**Recapitulation of Business Transactions and Warrants - Exhibit A
Staff Changes and Coaches - CONSENT AGENDA**

BUSINESS TRANSACTIONS	
APPROVAL OF COMMERCIAL WARRANTS	
BOARD DATE: August 12, 2014	
Warrants 7/9/14 through 7/23/14	
FUND	AMOUNT
01 GENERAL FUND	\$3,396,143.94
11 ADULT EDUCATION	\$41,813.74
12 CHILD DEVELOPMENT	\$10,325.91
13 CAFETERIA	\$212,206.48
14 DEFERRED MAINTENANCE	\$249,816.63
15 PUPIL TRANS EQUIP	\$0.00
17 STONE SCHLRSHP TRUST	\$0.00
21 BUILDING FUND-BOND PROCEEDS 2003	\$0.00
25 DEVELOPERS' FEES	\$7,500.00
26 PRISON MITIGATION FEES	\$0.00
30 STATE SCHOOL BLDG	\$0.00
31 REFURBISHMENT	\$0.00
32 ROOF REPLACEMENT	\$0.00
35 COUNTY SCHOOL FACILITIES FUND	\$7,385.00
40 SPECIAL RESERVE	\$56,450.00
41 BUILDING FUND	\$0.00
42 AG FARM BUILDING FUND	\$0.00
43 C.O.P. SPEC. RESERVE	\$0.00
49 SPEC RESERVE/REDEV AGENCY	\$0.00
53 STATE SCH LOAN REPAY	\$0.00
54 LEASE/PUR OVERRIDE	\$0.00
56 C.O.P. DEBT SERVICE	\$0.00
67 INSURANCE RESERVE	\$0.00
73 MUSUD TRUST FUND	\$0.00
74 ATHLETIC FUND	\$0.00
TOTAL ALL FUNDS	\$3,981,641.70
PAYROLL	
(INCL'S PD BENEFITS)	
07/07/14, 07/15/14 & 07/31/14 Payrolls	
01 GENERAL	\$3,180,267.18
11 ADULT EDUCATION	\$28,306.51
12 CHILD DEVELOPMENT	\$21,554.64
13 CAFETERIA	\$147,947.56
25 DEVELOPER FEES	\$10,100.63
35 SCHOOL FACILITIES FUND	\$349.49
74 ATHLETIC FUND	\$0.00
PAYROLL TOTAL ALL FUNDS	\$3,388,526.01
BY: CAROLYN ZARAGOSA, ACCOUNTS PAYABLE	
7/24/2014	
BY: JANET PAVLOVICH, POSITION CONTROL	
8/11/2014	

MINUTE RECORD of Madera Unified School District Board of Education

REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014

Items listed under the Consent Agenda are considered to be routine and are acted on by the Board of Trustees in one motion. There is no discussion of these items prior to the Board, staff, or the public request for specific items to be discussed and/or removed from the Consent Agenda. Each item on the Consent Agenda approved by the Board of Trustees shall be deemed to have been considered in full and adopted as recommended.

EXHIBIT B – CONSENT AGENDA CERTIFICATED HUMAN RESOURCES ITEMS MOTION NO. 10-2014/15 DOCUMENT NO. 47-2014/15

CERTIFICATED LEAVES OF ABSENCE

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. Tracie Ylarregui	Teacher	Adams	2014/2015	Personal Leave
2. Allison Hopkins	Teacher	Washington	2014/2015	Personal Leave
3. Alma De Luna	Director EL	District	7/1/14-9/23/14	FMLA

CERTIFICATED SEPARATIONS

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. Ara Kuyumjian	Teacher	MHS	07/21/2014	Resignation
2. Doug Warner	Teacher	MHS	07/04/2014	Resignation
3. Leslie Council	School Psychologist	District	07/01/2014	Resignation
4. Roxanne Schallberger	Teacher	Chavez	07/11/2014	Resignation
5. Timothy Barton	Teacher	Chavez	07/11/2014	Resignation
6. Kelli Hinojos	TSA (C&I)	Pershing	06/07/2014	Resignation
7. Genine Meraz	Counselor	Desmond	06/14/2014	Resignation
8. Patricia Baca	Teacher	Pershing	06/07/2014	Resignation

CERTIFICATED NEW POSITION

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. None				

CERTIFICATED EMPLOYMENT

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. Monique Atherton	RTI Support Teacher	Pershing	2014/2015	New Position
2. Sarah Patterson	Teacher	Pershing	2014/2015	Replacement
3. Elise Bireline	Teacher	Pershing	2014/2015	Replacement
4. Lindsay Harris-Fung	Teacher	Washington	2014/2015	Replacement
5. Enaid Soriano	Teacher	Washington	2014/2015	Replacement
6. Jeanette Poteete	Teacher	Washington	2014/2015	Replacement
7. Jaimee Ashburn	Counselor	Desmond	2014/2015	Replacement
8. Blanca Cisneros	Elementary Counselor	District	2014/2015	New Position
9. Sharlene Garringer	Elementary Counselor	District	2014/2015	New Position

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

**EXHIBIT B – CLASSIFIED HUMAN RESOURCES ITEMS
MOTION NO. 10-2014/15
DOCUMENT NO. 47-2014/15**

CLASSIFIED LEAVES OF ABSENCE

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. None				

CLASSIFIED SEPARATIONS

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. JoAnn C. Romo	Paraprofessional	Howard	06/07/2014	Retirement (39 yrs)
2. Rosie Urbano	Paraprofessional	Alpha	06/07/2014	Retirement (28 yrs)

CLASSIFIED NEW POSITION

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Hours</u>	<u>Justification</u>
1. None					

CLASSIFIED EMPLOYMENT

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Hours</u>	<u>Justification</u>
1. Wanda Pickett	CN Assistant I	Child Nutrition	2014/2015	3.5	New Position
2. Marcine Mamani	CN Assistant I	Child Nutrition	2014/2015	3.5	Replacement
3. Claudia Orozco	Para – Special Needs	Millview	2014/2015	3.5	Replacement
4. Tami Carmichael	LVN	District	2014/2015	6.5	Replacement
5. Elyse Ybarra	Para – Special Needs	Pershing	2014/2015	3.5	Replacement
6. Antonia Ambriz	Admin Asst – School Site	Pershing	2014/2015	8.0	Replacement
7. Yeni Valdez	Relief Bus Driver	Transportation	2014/2015	4.0	Replacement
8. Rickey Willet	Relief Bus Driver	Transportation	2014/2015	4.0	Replacement
9. Mary Siegel	Human Resource Specialist	Merit Office	2014/2015	8.0	Increase in Hours
10. Veronica Mora	Admin Asst - Dept/Program	District (CAO)	2014/2015	8.0	New Position
11. Cristina Khan	Admin Asst - Dept/Program	District (Athletics)	2014/2015	8.0	New Position
12. Patricia Sanders	CN Assistant I	Child Nutrition	2014/2015	3.5	New Position
13. Luis Ayala	Head Custodian I	Maintenance	2014/2015	8.0	Replacement
14. Andrew Albonico	Relief Bus Driver	Transportation	2014/2015	4.0	Replacement
15. Karina Vasquez	Admin Asst – School Site	Chavez	2014/2015	8.0	Replacement
16. Estrella Cortez	Admin Asst –Dept/Program	District	2014/2015	8.0	New Position
17. Yaritza Avalos	CN Assistant I	Child Nutrition	2014/2015	3.0	Replacement
18. Alejandra Perez	Family Liaison	Desmond	2014/2015	8.0	New Position
19. Rosa Baca	Spanish Translator-Interpreter	Special Services	2014/2015	8.0	New Position
20. Gabriela Gallegos	Para – Special Needs	Special Services	2014/2015	6.0	New Position
21. Rosalia Ramirez	Para – Special Needs	Special Services	2014/2015	6.0	New Position
22. Jeri Miller	Office Technician	Adult Ed.	2014/2015	8.0	New Position

COACHES

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>
Brian Riddle	Girls Tennis	MSHS	2014/2015

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

**Madera Unified School District
2014-15 Teacher Recruitment**

Last Name	First Name	Subject	Site	Justification
Alessini	Ashley	Rtl	Adams	New
Thao	Ma La	Multiple Subject	Adams	Rehire
Achelpohl	Kathryn	Multiple Subject	Alpha	Replacement
Miller	Lory	Multiple Subject	Alpha	New/Rtl Support Teacher
Rodriguez	Anna	Multiple Subject	Alpha	Replacement
Xiong	Mai	Multiple Subject	Alpha	Replacement
Castillo	Janet	Multiple Subject	Berenda	Rehire
Alba	Delia	Multiple Subject	Chavez	Replacement
Huber	Sharilyn	Multiple Subject	Chavez	New/46% Rtl
Naumcheff	Katherine	Multiple Subject	Chavez	Replacement
Van Loon	Kimberly	Multiple Subject	Chavez	New/46% Rtl
Hoff	Matthew	SPED Intern	Desmond	New
Moua	Seethone	Math	Desmond	Replacement
Smith	Jay	Science	Desmond	Replacement
Rubio	Andrea	Multiple Subject	Dixieland	New
Almanzar	Genevieve	Multiple Subject	Eastin Arcola	New
Gandy	Scott	Multiple Subject	Eastin Arcola	New
Guerriero	Christina	Multiple Subject	Eastin Arcola	New
Haskins	Arthur	Computers	Jefferson	Replacement
Van Gronigan	Sarah	Multiple Subject	Lincoln	Replacement
Oberti-Desmond	Michelle	Small Fry Instructor	Madera Adult	Rehire
Sanchez	Cyntia	ESL Instructor	Madera Adult	New
Apodaca	Elinora	Multiple Subject	Madison	Replacement/transfer
Dodds	Laura	Pre-school-SPED	Madison	Replacement
Lucchesi	Breanne	SPED Intern	Madison	New
Torok	Charlene	Multiple Subject	Madison	New/Rtl
Arriaga-Hagopian	Cinthia	Science	MHS	Replacement
Cuevas	Ramon	Science	MHS	MHS
Hagopian	Cinthia	Science	MHS	Replacement
Schuman	Sarah	SpEd	MHS	Replacement
Cano	Marilu	Multiple Subject	Millview	New/Rtl/ELD
Lopez	Valentine	Multiple Subject	Millview	New
Manjal	Harmit	Multiple Subject	Millview	Replacement
Chavira	Albert	SRC	MLK	Replacement

**MINUTE RECORD of Madera Unified School District Board of Education
REGULAR BOARD MEETING HELD ON THE 12TH DAY OF AUGUST, 2014**

Fierro	Sky	PE	MLK	Replacement
Garcia	Katy Ann	ELA	MLK	Replacement
Kottachchi	Niranjala	Science	MLK	Replacement
Rosen	Eric	Math	MLK	Replacement
Siewart	Nicolas	Science	MLK	Replacement
Taylor	Katie	SpEd	MLK	Replacement
Badorine	Alice	Multiple Subject	Monroe	New/Rtl
Olvera	Elisa	SDC	Monroe	New

Bertram	Amanda	Science	MSHS	Replacement
Lindsey	Jennifer	Math	MSHS	Replacement
Luxon	Julie	Ag	MSHS	New
Madrigal	Benjamin	SpEd	MSHS	Replacement
Moosios	Jeffery	Social Science	MSHS	Replacement
Waits	Robert	English	MSHS	Replacement
Witters	Eric	Social Science	MSHS	Replacement
Zadiel	Callie	Counselor	MSHS	Replacement
Lee	Julie	Pre-school	Mt. Vista	Replacement
Adams	Robert	Multiple Subject	Nishimoto	Transfer
Aguayo	Diana	Multiple Subject	Nishimoto	Rehire
Martinez	Kayla	Multiple Subject	Nishimoto	Rehire/Replacement
Yang	Ser	Multiple Subject	Nishimoto	Replacement
Peek	Katelynn	Multiple Subject	Parkwood	Replacement
Sandoval	Alan	Multiple Subject	Parkwood	Replacement
Abrams	Nicole	Multiple Subject	Pershing	Replacement
Atherton	Monique	Multiple Subject	Pershing	New
Biggert	Stephanie	Multiple Subject	Pershing	Replacement
Bireline	Elise	Multiple Subject	Pershing	Transfer
Patterson	Sarah	Multiple Subject	Pershing	Replacement
Baloian	Claudia	Multiple Subject	Sierra Vista	Replacement
Beakes	Cortney	Pre-school	Sierra Vista	Replacement
Fernandez	Jamie	Multiple Subject	Sierra Vista	Replacement
Gonzalez	Jessica	Multiple Subject	Sierra Vista	New
Jimenez	Edgar	Multiple Subject	Sierra Vista	Replacement
Harris-Fung	Lindsay	Multiple Subject	Washington	Replacement
Rodriguez	Anel	Multiple Subject	Washington	Replacement
Soriano	Enaid	Multiple Subject	Washington	Replacement

08.12.2014



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request approval to sell/dispose of Surplus Property

Responsible Staff: **Sandon Schwartz, Asst. Supt. of Administrative & Support Services**
Susan Harautuneian, Director of Purchasing

Agenda Placement: Consent

Background/ rationale:

The Board of Education is requested to authorize the disposal of surplus/obsolete property through public auction, sale or donation, arranged by the Director of Purchasing in accordance with Education Code 17545-1755 and Board Policy 3270.

Financial impact: Proceeds for any sales will be deposited into the General Fund.

Superintendent's recommendation:

The Superintendent recommends approval of this request.

Supporting documents attached:

Surplus/Obsolete Property List

Category / Site**Asset Name****Room****License Information****Service Date****Tag Number**

Licensed Vehicle					
Vehicle, Pickup, 1990 Ford W/Utility Bed	Transportation	3 Passenger F250-hf25h1lcb08071	4/16/1990	143	
1995 Gmc 3500 Wheelchair Bus (Used)	Transportation	License #1045105 Id #1gdkh32k8s53505153	8/24/1999	56	
Thomas/Ihc 1994 36 Passenger	Transportation	License #e002270 1hvbdzrk2rh577207	3/15/1994	58	
Chevy S-10 1985	Maintenance	License #e054750 1gbcs14b8f8165754	10/28/1996	115	
Crown Bus	Transportation	License #758565 Veh id#39220	3/4/1988	4	

**Current
Value**

\$0.00
\$0.00
\$0.00
\$0.00
\$0.00



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of Memorandum of Understanding between Educational Testing Service (ETS) and Madera Unified School District (MUSD) to authorize Madera Adult School (MAS) as a HiSET authorized Testing Center effective September 1, 2014 – December 31, 2016.

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
David Raygoza, Principal, Madera Adult School

Agenda Placement: Consent

Background/ rationale:

- Madera Adult School has been an authorized GED Test Center since 1970. January 2, 2014 marked the end of the GED®2002 testing series and the implementation of the new High School Equivalency 2014 test series, which is aligned with the Common Core Standards and national college and career readiness standards.
- On March 13, 2014, the State Board of Education (SBE) approved the High School Equivalency Test (HiSET) provided by Educational Testing Service as one of three vendors to provide high school equivalency tests.
- Madera Adult School is requesting to contract with ETS to offer the HiSET- High School Equivalency exam. Staff has vetted all CDE approved high school equivalency vendors and has deemed HiSET as the most appropriate High School Equivalency test to best meet the testing needs for our students and community. The HiSET is offered in both computer-based and paper-based formats.
- Approval of the Memorandum of Understanding will allow MAS to continue to provide High School Equivalency Tests for students enrolled in a High School Equivalency preparation classes, and to its partner agencies such as, Workforce Assistance Center; National University Academy; Madera County Department of Social Services; SER Jobs for Progress; Picayune Rancheria of the Chukchansi Indians; and Central Valley Opportunity Center.

Financial impact: No Financial Impact to the District – MAS generates income to cover the expenses of the agreement.

Superintendent's recommendation:

The Superintendent recommends the Board approve the Memorandum of Understanding between Madera Unified School District/Madera Adult School and Educational Testing Service, HiSET.

Supporting documents attached:

ETS – HiSET Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING
BETWEEN
EDUCATIONAL TESTING SERVICE
AND
MADERA UNIFIED SCHOOL DISTRICT

This Memorandum of Understanding (MOU) is between Educational Testing Service (ETS), a non-stock, non-profit corporation organized and existing under the Education Law of New York with principal offices located at Rosedale Road, Princeton, New Jersey 08541, and Madera Unified School District, located at 1902 Howard Road, Madera California, together known as the Parties. This MOU establishes the understandings of the Parties as related to the services provided by ETS in support of the California High School Equivalency Certification Program.

WHEREAS, the California State Board of Education has approved Educational Testing Service, a non-stock, non-profit organization with principal offices in Princeton, New Jersey, as one of the providers of the HiSET™ High School Equivalency Test for California Test Takers; and

WHEREAS, the California Department of Education recommended and approved Test Center to administer the ETS-owned HiSET assessments; and

WHEREAS, this MOU defines the terms and conditions for the use and administration of the HiSET;

NOW, THEREFORE, in consideration of the mutual covenants and undertakings hereinafter set forth, the Parties hereby agree as follows:

1. Definitions.

- 1.1 “**Administration**” shall mean the Test Center’s responsibilities related to the administration of the ETS-owned HiSET to Test Takers in California.
- 1.2 “**Alternate Test Forms**” shall mean the HiSET forms in alternative formats such as Braille, large print, or audio.
- 1.3 “**Agreement**” shall mean the terms and conditions agreed to between the Parties in writing, all of which are incorporated herein by reference and made an integral part hereof.
- 1.4 “**CBT**” is an acronym for computer-based testing or the delivery of a HiSET via the Internet.
- 1.5 “**Confidential Information**” shall mean any information or data that is disclosed by one party (a disclosing party) to the other party (a receiving party) pursuant to this Agreement. “Confidential Information,” however, does not include information that the receiving party can demonstrate by documents that (i) is or becomes publicly

- known or available without breach of this Agreement, (ii) is received by a receiving party from a third party without breach of any obligation of confidentiality by such other third party, (iii) was previously known by the receiving party as demonstrated by its written records, or (iv) is independently developed by the receiving party without access to or use of such Confidential Information as demonstrated by contemporaneously prepared documentation.
- 1.6 **“ETS”** is a trade name for Educational Testing Service, a non-profit, non-stock research and testing organization that is providing HiSET, the high school equivalency testing program.
- 1.7 **“ETS-owned Technologies”** shall mean ETS’s pre-existing hardware and software systems used to deliver HiSET test materials to the Test Center and/or record test taker responses, including but not limited to the ETS portal for registering HiSET Test Takers and for delivering final score reports.
- 1.8 **“ETS Proprietary Materials”** shall mean all HiSET test materials, including but not limited to, test books, test items, reports, data, answer sheets, instructional manuals and directions, ETS pre-existing proprietary software, and all derivative works of such ETS Proprietary Materials adapted for use for the high school equivalency program provided by ETS to the Test Center for the delivery and/or administration of the HiSET.
- 1.9 **“ETS Trademarks”** shall mean the trademarks and/or service marks of ETS, including without limitation ETS®, HiSET® and the modernized ETS logo.
- 1.10 **“Equipment”** shall mean any equipment necessary for the administration of the HiSET tests at the Test Center, including but not limited to an appropriate testing room, accommodations, desks, lighting, pens/pencils, etc. Such Equipment shall be dedicated solely to the administration of the HiSET test for the duration of the HiSET test.
- 1.11 **“HiSET®”** is the brand name for the ETS High School Equivalency Testing program owned and licensed for use by ETS.
- 1.12 **“Intellectual Property Rights”** shall mean (i) copyrights and copyright applications or registrations, including any renewals, in either the United States or any other country; (ii) trademarks, service marks, trade names, and applications or registrations for any of the foregoing in the United States or any other country; (iii) trade secrets or any data or information which provides value or a competitive advantage to its holder by not being publicly known; and (iv) patents, patent applications, continuations, divisional, reexaminations, reissues, continuations-in-part, and foreign equivalents of the foregoing, in the United States, or any other country.
- 1.13 **“PBT”** is an acronym for paper-based testing or the delivery of a HiSET test via paper format.
- 1.14 **“Returnable Test Materials”** shall mean the paper version of all used and unused test booklets and answer sheets for the HiSET test.
- 1.15 **“Subtests”** shall mean the content area (or subject area) tests that constitute the full HiSET battery of assessments.
- 1.16 **“Term”** shall have the meaning specified in Section 2.1 hereof.

Madera Unified School District & ETS
HiSET MOU

- 1.17 “**Test(s)**” shall mean the ETS-owned and copyrighted HiSET test, developed and provided by ETS in paper and/or electronic format for use in the high school equivalency testing program.
- 1.18 “**Test Materials**” shall mean all HiSET test materials, including test booklets, test items, reports, data, answer sheets, and related materials including administration instruction manuals and directions provided to the Test Center by ETS in print, electronic, or other format.
- 1.19 “**Test Center**” shall mean facilities selected and approved by the California Department of Education to deliver the HiSET tests in CBT and/or PBT formats to pre-registered Test Takers.
- 1.20 “**Test Taker(s)**” shall mean the individual(s) sitting for a HiSET test at the Test Center. Other titles for the Test Taker may be examinee or candidate.
- 1.21 “**Test Taker Data**” shall mean any and all information obtained/accessed by, or disclosed to the Test Center about the Test Taker, including (i) information regarding a Test Taker’s name, addresses, or other personally identifiable information (*e.g.*, passport or social security numbers); (ii) any list or grouping of Test Takers, regardless of whether such list also includes publicly available information; and (iii) test scores.
- 1.22 “**Testing Fees**” shall have the meaning specified in Section 6.1 hereof.

2. Term and Termination of Agreement.

- 2.1 This Memorandum of Understanding shall be effective from September 1, 2014 through December 31, 2016 (the “**Term**”), with the option for negotiated renewals every year thereafter. The policies and procedures for the newly-introduced HiSET program are in development and changes to such policies and procedures during their development will not impact the prices specified in this MOU.
- 2.2 This MOU may be terminated as follows:
 - (a) In the event of a material breach by either Party that is not cured within 30 days after written notice by the non-breaching party; and
 - (b) For convenience, upon 120 days prior written notice, provided that in the event of such termination the Parties agree to complete all services that are in progress pursuant to the terms and conditions set forth in this MOU.

3. ETS Responsibilities.

- 3.1 Under the terms of this MOU, ETS is responsible for:
 - a. Providing the ETS-owned Test (in PBT and CBT formats, including Alternate Test Forms) as one of the high school equivalency tests approved by CDE for California residents seeking an equivalency high school diploma;
 - b. Delivering the Test to the approved Test Center in PBT and CBT formats for testing purposes;
 - c. Scheduling and providing training for appropriate staff and approved test administrators;

Madera Unified School District & ETS
HiSET MOU

- d. Providing access to the ETS web-based portal for Test Takers and the pre-approved Test Center with appropriate user identification and password permissions;
- e. Providing access via an ETS-managed, web-based portal for Test Takers registering for PBT or CBT assessments (based on individual Test Taker choice)
- f. Retaining Test Taker Data online on the web-based site;
- g. Invoicing the Test Center on a monthly basis for the number of d tests completed based on the pricing schedule provided in Exhibit 1, attached hereto and hereby made part of this MOU;
- h. Shipping secure PBT Test Materials to the Test Center;
- i. Reviewing and approving or denying requests for accommodations from Test Takers with disabilities. and confirming the details (including test date and location) and accommodation requirements with the Test Taker based on your approval;
- j. Providing Alternate Test Form(s) (including Braille, large print, audio versions) and/or additional testing time, and communicating approved accommodations for Test Takers with disabilities to the Test Center;
- k. Providing pre-paid return mailing labels and envelopes to the Test Center for the secure return to ETS of Returnable Test Materials;
- l. Notifying CDE of any incident occurring at the Test Center within 3 business days of ETS becoming aware of the incident;
- m. Pending receipt of a properly submitted answer sheet at ETS for PBT and receipt of electronic answers for CBT, providing results of multiple choice test scoring within 3 to 5 business days, with constructed response results within 5 to 10 business days;
- n. Posting final score report data online for Test Taker and Test Center access;
- o. Collecting the required California \$20.00 per test taker fee and remitting to the State in conformance with California regulations; and
- p. Conducting Test Center compliance audits.

3.2 ETS will not be responsible for:

- a. Paying or subsidizing the Test Center for the use of facilities and personnel;
- b. Hiring or managing Test Center personnel or compensating them in any way;
- c. Printing or mailing individual score reports directly to Test Takers;
- d. Any actions taken by Test Center personnel or occurring at the Test Center;
- e. Any delays, accidents, incidents, any actions by Test Takers or other unforeseen circumstances occurring at the Test Center;
- f. Any security breaches, directly or indirectly caused by Test Takers or Test Center personnel and/or by the failure of equipment at the Test Center; and
- g. Collecting or paying for any operational costs that may be imposed for use of the Test Center facilities.

4. The Madera Unified School District Responsibilities.

4.1 Under the terms of this MOU, the Test Center is responsible for:

Madera Unified School District & ETS
HiSET MOU

- a. Establishing policies for the admission of Test Takers at the Test Center in conformance with applicable ETS and State policies;
- b. Hiring, training, and paying all salaries or fees associated with Test Center personnel;
- c. Establishing testing guidelines and policies, including ADA compliance policies and procedures, and conducting Test Center compliance audits in accordance with State requirements;
- d. Enforcing ETS's guidelines for secure test administrations;
- e. Notifying ETS of a Test Center incident, security breach, Equipment failure, or other related incident impacting testing within 24 hours of its occurrence;
- f. Notifying ETS of a Test Center closing; and
- g. Within 30 days of the receipt of the monthly ETS invoice, paying ETS in accordance with Exhibit 1.
- h. Participating and cooperating with ETS when ETS conducts test center audits

5. Limitation of Liability.

ETS WILL NOT BE LIABLE TO THE TEST CENTER OR TO ANY TEST-TAKER FOR ANY DAMAGES ARISING OUT OF THE TEST CENTER'S ACCESS TO, OR INABILITY TO ACCESS OR USE, THE TEST MATERIALS HEREIN, INCLUDING DIRECT, INDIRECT, SPECIAL, CONSEQUENTIAL, INCIDENTAL OR PUNITIVE DAMAGES, AND WITHOUT LIMITATION DAMAGES FOR LOST PROFITS, LOSS OF PRIVACY, SECURITY OF DATA, FAILURE TO MEET ANY DUTY (INCLUDING BUT NOT LIMITED TO NEGLIGENCE OR LACK OF PROFESSIONAL EFFORT), OR FOR ANY OTHER INDIRECT DAMAGES WHATSOEVER, THAT ARISE OUT OF OR ARE RELATED TO THE ETS PROPRIETARY MATERIALS OR THE TEST ADMINISTRATIONS, EVEN IF ETS (OR AN AFFILIATE, SERVICE PROVIDER, OR AGENT) HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND EVEN IN THE EVENT OF FAULT, TORT (INCLUDING NEGLIGENCE), OR STRICT OR PRODUCT LIABILITY OR MISREPRESENTATION. ETS IS NOT RESPONSIBLE FOR PHYSICAL INJURY OR PROPERTY DAMAGE SUFFERED BY OR CAUSED BY A TEST-TAKER SITTING FOR THE HISET ASSESSMENT. ETS DOES NOT WARRANT THAT THE HISET OR ANY TEST MATERIALS WILL BE UNINTERRUPTED OR ERROR FREE AT THE TEST CENTER.

6. Compensation and Payment.

- 6.1 As full and complete compensation for the services provided under this MOU, the Test Center will compensate ETS based on the number of tests scored at ETS on a monthly basis. ETS will invoice the Test Center in accordance with Exhibit 1 attached. Payment terms are net 30 days. ETS is not responsible for the payment of any State or local taxes that may be incurred through the collection of Test Center or State fees. If such taxes are levied against ETS, the Test Center or the Test Center is responsible for payment.

Madera Unified School District & ETS
HiSET MOU

- 6.2 The Test Center may collect or charge separate operational fees for the use of their facilities. These fees are not payable to or by ETS, and shall be incurred by the Test Center or the individual Test Takers. Advertising and establishing fees or expenses associated with the use of the Test Center's testing facilities are the responsibility of the Test Center and/or the Test Center. Test Center personnel who administer the Test are not employees of ETS.

7. Test Taker Retest Policy.

Test Takers who register for all five Subtests in one purchase will be permitted to take the full battery Test again at no additional cost up to two times in a 12 month period beginning on the date of the original battery purchase. After the 12 month expiration, a \$15 subtest fee will apply, if a Test Taker is taking individual Subtests. Test Takers have the option to purchase a new test battery after expiration of the original battery period.

8. Intellectual Property.

- 8.1 ETS shall own all right, title and interest in and to the ETS Proprietary Materials and the ETS-owned Technologies, including all Intellectual Property Rights therein.
- 8.2 The California Department of Education shall own all right, title and interest in and to the Test Taker Data.
- 8.3 Except as permitted in section 10.1 of this MOU, neither Party may use the other Party's trade name, trademark, service mark, logo or other designations for promotional or marketing activities without the express written permission of the other Party. However, the Parties may list each other as clients or vendors respectively.

9. Confidentiality.

- 9.1 The Parties agree to keep Confidential Information, including but not limited to performance, financial, contractual and technical information which may be exchanged during the Term of this MOU, in confidence at least to the extent it uses to protect its own confidential information. Such Confidential Information shall not be disclosed to any third party without the prior written approval of the Party whose Confidential Information may be disclosed. Restrictions as to the disclosure and use of Confidential Information shall continue for five years beyond the expiration date of this MOU.
- 9.2 The Test Center agrees to protect the privacy of the confidential personally identifiable information contained in the Test Taker Data such as, but not limited to, names, addresses, telephone numbers, dates of birth, test scores, and any other information provided by the Test Takers in strictest confidence, in accordance with the requirements

of the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99), the Federal law that protects the privacy of student education records.

10. ETS Trademarks.

- 10.1 Notwithstanding the limitations set forth in Section 8.2 of this MOU, ETS grants to the Test Center a limited, non-exclusive, non-transferable, revocable license to use the ETS Trademarks in order to fulfill its responsibilities to the (Client Name) in this MOU, and to reproduce or create promotional materials and signage to inform the public about the Test and the locations of Test Center, provided that (i) the Test Center shall comply with all ETS standards for quality in delivering and administering the Test, (ii) the Test Center shall comply with all trademark and branding guidelines developed for use of the ETS Trademarks, and (iii) the Test Center shall submit all promotional materials for review and prior approval by the Office of the General Counsel of ETS before production and distribution of such promotional materials. The Test Center shall submit such promotional materials for review and approval by email to mshepherd@ets.org, or by mail or fax to: Mary Shepherd, Senior Trademark Administrator, Office of the General Counsel – TDI Group, 660 Rosedale Rd, MS 05-C, Princeton, NJ 08541; Fax: +1 (609) 734-1700.
- 10.2 Except for ETS-approved promotional materials and/or signage provided to authorized Test Center by ETS the Test Center, the Test Center acknowledges and agrees that (i) its Test Center are not authorized to use, reproduce, copy or create materials for promotional purposes or to register and use any Internet Domain Name bearing the ETS name, trademarks or service marks, or the marks of ETS or its service providers, whether such marks or names now exist or may exist during the Term of this Agreement, without the prior written approval and review of such materials by the Office of the General Counsel of ETS, and (ii) that the Test Center will assist ETS in taking corrective action in the event ETS identifies a violation of ETS's trademark rights by any Test Center. Notwithstanding anything to the contrary in this Agreement, no trademark license is hereby granted to any Test Center.

11. Rights upon Expiration or Termination.

Upon expiration or termination of this MOU, the Test Center shall return to ETS all ETS Confidential Information in its control and/or possession, or destroy the Confidential Information and provide ETS with a confirmation signed by a duly authorized officer or representative of the Test Center.

12. Force Majeure.

Neither Party shall be liable to the other for delays in performance caused by fires, floods, civil riots, strikes, labor controversies, acts of God, acts of war, acts of terrorism, governmental restrictions, or inability to obtain transportation or transmission facilities or

Madera Unified School District & ETS
HiSET MOU

other circumstances similar or dissimilar which are beyond the control of the Parties. In the event of any delay in performance due to any such event, the Parties shall promptly notify each other and give a date for completion of services as reasonably extended to overcome the effects of such cause.

13. Governing Law.

The terms and conditions of this MOU shall be governed by the laws of California, without regard to its conflict of laws and principles. The Parties agree and hereby submit to the exclusive personal jurisdiction and venue of Test Center and federal courts in California for the resolution of any disputes arising from this MOU's terms and conditions.

14. Entire Agreement.

This MOU constitutes the entire understanding and agreement between the Parties as to the subject matter hereof and supersedes any prior terms and conditions, agreements, and understandings, whether oral or written. Any modification or amendment of any provisions of this Agreement shall not be binding on either Party unless in writing and signed by the authorized representatives of both Parties.

This MOU has been entered into by the Parties by signature of each Party's respective duly authorized representative.

EDUCATIONAL TESTING SERVICE

MADERA UNIFIED SCHOOL
DISTRICT

By: _____

By: _____

Name: Diane Bailey

Name: Victor Villar

Title: VP Production & Logistics

Title: Associate Superintendent

Date: _____

Date: _____

Attached
Exhibit 1 – The California HiSET Fee Schedule

Madera Unified School District & ETS
HiSET MOU

Exhibit 1
The California HiSET Fee Schedule

In accordance with Paragraph 6.0 Compensation and Payment, ETS will collect payment from Test Centers as follows:

Description	Unit of Measure	Fee
Paper-based full test battery*	Each	\$50.00 per test taker
Computer-based full test battery*	Each	\$50.00 per test taker
Paper-based sub-test*	Each	\$15.00 per test taker
Computer-based sub-test* (including Alternate Test Forms at no additional fee)	Each	\$15.00 per test taker
California State Testing Fee: \$20.00 per Test Taker		
Retest Policy		
In the year of 1 st test attempt	Up to two additional attempts included in full test battery fee	No additional cost*
	Sub-test fee	\$15.00 per test taker per sub-test
Practice Tests		
Paper-based practice test	Each	\$7.50 per sub-test
Computer-based practice test	Each	Purchased directly from Aztec Software, not ETS

*The retest attempts must be completed within 12 months from the date of test battery purchase. The retest fee waiver is only applicable to Test Takers purchasing the full battery. Individuals purchasing Subtests rather than full battery testing cannot take advantage of the retest fee waiver.

Practice Tests

Additional provisions regarding practice tests follow:

- ETS will offer one practice test in all five subject areas (Subtests) at no additional charge as a downloadable PDF on the informational website.
- ETS will offer a second practice test in each of the five subject areas (Subtests) which is available for purchase on the informational website.
-

- d) ETS will work with Test Center to enable them to be of assistance to Test Takers who are not able to download practice tests independently.

General Policies and Procedures

Collection and payment of Testing Fees will be guided by the following policies:

- a) ETS will not accept mail-in applications for scheduling.
- b) ETS will provide a Computer-based, online registration system for Test Taker registration.
- c) ETS will not collect individual fees that are payable to the Test Center for operational purposes.
- d) ETS will invoice the Test Center on a monthly basis for tests scored. Payment terms are net 30 days.

General Payment and refund policies are as follows:

- a) All fees are paid in U.S. dollars.
- b) Taxes must be included where acceptable.
- c) Refunds will be made in U.S. dollars.
- d) Services may be withheld for non-payment of fees.
- e) ETS reserves the right to add or remove criteria regarding online payment methods at its own discretion and without notice.



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of an Interagency Agreement between Madera Unified School District/Madera Adult School and Community Action Partnership for the purpose of referring mutual students/clients for the 2014-2015 school year.

Responsible Staff: Victor Villar, Associate Superintendent of Educational Services
David Raygoza, Principal, Madera Adult School

Agenda Placement: Consent

Background/ rationale:

- The Community Action Partnership (CAP) operates the Regional and Migrant HeadStart Programs. As part of CAP's contractual agreement with their funding sources, they are required to demonstrate documentation of referral resources for the families they serve.
- CAP has been a partner with both the District and Madera Adult School since 1969. Both agencies have an established history for referring and serving families to provide educational services. The primary purpose of the MOU is used to define the coordination and collaboration roles and responsibilities and enhance linkages and relationships to achieve a coordinated service delivery system.

Financial impact: No financial impact to the district

Superintendent's Recommendation:

The Superintendent recommends the Board approve the Interagency Agreement between Madera Unified School District/Madera Adult School and Community Action Partnership.

Supporting documents attached:

Interagency Agreement

**INTERAGENCY AGREEMENT
BETWEEN**

***Community Action Partnership of Madera County
Head Start Programs***

And

Madera Adult Education

This Agreement recites the objectives and activities agreed upon by the Community Action Partnership of Madera County, Head Start Programs and Madera Adult Education.

It is agreed that both programs share the objectives of identifying and educating their clients, linking information, and provide assistance to each other in an effort to meet the client's needs and meet program goals.

In furtherance of these goals the parties have reached the following specific areas of agreement:

OUTREACH, INFORMATION AND REFERRAL SERVICES

- A. Head Start parents will be informed of the availability of Adult Education services. Head Start staff will maintain current information on services provided by Adult Education.
- B. Madera Adult Education students will be informed of services offered by the Head Start programs. Head Start will provide material for distribution to interested students.
- C. The Head Start programs provide outreach to families eligible for its programs in all Madera County. As part of the Family Partnership Agreement process, the families are surveyed on their educational needs. Upon learning of the above, the following activities will be carried out by Head Start staff:
 - 1. If the family has an educational need that Madera Adult Education can assist with, the family will be referred for services.
- D. Representatives from the Madera Adult Education program will be contacted to provide informational/educational training for Head Start parents during parent meetings.

- E. Community Action Partnership of Madera County, Head Start Programs and Madera Adult Education shall review and update this agreement as needed.

Community Action Partnership of Madera County, Head Start Programs and Madera Adult Education are:

- A. Both independent
- B. Neither is an employee or agent of the other
- C. Each is responsible for acts of its own officers and employees

Community Action Partnership of Madera County/Head Start and Madera Adult Education shall set in place indefinitely unless changes are needed.

Victor Villar
Madera Adult Education

Date

Maritza Gomez
Head Start Program Director

Date

Maru Gasca Sanchez
Support Services Manager

Date



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of Memorandum of Understanding between Madera Unified School District and Madera County Health Department for the Supplemental Nutrition Assistance Program Education (SNAP-Ed) for the 2014/15 school year.

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
Dr. Michael Mueller, Director of Student Services

Agenda Placement: Consent

Background/ rationale:

- This Memorandum of Understanding (MOU) facilitates cooperation and collaboration between these two agencies so that an optimal number of youth can receive nutrition education under the SNAP-Ed program.
- The program is USDA funded and designed to motivate and empower California's 9- 11-year-old children to eat 3 to 5 cups of fruits and vegetables and get at least 60 minutes of physical activity every day.

Financial impact:

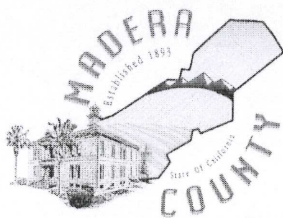
- None.

Superintendent's recommendation:

- The Superintendent recommends the Board approve the Memorandum of Understanding between Madera Unified School District and Madera County Health Department for the Supplemental Nutrition Assistance Program Education (SNAP-Ed) for the 2014/15 school year.

Supporting documents attached:

- Memorandum of Understanding



MADERA COUNTY PUBLIC HEALTH DEPARTMENT

14215 Road 28, Madera, CA 93638-5715
Office: (559) 675-7893 Fax: (559) 662-1568



Public Health
Prevent. Promote. Protect.

VAN DO-REYNOSO, MPH
Public Health Director

THOMAS COLE, MD
Health Officer

**Memorandum of Understanding
For The
Supplemental Nutrition Assistance Program Education (SNAP-Ed)
Between
Madera County Public Health Department
AND
Madera Unified School District**

The USDA-funded Supplemental Nutrition Assistance Program Education (SNAP-Ed) is an initiative of the California Department of Public Health (CDPH). Funding under SNAP-Ed is for program planning related to community nutrition education and improving food security, and to carry out a set of nutrition education activities that serve the eligible low income population in the county. Requirements of the SNAP-Ed program include collaboration between the local health and social services departments to coordinate efforts in implementing nutrition education interventions, and the development of a County Nutrition Action Plan for Madera County.

Under SNAP-Ed, the Madera County Public Health Department has been awarded grant funds to implement the program objectives in Madera County, which include nutrition education for students at school sites with a percentage of free/reduced meals 50% or above. Under the SNAP-Ed program, the Madera County Public Health Department will be targeting preschool, fourth, fifth and sixth grade students within the Madera Unified School District for nutrition education. To facilitate cooperation and collaboration between the Madera County Public Health Department and the Madera Unified School District, this Memorandum of Understanding defines the activities required of each agency.

Nutrition Education will be based on Power Play! and Harvest of the Month (HOTM) program. Power Play! is a USDA funded program designed to motivate and empower California's 9- to 11-year-old children to eat 3 to 5 cups of fruits and vegetables and get at least 60 minutes of physical activity every day. HOTM provides materials for students and families to engage in hands-on opportunities to explore, taste, and learn about the importance of eating fruits and vegetables and being active every day. The food demonstrations use the produce in a quick and easy healthy snack that students are usually able to make themselves. **All activities are compatible with California State Standards.**

Purpose

This Memorandum of Understanding (MOU) is made between the Madera County Public Health Department and the Madera Unified School District to facilitate cooperation and collaboration between these agencies so that an optimal number of youth can receive nutrition education under the SNAP-Ed program.

Activity Coordination

The following activities, by agency, are proposed under this Memorandum of Understanding.

Madera Unified School District:

- Madera Unified School District staff will coordinate with Madera County Public Health Department staff to identify and facilitate opportunities for nutrition education presentations.

Activities will take place at the following school sites:

- Alpha Elementary School, Alpha I & II Preschool
- Berenda Elementary School
- Cesar Chavez Elementary School, Cesar Chavez Preschool
- Dixieland Elementary School
- Eastin-Arcola Elementary School
- Howard Elementary School
- James Madison Elementary School, James Madison Preschool
- James Monroe Elementary School, James Monroe Preschool
- John Adams Elementary School
- La Vina Elementary School
- Lincoln Elementary School
- Millview Elementary School, Millview Preschool
- Nishimoto Elementary School, Nishimoto Preschool
- Parkwood Elementary School, Parkwood Preschool
- Pershing Elementary School, Pershing Preschool
- Sierra Vista Elementary School, Sierra Vista Preschool
- Washington Elementary School, Washington I & II Preschool

Madera County Public Health Department:

- At participating school sites, Madera County Public Health Department staff will conduct monthly nutrition education presentations, each lasting between 25 and 40 minutes. Monthly presentations will be offered over the period August 2014 through May 2015.
- Madera County Public Health Department staff will provide all supplies for the monthly presentations.
- Monthly nutrition education presentations will be based on Power Play! curriculum and food demonstrations based on Harvest of the Month (HOTM) program.

Term of the Agreement

This Memorandum of Understanding made between the Madera County Public Health Department and the Madera Unified School District is for a period of one year, effective from the date of approval by Madera Unified School District, and may be extended by the written approval of both agencies.

Van Do-Reynoso
Madera County Public Health Department Director

Date

Edward Gonzalez
Superintendent
Madera Unified School District

Date

INTRODUCTION

About the *Children's Power Play! Campaign*

The *Network for a Healthy California—Children's Power Play! Campaign (Campaign)* inspires and empowers California's low-income 9- to 11-year-old children to eat 3 to 5 cups of fruits and vegetables and get at least 60 minutes of physical activity every day. This statewide social marketing initiative is led by the California Department of Public Health's *Network for a Healthy California* to improve children's short-term health and reduce their long-term risk of serious health problems like obesity, type 2 diabetes, heart disease, hypertension, and certain types of cancer. The *Campaign* was developed in collaboration with the California Department of Education and California Department of Food and Agriculture.

The *Campaign's* components include educational lessons in school classrooms and community youth organizations; promotional activities in schools, youth organizations, and the community; and media and public relations activities in the community. These activities are implemented through the 11 *Regional Networks for a Healthy California (Regional Networks)*. The *Regional Networks* offer free training, support, and materials to eligible local organizations and help bring together agencies and resources within the region. Find your *Regional Network* by visiting www.networkforahealthycalifornia.net/rn. Organizations based outside California and those that do not serve children from low-income families can download the *Idea & Resource Kits* by visiting www.networkforahealthycalifornia.net/powerplay. A variety of materials are also available to order at-cost from the *Network for a Healthy California's* online catalog at www.championsforchangematerials.net.

Overview of the *School Idea & Resource Kit*

You've probably noticed that kids today are more likely to be overweight, eat unhealthy foods, and be inactive. This may impact how ready they are to learn or how they feel about themselves. You can help change that! The *School Idea & Resource Kit (Kit)* helps you become a Champion for Change in your school. Using the *Kit*, you can make a positive impact on your students' health while teaching your core academic subjects. The *Kit* features 10 activities focused on fruits, vegetables, and physical activity. The activities are linked with California's Content Standards in English-Language Arts, Mathematics, and Health (see page 3). They align with the California Department of Education's Nutrition Competencies for California's Children. The *Kit* has been evaluated and proven to improve kids' knowledge, skills, and confidence related to fruits, vegetables, and physical activity.

The *Campaign* offers both a fourth-grade and a fifth-grade *Kit*. The two *Kits* are designed to complement one another, with the fifth-grade *Kit* introducing new concepts while reinforcing the concepts in the fourth-grade *Kit*. Other materials available to schools include student workbooks, *Power Up for Learning: A physical activity supplement to the School Idea & Resource Kits*, the *Children's Power Play! Campaign's* parent brochure, *Kids...Get Cookin'!* cookbook, posters, *Harvest of the Month*, and more.

You do not need to be a nutrition expert to use the *Kit*. Simply review the background information and, if necessary, take advantage of the additional resources referred to in the Appendix. Before you begin using the *Kit's* activities, take a look at the tips in Create a Healthy Classroom on page 6 to learn how you can support the health of your students through your words and actions.



Links to Child Development Guidelines

California Department of Public Health
Network for a Healthy California

Prekindergarten

Educator Newsletter Activity	Child Desired Results (CDR) from Desired Results for Children and Families: 3 Years through Prekindergarten, Child Development Division, CDE (2003)	Prekindergarten Learning & Development Guidelines CDE (2000)
Taste Testing	<p>CDR 1: Children are personally and socially competent.</p> <p>Indicator 3: Children demonstrate effective self-regulation of their behavior.</p> <p>3.10: Follows rules when participating in routine activities.</p> <p>Indicator 5: Children show growing abilities in communication and language.</p> <p>5.12: Follows two-step requests that are sequential but not necessarily related.</p> <p>5.13: Engages in conversations that develop a thought or idea.</p> <p>CDR 2: Children are effective learners.</p> <p>Indicator 1: Children are interested in learning new things.</p> <p>1.16: Observes and examines natural phenomena through senses.</p> <p>Indicator 3: Children show interest in real life mathematical concepts.</p> <p>3.22: Uses size words, such as "many", "big", and "little" appropriately.</p> <p>3.23: Understands that numbers represent quantity.</p> <p>3.27: Describes how items are the same or different.</p> <p>CDR 4: Children are safe and healthy.</p> <p>Indicator 1: Children show an emerging awareness and practice of safe and healthy behavior.</p> <p>1.50: Tries new food on own.</p>	
Cooking in the Classroom	<p>CDR 1: Children are personally and socially competent.</p> <p>Indicator 3: Children demonstrate effective self-regulation of their behavior.</p> <p>3.10: Follows rules when participating in routine activities.</p> <p>Indicator 5: Children show growing abilities in communication and language.</p> <p>5.12: Follows two-step requests that are sequential but not necessarily related.</p> <p>CDR 2: Children are effective learners.</p> <p>Indicator 3: Children show interest in real life mathematical concepts.</p> <p>3.23: Understands that numbers represent quantity.</p> <p>3.24: Uses measuring implements.</p> <p>CDR 3: Children show physical and motor competence.</p> <p>Indicator 1: Children demonstrate an increased proficiency in motor skills.</p> <p>1.47: Manipulates two small objects at the same time.</p> <p>1.48: Uses tools with increasing precision.</p> <p>CDR 4: Children are safe and healthy.</p> <p>Indicator 1: Children show an emerging awareness and practice of safe and healthy behavior.</p> <p>1.50: Tries new food on own.</p>	<p>Addressing Cultural Diversity</p> <p>Guideline 2: Program materials reflect the characteristics, values, and practices of diverse cultural groups.</p> <p>Mathematics Learning and Development</p> <p>Guideline 1: The program develops and builds on children's existing informal mathematical knowledge, recognizing that children enter preschool with different experiences in mathematics.</p> <p>Physical and Motor Development</p> <p>Guideline 1: The curriculum gives attention to all areas of motor skill development, including gross motor, fine motor, oral, and sensorimotor.</p>
Eat Your Colors Reasons to Eat... Nutrition Facts Label		<p>Addressing Cultural Diversity</p> <p>Guideline 2: Program materials reflect the characteristics, values and practices of diverse cultural groups.</p>
What's in a Name?		<p>Addressing Cultural Diversity</p> <p>Guideline 2: Program materials reflect the characteristics, values, and practices of diverse cultural groups.</p> <p>Literacy</p> <p>Guideline 4: The program recognizes and includes the home language of English learners.</p>



Links to Child Development Guidelines

California Department of Public Health
Network for a Healthy California

Prekindergarten

Educator Newsletter Activity	Child Desired Results (CDR) from Desired Results for Children and Families: 3 Years Through Prekindergarten, Child Development Division, CDE (2003)	Prekindergarten Learning & Development Guidelines CDE (2000)
		Addressing Cultural Diversity Guideline 2: Program materials reflect the characteristics, values, and practices of diverse cultural groups. Addressing Cultural Diversity Guideline 2: Program materials reflect the characteristics, values, and practices of diverse cultural groups.
Growing/Agricultural Facts/ Home Grown Facts		
Historical Timeline		
Physical Activity Corner	CDR 3: Children show physical and motor competence. Indicator 1: Children demonstrate an increased proficiency in motor skills. 1.47: Manipulates two small objects at the same time. 1.48: Uses tools with increasing precision.	Physical and Motor Development Guideline 1: The curriculum gives attention to all areas of motor skill development, including gross motor, fine motor, oral motor and sensorimotor. Guideline 3: The program provides many opportunities for free play.
School Garden	CDR 2: Children are effective learners. Indicator 1: Children are interested in learning new things. 1.16: Observes and examines natural phenomena through senses. 1.17: Combines activities, materials, and equipment in new ways. Indicator 3: Children show interest in real-life mathematical concepts. 3.24: Uses measuring implements.	Curriculum Guideline 4: Each child is supported to develop a sense of self as a valued and responsible member of the group. Guideline 5: Children are guided and supported to form and maintain satisfying relationships with others.
Student Advocates		Mathematics Learning and Development Guideline 1: The program develops and builds on children's existing informal mathematical knowledge, recognizing that children enter preschool with different experiences in mathematics.
Adventurous Activities		Literacy Guideline 1: Programs support learning and development in both language and literacy. Guideline 2: Program provides a language – rich and print rich environment to support children's language and literacy learning across curricular areas.
Literature Connections	CDR 2: Children are effective learners. Indicator 4: Children demonstrate emerging literacy skills. 4.34: Engages in classroom discussions about books.	
Family Newsletter	Child Desired Results (CDR) from Desired Results for Children and Families: 3 Years Through Prekindergarten, Child Development Division, CDE (2003)	Prekindergarten Learning & Development Guidelines CDE (2000)
		Involving Parents and Families Guideline 3: The program regularly provides parents with information about the activities in the program and about their children's learning and development. Guideline 5: The program supports and is an advocate for strong families.



Links to California Content Standards

Grade 3 - 5

California Department of Public Health
Network for a Healthy California

Educator Newsletter Activity	Health Framework for California	Physical Education	Science	English Language Arts	Mathematics	History-Social Science
Taste Testing Cooking in the Classroom	Expectation 1		Grade 3: Investigation & Experimentation: 5.e Grade 4: Investigation & Experimentation: 6.e	Grade 3: Reading 1.0, 2.0, 2.7 Writing 2.2 Listening and Speaking 2.0, 2.1, 2.3	Grade 3: Number Sense 3.0 Grade 4: Statistics, Data Analysis and Probability 1.0 Grade 5: Mathematical Reasoning 2.0	
Eat your Colors Reasons to Eat... Nutrition Facts Label	Expectation 1 Expectation 8		Grade 3: Physical Sciences: 1.b			
Growing/Agricultural Facts			Grade 3: Life Sciences: 3.a Grade 4: Life Sciences: 3.b, 3.c		Grade 3: Measurement 1.0, 1.1, 1.2	Grade 3: 3.1, 3.5
Home Grown Facts						Grade 3: 3.5, 3.51 Grade 4: 4.2, 4.4
Historical Timeline						Grade 3: 3.1, 3.12, 3.3 Grade 4: 4.2, 4.4
Student Sleuths	Expectation 1 Expectation 4 Expectation 5 Expectation 8		Grade 3: Investigation & Experimentation: 5.b, 5.e Grade 4: Life Sciences: 2.a	Grade 3: Reading 1.0, 2.0, 2.3, 2.6 Writing 2.0 Grade 4: Reading 2.2, 2.7 Writing 1.5, 1.6 Grade 5: Writing 1.0, 1.3, 2.3	Grade 4: Measurement/Geometry 3.4	Grade 3: 3.1, 3.5
Physical Activity Corner		Standard 1 and 4				



Links to California Content Standards

Grade 3 - 5

California Department of Public Health
Network for a Healthy California

Educator Newsletter Activity	Health Framework for California	Physical Education	Science	English Language Arts	Mathematics	History-Social Science
School Garden			Grade 3: Life Sciences: 3.a Grade 4: Life Sciences: 2.a, 2.c Grade 5: Life Science 2.0, 2.a			
Cafeteria Connections	Expectation 1 Expectation 4		Grade 3: Physical Sciences: 1.b	Grade 3: Writing 2.0, 2.2, 2.3		
Student Advocates	Expectation 1 Expectation 4 Expectation 5 Expectation 8			Grade 3: Speaking 2.1, 2.3 Grade 4: Reading 2.6 Writing 2.0, 2.1 Written & Oral 1.0 Listening & Speaking 1.1 Speaking 2.0, 2.1, 2.2 Grade 3: Writing 2.0, 2.2 Grade 4: Writing 2.0, 2.1a-d Written & Oral 1.0 Grade 5: Speaking 2.0, 2.1, 2.2 Grade 3: Reading 1.0, 1.5, 1.6, 2.0 Grade 4: Reading 2.0, 2.2, 2.6 Grade 5: Reading 1.0		Grade 3: 3.54
Adventurous Activities	Expectation 1			Grade 3: Writing 2.0, 2.2 Grade 4: Writing 2.0, 2.1a-d Written & Oral 1.0 Grade 5: Speaking 2.0, 2.1, 2.2 Grade 3: Reading 1.0, 1.5, 1.6, 2.0 Grade 4: Reading 2.0, 2.2, 2.6 Grade 5: Reading 1.0	Grade 3: Algebra Function 1.2, 2.1	
Literature Connections				Grade 3: Reading 1.0, 1.5, 1.6, 2.0 Grade 4: Reading 2.0, 2.2, 2.6 Grade 5: Reading 1.0		



Links to California Content Standards

Grades 6-8

California Department of Public Health
Network for a Healthy California

Educator Newsletter Activity	Health Framework for California	Physical Education	Science	English Language Arts	Mathematics
Taste Testing	Expectation 1 Expectation 4				
Cooking in the Classroom					
Eat Your Colors Reasons to Eat...	Expectation 1 Expectation 8		Grade 8: 6c		
Nutrition Facts Label					
What's in a Name? Produce Facts	Expectation 1 Expectation 8		Grade 7: 5a, 5f		
Growing/Agricultural Facts					
Home Grown Facts					
Historical Timeline					
Student Sleuths	Expectation 1 Expectation 4 Expectation 5 Expectation 8			Grade 6: Writing 1.4 Grade 7: Writing 1.4 – 1.5 Grade 8: Writing 1.4	
Physical Activity Corner	Expectation 1 Expectation 2	Standards 1,2,3, 4,5			
School Garden			Grade 6: 5a, 5b, 5c, 5e		
Cafeteria Connections	Expectation 1 Expectation 4				
Student Advocates	Expectation 1 Expectation 4 Expectation 5 Expectation 8			Grade 6: Writing 1.1, 1.2 Writing Applications 2.5 Grade 7: Writing Applications 2.4 Grade 8: Writing Applications 2.4	
Adventurous Activities	Expectation 1		Grade 6: 7 a-e Grade 7: 7a, 7b, 7c, 7e Grade 8: 9a, 9b, 9c, 9e	Grade 6,7,8: Writing 1.0, 1.1, 1.2 Writing Applications 2.0, 2.3	Grade 6: Number Sense 1.1, 2.0, 2.3 Grade 7: Number Sense 1.2
Literature Connections				Grade 6: Reading 2.0, 2.3 Grade 7: Reading 2.0, 2.2, 2.3, 2.5 Grade 8: Reading 2.0, 2.1, 2.2	

Harvest of the Month Tool Kit (September 2006) – Supporting links to California Content Standards and Desired Results may vary monthly.



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Issuance of Expulsion/Readmission Orders

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
Dr. Michael Mueller, Director of Student Services

Agenda Placement: Consent

Background/rationale:

The Governing Board is requested to adopt the findings, conclusions and recommendations related to the possible expulsion or readmission of pupils as these are presented to the board in one or more of the following forms of documentation:

- Report(s) of Administrative hearing Panel(s)
- Expulsion Status Review Report(s) by the Superintendent's Designee
- Stipulated Expulsion Agreement(s)

The Governing Board is also requested to issue orders consistent with the above referenced findings, conclusions and recommendations related to the possible expulsion or readmission of pupils in the cases of the following students, herein identified by their district-assigned identification numbers: 401681, 303636, 502139, 303080, 601064, 401057, 201868, 16113, 301329, 502227, 402492, 304090, 202748, 503111, 2302, 301383, 301793, 19989, 303667, 303995, 401210, 603014, 302738, 501559, 15511, 203027 and 12669.

Financial impact: None.

Superintendent's recommendation:

The Superintendent recommends adoption of the findings, conclusions and recommendations made by staff.

Supporting documents attached:

Confidential information regarding each student is provided to the Board under separate cover.

HUMAN RESOURCES STAFFING LIST

BOARD AGENDA – AUGUST 26, 2014

CERTIFICATED LEAVES OF ABSENCE

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1.				

CERTIFICATED SEPARATIONS

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. Jessica Lile	Teacher	Parkwood	08/01/2014	Resignation
2. Michelle Mees	Teacher	Pershing	07/04/2014	Resignation

CERTIFICATED NEW POSITION

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. .46 PE Specialist		District	2014/2015	New Position

CERTIFICATED EMPLOYMENT

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1.				

CLASSIFIED LEAVES OF ABSENCE

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1.				

CLASSIFIED SEPARATIONS

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Justification</u>
1. Dennis Sharp	Mechanic-Lead	Transportation	08/16/2014	Resignation
2. Anne Cruz	Office Assistant	Adult Ed	07/27/2014	Resignation
3. Ralph Rodriguez	School Safety Officer	MHS	08/08/2014	Resignation
4. Christina Richardson	Para – Special Needs	Berenda	06/07/2014	Resignation
5. Jessica Coronado	Para – Special Needs	Pershing	08/16/2014	Resignation
6. Employee #8278	Para – Special Needs	Special Services	08/11/2014	Abandonment of Position

CLASSIFIED NEW POSITION

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Hours</u>	<u>Justification</u>
1.					

CLASSIFIED EMPLOYMENT

<u>Name</u>	<u>Assignment</u>	<u>Site</u>	<u>Effective Date(s)</u>	<u>Hours</u>	<u>Justification</u>
1. Rosa Moreno	CN Assistant I	Child Nutrition	2014/2015	3.5	Replacement
2. TBA	Director of Transportation	Transportation	2014/2015	8.0	Replacement
3. Mary Jane Falcon	Admin Asst – Dept/Program	Special Services	2014/2015	8.0	Replacement
4. Carmen Hernandez	Family Liaison	Thomas Jefferson	2014/2015	8.0	New Position
5. Tawney Higgins	Para – Special Needs	Special Services	2014/2015	6.0	New Position
6. Ramona Aviles-Winn	Para - Special Needs	Special Services	2014/2015	6.0	New Position
7. Danae Boria-Fernandes	Office Assistant	Adult Ed	2014/2015	3.5	Replacement
8. Elizabeth Crosson	CN Assistant I	Child Nutrition	2014/2015	3.0	New Position
9. Alisia Diaz	CN Assistant I	Child Nutrition	2014/2015	3.0	New Position
10. Cecilia Amezola	CN Assistant I	Child Nutrition	2014/2015	3.5	Replacement
11. Maria Uribe	Admin. Asst. – School Site	MHS	2014/2015	8.0	Replacement
12. Millie Leal	Admin. Asst. – School Site	Lincoln	2014/2015	8.0	Replacement
13. Kennetra Gowdy	Para – Physically Impaired	Special Services	2014/2015	6.0	New Position
14. Adrienne Burnett	Para – Physically Impaired	Special Services	2014/2015	6.0	New Position

COACHES

1. None



AGENDA ITEM
MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of Job Description for Family Support Specialist

Responsible Staff: **Edward González, Superintendent**
Kent Albertson, Chief Human Resources Officer

Agenda Placement: Consent

Background/rationale:

- Under general direction of the Director of Student Services; performs technical duties in serving as a liaison between school, group homes, and substitute care providers to plan and supervise activities to best meet academic and social needs of District homeless and foster youth.

Financial impact:

- Classified Salary Schedule: Range 39 - \$ 41,280.00 to 54,168.00

Superintendent's recommendation:

- The Superintendent recommends approval of this job description.

Supporting documents attached:

- Job Description: Family Support Specialist

Madera Unified School District Classified Job Description

Family Support Specialist

Purpose Statement

Under general direction of the Director of Student Services; performs technical duties in serving as a liaison between school, group homes, and substitute care providers to plan and supervise activities to best meet academic and social needs of District homeless and foster youth.

This job description may be used in one or the other specialty areas.

This job reports to the Director of Student Services.

Essential Functions

- Knowledge of Federal and State regulations and laws affecting the education of foster and homeless students.
- Serves as District liaison for foster youth and homeless children.
- Facilitates school site efforts to identify and serve homeless students and foster youth.
- Assists in making referrals to and coordinating services with community organizations.
- Assists homeless students and foster youth to enroll immediately in school and facilitates proper educational placement as provided in law and policy.
- Ensures homeless students and foster youth receive educational services for which they are eligible to include full and equal opportunity to succeed in school.
- Assists parents in obtaining and facilitates prompt transfer of educationally-relevant records.
- Provides or arranges for appropriate parent/guardian education.
- Assists in disseminating appropriate notices of educational rights of homeless students and foster youth at places where children and families receive services.
- Informs parents/guardians of available transportation services and assists in arranging transportation for which students are eligible.
- Assists families to enroll in free/reduced meals program for which they are eligible.
- Assists in providing information to resolve school enrollment disputes consistent with law and policy.
- Oversees program evaluation activities including but not limited to identification of homeless students and foster youth, tracking attendance, and enrollment continuity in regular and special programs.
- Effectively use word processing, database, and spreadsheet software application programs in the course of assigned duties.

MADERA UNIFIED SCHOOL DISTRICT
Family Support Specialist Job Description –continued–

Other Functions

- Perform other related duties as assigned.

Job Requirements:

Skills, Knowledge and Abilities

SKILLS Specific skilled-based competencies required to satisfactorily perform the functions of the job include: adhering to safety practices; operating standard office equipment including software; preparing and maintaining accurate records.

KNOWLEDGE : Specific knowledge-based competencies required to satisfactorily perform the functions of the job include: legal rights of homeless, foster care, and families in the area of education, and confidentiality when working with multiple agencies, academic competency levels of the different grade levels, the link between substitute caregivers, community-based organizations, placing agencies, educational agencies and advocacy groups; effective office principles, procedures, and practices including indexing, filing systems and maintenance, telephone techniques, proper report writing, document construction, and proper English usage, spelling, grammar, vocabulary, and punctuation.

ABILITY is required to communicate effectively and work cooperatively with parents, children, certificated staff members, and community and agency representatives; work effectively without immediate supervision; relate to a variety of behaviors in children and parents; communicate effectively in both oral and written form; maintain accurate records and files; quickly identify problem areas or situations, evaluate problem causes, and take appropriate action to resolve problems identified; exercise tact, diplomacy, and sensitivity to changing situations and needs; prepare reports and correspondence; establish and maintain effective work relationships with those contacted in the performance of required duties

Oral bilingual proficiency in a second language may be required.

Responsibility

Responsibilities include: working under limited supervision following standardized practices and/or methods; providing information and/or advising others.

Working Environment

The usual and customary methods of performing the job's functions require the following physical demands: some lifting, carrying, pushing, and/or pulling; and significant fine finger dexterity. Generally the job requires 15% sitting, 70% walking, and 15% standing. The job is performed under temperature extremes and under conditions with some exposure to risk of injury and/or illness. This job is performed in a generally clean and healthy environment.

Minimum Qualifications

Experience:

Two years of experience working with community and or social services organizations preferably working directly with school age children conducting educational program activities.

MADERA UNIFIED SCHOOL DISTRICT
Family Support Specialist Job Description –*continued*–

Education:

- (1) High School diploma or GED.
- (2) Completion of two years of college coursework (60 units) from an accredited college or university in social welfare, psychology, education, human services, or related field.

Required Testing

Pre-employment Proficiency Test

Continuing Education Training

Continuing updates of new laws and/or attending seminars and trainings related to the targeted population.

Certificates

Licenses: Possession of a valid Class C California Driver's License

Clearances

Criminal Justice Fingerprint/Background Clearance
TB Clearance
Physical Demand (B)

FLSA Status

Non Exempt

Approval Date

Salary Range

Classified Salary Schedule – Range 39

**Madera Unified School District
Board of Trustees Meeting
Student Overnight or Out of State Field Trip Request
August 26, 2014**

Date	School	Name	Field Trip - # of Students	Location	Cost	Funding	Vehicle Type
8/29/14 to 8/31/14	MHS	Hollman	Robotics to Off Season Robotics Competition 8 students - 2 adults	San Jose, CA	\$150 Transportation \$900 Lodging	MHS Robotics MHS Robotics	Van

**Madera Unified School District
Board of Trustees Meeting
Employee Conference Request
August 26, 2014**

Date	Site	Name	Trip Purpose – # Employees	Location	Cost	Vehicle Type
09/21/14 to 09/27/14	District	Ed Gonzalez	Study Tour 1 –Employee	Berlin, Germany	\$0	Airplane/Rental



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of Agreement between Madera Unified School District (District) and the City of Madera (City) to assign (2) school resource officers (SRO's) to provide law enforcement services to the District for the 2014-2015 school year

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
Dr. Michael Mueller, Director of Student Services

Agenda Placement: Old Business

Background/ rationale:

- The City of Madera will assign two (2) police officers to provide law enforcement services to the District.
- Police officers duties/responsibilities should include, but not limited to:
 - Prevention and deterrence of criminal activity on and/or near school campuses;
 - Investigation of criminal offenses occurring in/out school campus;
 - Provision of technical and informational assistance to schools and related community agencies and personnel;
 - Reporting relevant contacts with pupils, parents, staff and community members to the District on a regular basis;
 - Effective August 27, 2014 through June 30, 2015

Financial impact:

- \$246,994 general fund

Superintendent's recommendation:

- The Superintendent recommends the Board approve the Agreement between Madera Unified School District and the City of Madera to assign (2) school resource officers (SRO's) to provide law enforcement services to the District for the 2014-2015 school year.

Supporting documents attached:

- Agreement

**AGREEMENT BETWEEN
THE MADERA UNIFIED SCHOOL DISTRICT AND THE CITY OF MADERA
CONCERNING THE PROVISION OF LAW ENFORCEMENT SERVICES BY
THE CITY TO THE DISTRICT**

A. Parties

This Agreement is entered into by the City of Madera, (hereinafter referred to as "City"), and the Madera Unified School District, (hereinafter referred to as "District"). Hereinafter, the City and District are collectively referred to as the "Parties".

B. Term of Agreement

1. Initial Term. This Agreement shall be deemed operative on August 27, 2014 and continue in full force through the last day of the 2014-2015 school year on which academic instruction in the District is provided, as determined by the District. This shall constitute the Agreement's "Initial Term."

2. Additional Contract Terms. Following completion of the Initial Term, this Agreement shall be automatically renewed for additional Contract Term(s), as defined in Paragraph(B)(3), below, unless and until terminated by either Party, pursuant to Section G of this Agreement.

3. "Contract Term" Defined. For purposes of this Agreement, "Contract Term" shall, as set by the District, be the period of time beginning seven calendar days before the first day of academic instruction in the District and ending on the completion of the last day of academic instruction in the District during the District's regular school year.

C. Provision of Law Enforcement Services

1. Assignment of Designated Officer to District. The City agrees to assign two (2) police officers (hereafter "Assigned Officers") to provide law enforcement services to the District for the Initial Term and any subsequent Contract Term. The services contemplated herein shall be provided at all school sites within the Madera Unified School District EXCEPT for the following school sites:

- Dixieland School
- Berenda Elementary School
- Howard School
- La Vina School
- Eastin Arcola School

2. Selection of Assigned Officers. The Parties agree to work cooperatively to select appropriate officers to fulfill the duties set forth in this Agreement. The Parties agree that the City Police Chief shall retain final authority for the selection of the Assigned Officers to perform under this Agreement, after reasonably appropriate consultation with the District. The Parties further agree that the District shall be able to request the replacement of any Assigned Officer. Such a request shall be made by the Associate Superintendent of Business and Operations. The City Police Chief shall honor any such request from the District to replace the Assigned Officer at the earliest opportunity.

3. Duties and Responsibilities. Duties and responsibilities of the Assigned Officers in the Initial Term and any subsequent Contract Term shall include, but not be limited to, the following:

- a. Prevention and deterrence of criminal activity on and/or near school campuses;
- b. Investigation of criminal offenses occurring, in whole or in part, on school campus;

- c. Provision of technical and informational assistance to schools and related community agencies and personnel;
- d. Reporting relevant contacts with pupils, parents, staff and community members to the District on a regular basis; and
- e. Other law enforcement and public relations duties as reasonably appropriate.

4. Direction and Supervision by District. The Assigned Officer shall receive only general direction from the District's Director of Student Services, or his/her designee, including assignment for coverage of specific school functions, or specific school sites, at specific times, at any school site within the District.

5. Assigned Officers' Schedules. The Parties agree to work cooperatively to create and maintain a schedule of work hours for the Assigned Officers.

- a. Adjustments or modifications to an Assigned Officer's schedule which are necessary to carry out or accommodate various assignments shall be made in advance by at least five (5) business days, with agreement from both the District and City Police Chief not unreasonably withheld.
- b. In order to ensure the minimal response time to engage in law enforcement activities for the safety of the District's personnel and students, the Assigned Officer shall at all times, unless otherwise expressly permitted herein, remain on or near a District site during his or her scheduled time. For example, should an Assigned Officer require office space in order to prepare a written incident report, the Assigned Officer shall make use of District-provided office space located on a District site.

6. Absences.

a. Short Duration Absence. It is understood that the City will not provide a substitute officer (hereinafter "Substitute Officer") in the event of a short duration absence of an Assigned Officer resulting from routine training, illness, vacation and other authorized leave. For purposes of this section, a "short duration absence" shall be defined as leave for four (4) or less consecutive days on which District schools are in session. The District is obligated to compensate the City as provided in Section D during absences of a short duration. The Assigned Officer shall provide the District with sufficient notice of a short duration absence in order to facilitate District activities.

b. Extended Duration Absence. In the event of an extended duration absence, the City shall provide a Substitute Officer to fulfill the Assigned Officer's duties contemplated by this Agreement for the period of time that the Assigned Officer is unavailable. In the event that sufficient personnel do not permit this assignment, the District shall not be obligated to compensate the City as otherwise provided in Section D. For purposes of this Agreement, "extended duration absence" shall be defined as leave greater than four (4) consecutive days during which District schools are in session. The Assigned Officer shall provide the District with sufficient notice of an extended duration absence in order to facilitate District activities.

c. Officer Use for Training, Mutual Aide Requirements, and Extraordinary Situations and Emergencies. The District recognizes that the Assigned Officer may occasionally be away from his or her regular assignment due to training requirements or to fulfill law enforcement mutual aide requirements, including for extraordinary situations and emergencies. The Parties agree that the City shall retain the ability to use the services of the Assigned Officer during the school year and at the District's expense to fulfill these law enforcement mutual aide requirements, for extraordinary situations and

emergencies, and for other than normal and routine duties requested by and associated with District business. Additional school year use of the Assigned Officer by the City shall include use during periods of school vacation and for investigative follow-up of criminal cases involving students, District employees and/or cases involving District property and facilities.

7. Compliance with Law and Policies. In all circumstances, the Assigned Officers and any Substitute Officer or Additional Officer(s) as contemplated by this Agreement shall follow all applicable federal, state, and local legal requirements, as well as the policies and procedures of the City and City of Madera Police Department. In order to provide guidelines and consistency of expectations, a document entitled "Law Enforcement Philosophy" has been prepared and is also incorporated into this Agreement as Appendix A. The parties agree that any Assigned Officer, Substitute Officer or Additional Officer contemplated by this Agreement to provide service to the District shall follow the philosophy set forth in this document unless a particular provision is deemed to conflict with federal or state law or the policies of the Madera Police Department. If an Assigned Officer, Substitute Officer or Additional Officer is concerned that any provision of the Law Enforcement Philosophy attached as Appendix A is in conflict with federal, state and local legal requirements, or policies of the Madera Police Department, he or she shall immediately notify the District's Assistant Superintendent for Business who will consider the concern and consult, when necessary, with the City Police Chief.

8. Conditions of Employment. Except as specifically included in this Agreement, the City retains full authority and responsibility for conditions of employment, including but not limited to appropriate disposition of citizen complaints, disciplinary actions and evaluation of performance and agreement of schedules to be worked. All public complaints of inappropriate Assigned Officer, Substitute Officer or

Additional Officer conduct and behavior shall be referred directly to the City Police Chief.

9. District Evaluation of Assigned Officers' Performance. Notwithstanding Paragraph 8 above, the District shall provide the City Police Chief with its own written evaluation of an Assigned Officer's performance prior to the conclusion of each school year. The District shall also immediately report to the City Police Chief any behavior or conduct by an Assigned Officer that appears to violate the terms and conditions, or the spirit and intent, of this Agreement.

10. Use of Additional Officers. In some instances, the District may require one or more additional officer(s) (hereinafter "Additional Officer"), in addition to the Assigned Officers for planned events and/or activities associated with other District services or events ("Events"). The Parties understand that, should such Events arise, the District shall request the support of an Additional Officer or Officers from the City in a timely manner. The City will provide the Additional Officer(s) so long as such personnel is available at the time of the request. The District agrees to compensate the City in accordance with the provisions outlined in Section D(1)(c) of this Agreement.

D. Compensation and Payment of Costs

1. Payment to City for Costs Associated with Provision of Law Enforcement Services to the District. Pursuant to this Agreement, the District shall pay the City for the following costs associated with the provision of law enforcement services during the Initial Term and each subsequent Contract Term, unless modified in writing and agreed to by both the City and District:

a. Salary and Benefits. The District shall pay the City for the Assigned Officer's actual salary and benefits provided by the City to the Assigned Officer as provided by law or incorporated into the Memorandum of Understanding with the

Madera Police Officers' Association (See Attachment A). The total cost to the District for the actual salaries and benefits of the two (2) Assigned Officers for the Initial Term shall be Two Hundred Forty Six Thousand Nine Hundred and Ninety Four Dollars (\$246,994).

b. Overtime for Assigned Officer Assigned to District Pursuant to Paragraph C(1). The District shall pay one hundred percent (100%) of all overtime of the Assigned Officer, as defined in Paragraph C(1) of this Agreement, that results from activity solely associated with that Assigned Officer's provision of law enforcement services to the District pursuant to this Agreement. The Parties agree that such overtime shall be paid consistent with all provisions existing at the time of overtime earnings which are incorporated in the Memorandum of Understanding between the City and Madera Police Officers' Association. Overtime hours accrued but not paid to the Assigned Officer shall be reimbursed by the District at such time as the Assigned Officer takes the accrued time as compensation.

c. Overtime for Additional Officers. The District shall pay one hundred percent (100%) of all overtime for Additional Officers, as defined in Section C(10) of this Agreement. Overtime shall be paid consistent with all provisions existing at the time of overtime earnings which are incorporated in the Memorandum of Understanding between the City and Madera Police Officers' Association. Overtime hours accrued but not paid to an Additional Officer shall be reimbursed by the District at such time as that Additional Officer takes the accrued time as compensation.

d. Costs Associated with Provision of Marked Patrol Vehicle for District Purposes. The District shall pay fifty percent (50%) of the annual fiscal year costs, as determined by the City, to provide vehicle maintenance for a marked patrol vehicle to be used by the Assigned Officer or Substitute Officer in his/her performance of this Agreement. The District shall also pay fifty percent (50%) of the cost for replacement, excluding equipment, for the marked patrol vehicle to be used by the Assigned Officer or

Substitute Officer in his/her duties for the District, as determined by the City and based upon the most recent vehicle purchase price, so long as the City continues to provide the marked patrol vehicle for District purposes. The Parties understand and agree that the District may, at any time, elect to purchase a vehicle for use by the officers contemplated by this Agreement, and if the District so elects, the above-stated payment obligations shall cease as of the date the marked patrol vehicle purchased by the District is available for use.

The Parties further agree to determine how costs associated with maintenance and replacement of the District-purchased marked patrol vehicle shall be distributed between them within thirty (30) business days of the District's purchase of the vehicle. Any such determination will be incorporated as a written amendment to this Agreement and shall replace all provisions or understanding between the Parties with respect to the Parties' obligations concerning maintenance and replacement costs.

2. Accounting of Costs. The City shall provide the District with an accounting of all costs contemplated in Paragraphs D(1)(a)-(d) when assessed, and no less than on a quarterly basis. The District agrees to pay the City for the costs set forth in Paragraphs D(1)(a)-(d) on a quarterly basis and in accordance with its standard billing and payment procedures.

3. Liability for Additional Costs. The District shall not be liable for any expenses or costs incurred by the City except as specifically provided for in this Agreement, unless prior approval for such expenditure(s) is obtained, in writing, from the Associate Superintendent of Business and Operations. Similarly, the City shall not be liable for any expenses or costs incurred by the District and not specifically set forth in this Agreement, unless prior approval for such expenditure(s) is obtained, in writing, from the City Police Chief.

E. Independent Contractor Status

The Parties to this Agreement expressly agree that this Agreement is intended to be an Agreement by and between the District and the City as independent contractors and consequently shall not be construed to create any relationship of employer-employee, agent, servant, partnership, joint venture or any other association between or among the District and the City. Any and all officers performing under this Agreement shall, at all times, exclusively be considered employees of the City. The law enforcement services to be performed by all City officers under this Agreement, including the standards of performance, discipline and control thereof, shall also be the sole responsibility of the City, which shall ensure that its officers provided under this Agreement observe and follow all applicable rules, regulations, policies, practices and standards while performing law enforcement services under this Agreement. All officers performing services under this Agreement shall receive administrative directions and technical support from the City Police Department.

F. Indemnity and Hold Harmless

1. City to Indemnify. The City shall defend, indemnify, and hold the District, its officials, officers, employees, agents, and volunteers free and harmless from any and all liability from loss, damage, or injury to real or personal property or persons, including wrongful death, to the extent arising out of or incident to any negligent acts, omissions, or willful misconduct of the City, its officials, officers, employees, agents and volunteers arising out of or in connection with the City's performance of this Agreement, including without limitation, the payment of reasonable attorneys' fees, expert witness fees and other related costs and expenses of defense.

2. District to Indemnify. The District shall defend, indemnify, and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any and all liability from loss, damage, or injury to real or personal property or persons,

including wrongful death, to the extent arising out of or incident to any negligent acts, omissions, or willful misconduct of the District, its officials, officers, employees, agents and volunteers arising out of or in connection with the District's performance of this Agreement, including without limitation, the payment of reasonable attorneys' fees, expert witness fees and other related costs and expenses of defense.

3. Exceptions to Liability. Each of the Parties hereto shall not be liable to the other for any loss or damage to the property belonging to the other caused by acts beyond its reasonable control, including, but not limited to malicious mischief, fire, acts of God, acts of the public enemy, riot, strife, insurrection, war, court order, or order of a governmental body (except such orders of the City and District).

G. Termination of Contract

Either Party may terminate this Agreement for any breach of the conditions, covenants or terms thereof. Either Party may terminate this Agreement by providing at least sixty (60) days prior written notice to the other Party. In the event either Party exercises this right, operating costs shall apply up to and including the date of termination. Any funds advanced by District in excess of operating costs as defined in Section D (2) shall be refunded by City.

H. Amendment; Modification

No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

I. Execution of Final Agreement

This Agreement shall be contingent upon (1) the receipt of any necessary grant funding and (2) Madera Unified School District Board approval. This Agreement, once fully executed by the President of the Board and the City Mayor, as evidenced by their

signatures below, shall supersede any and all prior discussions, negotiations, agreements and/or understandings whether oral, or in writing, as to the provision of law enforcement services by the City to the District.

J. Invalidity; Severability

If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

K. Signature in Counterparts

This Agreement may be signed in counterparts, each of which shall constitute an original.

MADERA UNIFIED SCHOOL DISTRICT

CITY OF MADERA

INSERT NAME
President, Board of Trustees

INSERT NAME
Mayor

APPENDIX "A"



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Second Reading and Request Approval of Common Core State Standards Spending Plan – Proposal for the 2013-2014 and 2014-2015 Fiscal Years

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
Dr. Rebecca Malmo, Director of Instructional Technology

Agenda Placement: Old Business

Background/ rationale:

To support the implementation of the Common Core State Standards, the state of California through the passage of Assembly Bill 86 has appropriated each school district an allocation of one-time funds to be expended by June 30, 2015. This significant contribution is targeted to support each district's effort to prepare students for college and career by continuing to move forward with the implementation of the Common Core State Standards (CCSS).

Financial impact: \$3,973,212.70 from the CCSS implementation funds

Superintendent's recommendation:

The Superintendent recommends the Board approve the Common Core State Standards Spending Plan – Proposal for the 2013-2014 and 2014-2015 Fiscal Years.

Supporting documents attached:

- Common Core State Standards Spending Plan - Proposal
- Timeline



Madera Unified School District
Common Core State Standards Spending Plan - Proposal
For the 2013-2014 and 2014-2015 Fiscal Years

To support the implementation of the Common Core State Standards, the state of California through the passage of Assembly Bill 86 has appropriated each school district an allocation of one-time funds to be expended by June 30, 2015. This significant contribution is targeted to support each district's effort to prepare students for college and career by continuing to move forward with the implementation of the Common Core State Standards (CCSS).

Madera Unified School District has received approximately \$3.8 million from the CCSS implementation funds that can be expended for any of the following purposes:

1. Professional Development for teachers, administrators, and paraprofessionals or other classified employees involved in the direct instruction of students that is aligned to the Common Core State Standards.
2. Instructional materials and supplemental materials aligned to the Common Core State Standards.
3. Integration of the Common Core State Standards through technology-based instruction for the purpose of improving academic performance of students, including but not necessarily limited to, expenditures necessary to support the administration of computer-based assessments and provide high-speed, high bandwidth Internet connectivity for the purpose of administration of computer-based assessments.

As a condition of receiving the CCSS implementation funds, the District is required to:

- Develop and adopt a plan delineating how the CCSS implementation funds will be spent. The plan must be explained in a public meeting of the governing board of the school district and then be adopted in a subsequent public meeting.
- Report detailed expenditure information to the California Department of Education (CDE) on or before July 1, 2015, including, but not limited to, specific purchases made and the number of teachers, administrators, or paraprofessional educators that received professional development.

The following Proposed Common Core State Standards Spending Plan is in adherence to the guidelines set forth in AB 86, and is designed to equip teachers, administrators,

and staff with the knowledge, skills, and resources needed to provide quality instruction so students can attain the expectations of the Common Core State Standards.

2014-2015 Expenditures

Professional Development \$103,000.00

The teachers and administrators have requested Professional Development in:

1. Utilization of Chrome books and tablets
2. Google Apps for Education/Integration of technology and Common Core State Standards
3. Differentiated Instruction
4. Common Core State Standards integration incorporating the Promethean Board

Instructional Materials \$0

Instructional materials and supplemental materials aligned to the Common Core State Standards, and in compliance with California Education Codes 60605.8, 60605.85, 60605.11, 60811.3, 60605.86, 60605.87, and 60605.88, have been purchased with general funds.

Technology Support \$3,870,212.70

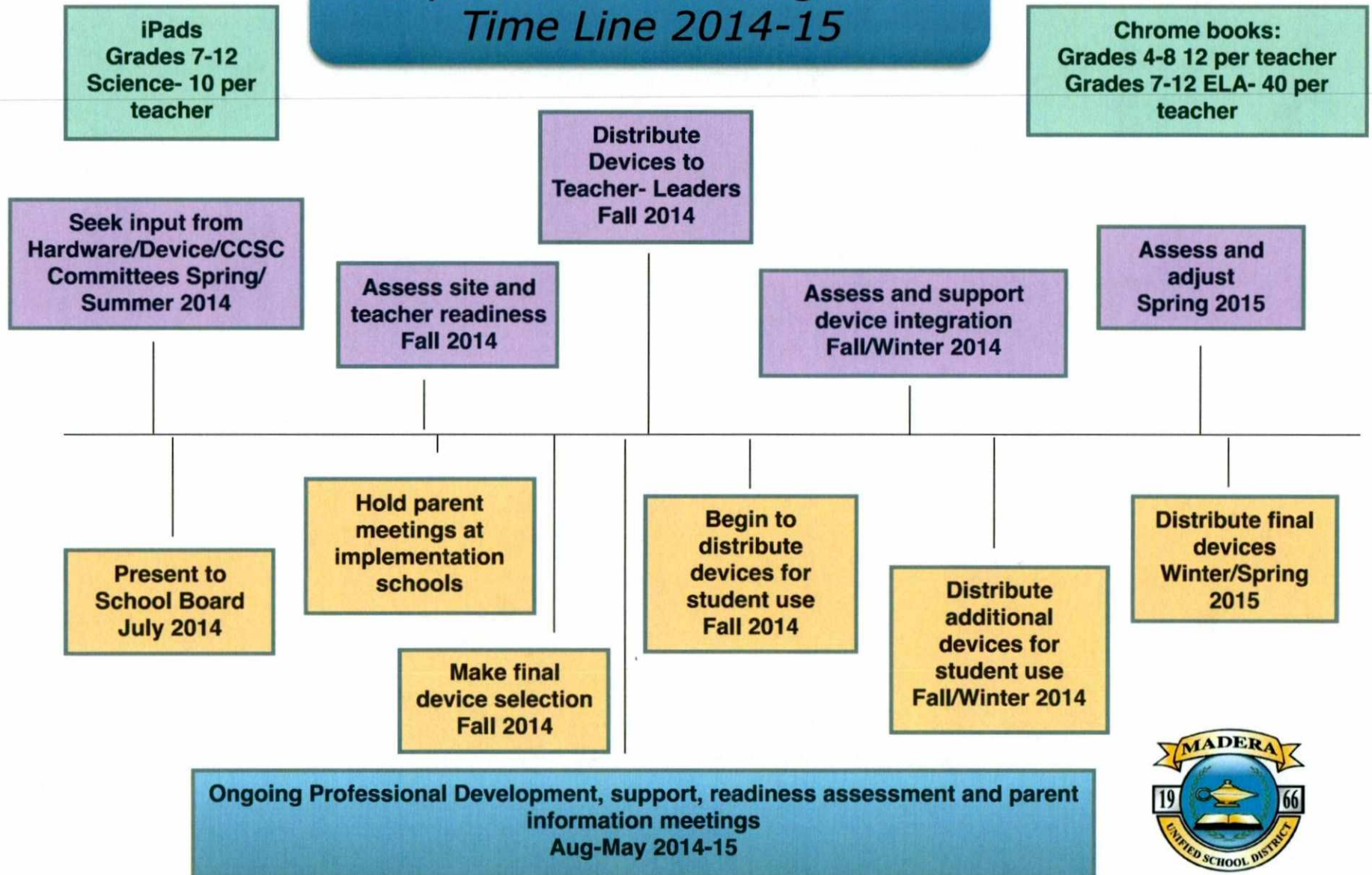
Educational Technology Support includes:

1. Chrome Books- \$1,503,270.04
2. iPad/tablets- \$216,942.60
3. Charging carts and baskets- \$269,246.00
4. Madera South High School/Madera High School Technology- \$147,299.84
5. Apps, Security, and Inventory software- \$76,843.30
6. Professional Development/Innovation Team- \$103,000.00

Technology Services Support includes:

1. Network cabling and management software- \$170,288.56
2. Wired network upgrade- \$1,014,501.70
3. Wireless network upgrade- \$245,502.00
4. Data Center Storage and servers- \$40,075.15
5. iBoss Content filtering- \$86,189.50
6. Security Monitoring- \$100,00.00

Proposed Device Integration Time Line 2014-15





AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Third Reading and Approval of Revised Board Policies, Administrative Regulations, and Exhibits for Educational Services Department.

Responsible Staff: Victor Villar, Associate Superintendent of Educational Services

Agenda Placement: Old Business

Background/rationale:

After further review, Legal and Staff has advised for the following Board Policies and Administrative Regulations.

- BP 5131.61 – Drug Testing
Current Board Policy is accurate. Staff's recommendation is not to adopt new law.
- BP 5141.21 – Administering Medication and Monitoring Health Conditions
- AR 5141.21 – Administering Medication and Monitoring Health Conditions
Legal recommendation is to adopt new law.
- Revisions/New Language are recommended by CSBA on the following Board Policies, Administrative Regulations, and Exhibits:
 - Students
 - AR 5111.2 – Nonresident Foreign Students
 - BP 5123 – Promotion/Acceleration/Retention
 - AR 5123 – Promotion/Acceleration/Retention
 - BP 5131.61 – Drug Testing
 - BP 5141.21 – Administering Medication and Monitoring Health Conditions
 - AR 5141.21 – Administering Medication and Monitoring Health Conditions
 - BP 5141.27 – Food Allergies/Special Dietary Needs
 - AR 5141.27 – Food Allergies/Special Dietary Needs
 - BP 5145.3 – Nondiscrimination/Harassment
 - AR 5145.3 – Nondiscrimination/Harassment
 - BP 5146 – Married/Pregnant/Parenting Students

Financial impact:

- None.

Superintendent's recommendation:

- The Superintendent recommends the Board approve the third reading of the revised Board Policies, Administrative Regulations, and Exhibits.

Supporting documents attached:

- Revised Board Policies, Administrative Regulations and Exhibits.

Madera USD

Administrative Regulation

AR 5111.2 **Students**

Nonresident Foreign Students

The Superintendent or designee shall, on behalf of the district, seek and obtain from the U.S. Department of Homeland Security's (DHS) Student and Exchange Visitor Program (SEVP) certification of eligibility to enroll nonimmigrant foreign students in district schools and recertification for the continuing eligibility of the district every two years. (8 CFR 214.3)

(cf. 6145.6 - International Exchange)

On a case-by-case basis, the Superintendent or designee may accept for admission into any of grades 9-12 any nonimmigrant foreign student with or seeking an F-1 visa. Any such student shall be admitted for a maximum of one year and shall pay the district the full, unsubsidized per-student cost of attendance at the school. (8 USC 1184)

(cf. 5111.1 - District Residency)

In determining whether to admit ~~the~~ a student, the Superintendent or designee shall consider whether the following conditions exist: (8 CFR 214.3, 22 CFR 41.61)

1. A suitable program exists at the school the student has selected
2. The student's English proficiency is sufficient for successful study at that school
3. Space is available at the school.
4. The student has provided proof of financial responsibility

In addition to fulfilling all other requirements for school entry, the student shall also submit evidence that he/she has been fully immunized in accordance with California law.

(cf. 5141.31 - Immunizations)

In accordance with law, the Superintendent or designee shall retain and, when required, report to DHS any records for nonimmigrant foreign students required for the operation of the SEVP. Upon request, he/she also shall furnish to DHS representatives other records maintained by the district for nonimmigrant foreign students. (8 CFR 214.3)

(cf. 5125 - Student Records)

The Superintendent or designee shall ensure that any individual dealing with enrollment of nonimmigrant foreign students is trained on the use of the Student Exchange Visitor Information System.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

EDUCATION CODE

8050-48054 Nonresidents

UNITED STATES CODE, TITLE 8

1184 Foreign students

1372 Reporting requirements, nonimmigrant foreign students

CODE OF FEDERAL REGULATIONS, TITLE 8

214.3 Petition for school approval

214.4 Withdrawal of school approval

CODE OF FEDERAL REGULATIONS, TITLE 22

41.61 Students; academic and nonacademic

Management Resources:

CDE LEGAL ADVISORIES

0319.97 Amendments to F-1 Student Visa Requirements, LO: 1-97

0319.97 Amendments to F-1 Student Visa Requirements, LO: 1-97

U.S. DEPARTMENT OF STATE PUBLICATIONS

Foreign Students (F-1) in Public Schools

WEB SITES

U.S. Department of Homeland Security, Student and Exchange Visitor Program:

<http://www.ice.gov/sevis>

U.S. Department of State: http://travel.state.gov/visa/temp/types/types_1269.html#1

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

Regulation Madera Unified School District

Adopted: December 13, 2011

Revised: June 26, 2014 Madera, California

Madera USD

Board Policy

Promotion/Acceleration/Retention

BP 5123

Students

The Governing Board expects students to progress through each grade level within one school year. Toward the end, instruction shall be designed to accommodate the variety of ways that students learn and provide strategies for addressing academic deficiencies as needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6170.1 - Transitional Kindergarten)

When high academic achievement is evident, the teacher may recommend a student for acceleration into a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between the end of the intermediate grades and the beginning of the middle school grades
5. Between the end of the middle school grades and the beginning of the high school grades

Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by grades and the following additional indicators of academic achievement:

District Reading Assessments
District Writing Assessments
District Math Assessments
High School Graduation Requirements
Attendance

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5149 - At-Risk Students)

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts, and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)

If a student does not have a single regular classroom teacher, the Superintendent or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The teacher's decision to promote or retain a student may be appealed in accordance with AR 5123 - Promotion/Acceleration/Retention.

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. (Education Code 48070.5)

(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs)
(cf. 6179 - Supplemental Instruction)

Legal Reference:

EDUCATION CODE

37252-37254.1 Supplemental instruction

41505-41508 Pupil Retention Block Grant

46300 Method of computing ADA

48011 Promotion/retention following one year of kindergarten

48070-48070.5 Promotion and retention

48431.6 Required systematic review of students and grading
56345 Elements of individualized education plan
60640-60649 California Assessment of Student Performance and Progress
60850-60859 Exit examination
CODE OF REGULATIONS, TITLE 5
200-202 Admission and exclusion of students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

FAQs Promotion, Retention, and Grading (students with disabilities)

FAQs Pupil Promotion and Retention

Kindergarten Continuance Form

WEB SITES

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

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

Policy MADERA UNIFIED SCHOOL DISTRICT

approved: December 13, 2011 Madera, California

revised: June 26, 2014

Madera USD

Administrative Regulation

Promotion/Acceleration/Retention

AR 5123

Students

Acceleration from Kindergarten to First Grade

Any student who meets the age eligibility requirement and has completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the Superintendent or designee agree that the student shall continue in kindergarten. (Education Code 48010, 48011)

(cf. 5111 - Admission)

A student who does not meet the age eligibility requirement may be admitted to the first grade at the discretion of the Superintendent or designee and with the consent of the parent/guardian, upon determination that the student ready for first-grade work. (Education Code 48011)

Admission shall be subject to the following minimum criteria: (5 CCR 200)

1. The student is at least five years of age.
2. The student has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability.
3. The student is in the upper five percent of his/her age group in terms of general mental ability.
4. The physical development and social maturity of the student are consistent with his/her advanced mental ability.
5. The parent/guardian of the student has filed a written statement with the school district approving the placement in first grade.

Continuation in Kindergarten

Whenever the Superintendent or designee and the parents/guardians agree that a student shall continue in kindergarten for an additional year, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300, 48011)

The Superintendent or designee shall not approve a student's continuation in kindergarten until the student has been enrolled in kindergarten for close to one school year.

Retention at Other Grade Levels

If a student is identified as performing below the minimum standard for promotion to the next grade level based on their indicators specified in Board policy, the student shall be retained in his/her current grade level unless the student's regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

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

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time. The teacher's evaluation shall be provided to and discussed with the student's parents/guardians and the principal before any final determination of retention or promotion. (Education Code 48070.5)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student's parent/guardian as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide a copy of the district's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that their child is at risk of retention.

Appeal Process

Whenever a student's parent/guardian appeals the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision should be overruled. (Education Code 48070.5)

To appeal a teacher's decision, the parent/guardian shall submit a written request to the Superintendent or designee specifying the reasons that the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion.

The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 30 days of receiving the request, the Superintendent or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the Superintendent or designee may meet with the parent/guardian and the teacher. If the Superintendent or designee determines that the parent/guardian has overwhelmingly proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

The Superintendent or designee's determination may be appealed by submitting a written appeal to the Governing Board within 15 school days. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The Board's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board, the Board may also meet with the parent/guardian, the teacher and the Superintendent/designee to decide the appeal. The decision of the Board shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

If the final decision of the Board is unfavorable to the appealing party, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

(cf. 5125 - Student Records)

(cf. 5125.3 - Challenging Student Records)

Regulation MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

revised: June 26, 2014

Madera USD

Board Policy

Drug Testing

BP 5131.61

Students

The Governing Board is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district's drug abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

Any drug testing program to be implemented in the district shall be developed in consultation with drug treatment and prevention professionals, the laboratory contracted to conduct the tests, and district legal counsel. In addition, the Superintendent or designee may invite input from students, staff, parents/guardians, community members, and representatives of local health care agencies, community service agencies, and businesses.

(cf. 1020 - Youth Services)

Participation in the district's drug testing program shall require the written consent of students' parents/guardians. The Superintendent or designee shall provide information about the program, including the district's policy and procedures, to all high school students and their parents/guardians at the beginning of each school year. All informational materials provided for this purpose shall contain clear statements about how the program will be implemented, including, but not limited to, a list of every substance that to be tested for and how students may be withdrawn from participation in the program.

(cf. 5145.6 - Parental Notifications)

Drug testing procedures shall ensure appropriate student privacy while maintaining the viability of the process. If urinalysis testing is used, the supervisor collecting the specimen shall be the same gender as the student and the specimen shall be collected in a private facility behind a closed stall.

Parents/guardians shall be notified after any positive test results are confirmed. Test results shall be kept separate from the student's other educational records and shall be disclosed only to school staff designated by the Superintendent or designee as responsible for program implementation. The district shall not release test results to law enforcement authorities except

in compliance with a court order.

(cf. 5125 - Student Records)

The Superintendent or designee shall provide a copy of the district's policy and procedures on drug testing to students and parents/guardians at the beginning of each school year.

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide training to principals, coaches, and other district staff involved in implementing the district's drug testing program.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Random Drug Testing for Athletics

The Superintendent or designee may establish a nonvoluntary, random drug testing program for students participating in athletics

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

No fee shall be charged for student participation in the district's drug testing program.

(cf. 3260 - Fees and Charges)

The Superintendent or designee shall develop:

1. Informational materials to be provided to participating students and their parents/guardians about the drug testing program

The informational materials shall require parents/guardians to notify the school when their child is taking any medication by presenting either a copy of the prescription or a physician's written verification of this fact.

2. A drug testing consent form to be signed by the student and his/her parent/guardian prior to allowing the student to participate in athletics.

The consent form shall specify the substances to be tested for and shall clearly indicate that the consent can be withdrawn and that the only consequence for such withdrawal will be that the student will no longer be able to participate in athletics.

3. Procedures addressing how students will be selected, how often tests will be conducted, how samples will be collected and transported, and how results will be confirmed

Any student participating in athletics who fails a required drug test shall be disqualified from participating in the athletic activity in accordance with district policy and shall be referred to an assistance program.

At the beginning of each school year, the Superintendent or designee shall conduct an orientation session for students participating in athletics and their parents/guardians, to explain the district's policy and outline the procedures for drug testing and the consequences if a positive result is obtained.

Legal Reference:

EDUCATION CODE

35160.5 District policy rules and regulations; requirements; matters subject to regulation

44049 Known or suspected alcohol or controlled substance abuse by student

51262 Use of anabolic steroids; legislative finding and declaration

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

COURT DECISIONS

Brown v. Shasta Union High School District, No. C061972, 2010 WL 3442147 (Cal. App. 3d Sept. 2, 2010)

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, (2002) 122 S. Ct. 2559

Vernonia School District v. Acton, (1995) 115 S. Ct. 2385

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS

What You Need To Know About Drug Testing in Schools, August 2002

WEB SITES

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

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

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

Policy: Madera Unified School District

Approved: October 23, 2012 Madera, California

Revised: June 26, 2014

Madera USD

Board Policy

Administering Medication and Monitoring Health Conditions

BP 5141.21

Students

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 any student with a disability, as defined 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 shall 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 Education Code 49423; 5 CCR 600)

Only a school nurse or other school employee with an appropriate medical license may administer an insulin injection to a student. In the event such licensed school personnel are unavailable, the district may contract with a licensed nurse from a public or private agency to administer insulin to the student. However, in an emergency situation such as a public disaster or epidemic, a trained, unlicensed district employee may administer an insulin injection to a student.

(cf. 5141.24 - Specialized Health Care Services)

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, ongoing supervision, as well as annual written verification of competency of such 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 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

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

Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

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 MADERA UNIFIED SCHOOL DISTRICT

Approved: December 13, 2011

Madera, California

Revised: June 26, 2014

Madera USD

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 medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

Other designated school personnel any individual employed by the district who has consented to administer the 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)

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)

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. Each school year, providing parent/guardian and authorized health care provider written statements as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. In addition, 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. (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 49423, 49423.1; 5 CCR 602)
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)

(cf. 5141.23 - Asthma Management)

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

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 medications 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 medications. The type of medication and the times and dosage to be administered shall be noted on the list.
4. Maintain a medication log which may:
 - a. Specify the student's name, medication, dose, and method of administration, time of administration during the regular school day, date 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 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 after-school activities.

(cf. 5148.2 - Before/After School Programs)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

8. Report to the 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 the authorized health care provider and pharmacist regarding the medication and its effects.
11. 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.
12. Ensure that 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, and, parent/guardian and, if necessary, the student's authorized health care provider any instances when the 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. Whenever a parent/guardian requests that a nonmedical district employee be trained to provide emergency medical assistance to his/her child, notification to the parent/guardian 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. 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.

2. The creation of an individualized health plan, seizure action plan, or other appropriate his/her parent/guardian refuses to have him/her assessed for services or accommodations under IDEA or Section 504.

(cf. 6159 - Individualized Education Program)

3. The distribution of an electronic notice to school staff no more than twice per school year, for each 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.

If no employee volunteers to administer emergency antiseizure medication to a student, have the student assessed for services and accommodations under IDEA or Section 504.

4. An assurance that 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.

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.

5. An assurance that any training provided for district employees who volunteer to administer emergency antiseizure medication to students 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. 5022 - Student and Family Privacy Rights)

6. 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.
7. Supervision of volunteer school employees by a licensed health care professional, in accordance with 5 CCR 627.

Regulation MADERA UNIFIED SCHOOL DISTRICT
Adopted: December 13, 2011 Madera, California
Approved: June 26, 2014

Madera USD

Board Policy

Food Allergies/Special Dietary Needs

BP 5141.27

Students

The Governing Board desires to prevent students' exposure to foods to which they are allergic or intolerant and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.

The Superintendent or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but not be limited to, strategies for identifying students at risk for allergic reactions, avoidance measures and other means to manage allergies, education of staff regarding typical symptoms, and actions to be taken in the event of a severe allergic reaction.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3552 - Summer Meal Program)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

Parents/guardians shall be responsible for notifying the Superintendent or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation.

(cf. 5125 - Student Records)

When a student's food allergy or food intolerance substantially limits one or more major life activities, his/her parents/guardians shall be informed of the district's obligation to evaluate the student to determine if he/she requires accommodations pursuant to Section 504 of the federal Rehabilitation Act. The student shall be evaluated in accordance with law and the procedures specified in AR 6164.6 - Identification and Education Under Section 504. If that process results in the development of a Section 504 plan, the district shall provide the accommodations and/or aids and services identified in the plan.

(cf. 6145 - Extracurricular and Cocurricular Activities)

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

If a student's diet restrictions and needed services are addressed in an individualized education

program (IEP), the Superintendent or designee shall ensure compliance with the IEP including any necessary food substitutions.

(cf. 6159 - Individualized Education Program)

Students shall not be excluded from school activities.

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

Any complaint of alleged noncompliance with this policy shall be addressed through appropriate district complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3555 - Nutrition Program Compliance)

The district's food services program may, but is not required to, accommodate individual student preferences or diets that are not supported by a statement from the student's health care provider.

Legal Reference:

EDUCATION CODE

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49423 Administration of prescribed medication for student

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

15562 Reimbursement for meals, substitutions

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

701-795a Rehabilitation Act, including:

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Program

1771-1791 Child nutrition, especially:

1773 School Breakfast Program

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

225.16 Meal programs, individual substitutions

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Training Standards for the Administration of Epinephrine Auto-Injectors, December 2004

FOOD ALLERGY AND RESEARCH AND EDUCATION PUBLICATIONS

School Guidelines for Managing Students with Food Allergies

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Accommodating Children with Special Dietary Needs in the School Nutrition Programs:

Guidance for School Food Service Staff, 2001

U.S. DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS PUBLICATIONS

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

WEB SITES

American Dietetic Association: <http://www.eatright.org>

American School Food Service Association: <http://www.asfsa.org>

California Department of Education, Health Services and School Nursing:

<http://www.cde.ca.gov/ls/he/hn>

Food Allergy Research and Education: <http://www.foodallergy.org>

International Food Information Council: <http://ific.org>

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

U.S. Department of Agriculture: <http://www.fns.usda.gov>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr>

Policy MADERA UNIFIED SCHOOL DISTRICT

approved: October 23, 2012

revised: June 26, 2014 Madera, California

Madera USD

Administrative Regulation

Food Allergies/Special Dietary Needs

AR 5141.27
Students

Definitions

Special dietary needs include food intolerances, allergies, and other medical needs that may require avoidance of specific foods.

Food allergies are abnormal responses of the body's immune system to certain foods or ingredients.

Anaphylaxis is a potentially life-threatening hypersensitivity to a substance and may be caused by a food allergy. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

In severe cases, anaphylaxis may result in lowered blood pressure, loss of consciousness, or even death. Symptoms typically appear immediately after exposure to a certain food or substance but in rare cases may occur after a few hours.

Epinephrine auto-injector is a disposable drug delivery system with a spring-activated concealed needle that is designed for emergency administration of epinephrine to persons suffering a potentially fatal reaction to anaphylaxis. (Education Code 49414)

Notification by Parent/Guardian

The parents/guardians of any student has a known food allergy, or other special dietary need shall notify the Superintendent or designee, in writing, and provide written medical documentation, signed by the student's health care provider that describes the nature of the student's condition, instructions, and necessary medications. If the student's condition requires food substitutions or modifications in school meals, the written statement shall also describe the specific foods to be restricted and the foods that should be substituted.

Health Plan

Upon receiving notice of a student's food allergy or other special dietary need, the Superintendent or designee shall ensure that a written health plan is developed, in consultation with the student's parents/guardians and health provider, to manage the student's needs while at school or at a school-sponsored activity. The plan shall seek to minimize the student's risk of exposure to the allergen and address actions to be taken if exposure occurs. As appropriate, the

plan may include specific food prohibitions and substitutions, an identification of common school rooms where the student may be exposed, staff responsibilities, information and training to be provided to staff, accommodations and services to facilitate the student's participation in the educational program, and medical/emergency protocols.

When a student with a food allergy or other special dietary need has been identified as disabled pursuant to Section 504 of the Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act, necessary accommodations and services shall be identified as part of the student's Section 504 services plan or individualized education program, as appropriate.

(cf. 5141.24 - Specialized Health Care Services)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

Prevention Strategies

To minimize students' exposure to foods to which they are allergic, the Superintendent or designee shall, at a minimum, implement the following preventive measures:

1. Notification to District Staff

When notified by the parent/guardian that a student has a food allergy, the Superintendent or designee shall inform the student's principal, teacher(s), bus driver, school nurse, coach, substitute teacher, and/or any other personnel responsible for supervising the student.

The principal or designee shall notify substitute staff of any students with known food allergies and the school's response plan.

(cf. 5125 - Student Records)

2. Food Services

The district's food services program shall make food substitutions in breakfasts, lunches, and after-school snacks when students are considered to have a disability under Section 504 that restricts their diet and when a health care provider has signed a statement of need that includes recommended alternate foods. (7 CFR 210.10, 220.8)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552- Summer Meal Program)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)
(cf. 5148.2- Before/After School Programs)

Substitutions may be made on a case-by-case basis for students who do not have a disability under Section 504 but who cannot consume the regular breakfast, lunch, or after-school snack

because of medical or other special dietary needs, when supported by a statement of need signed by a health care provider. (7 CFR 210.10, 220.8, 225.16)

The district's food services staff shall check food labels or specifications to ensure that foods do not contain traces of substances to which the student is allergic.

Under no circumstances shall food services staff prescribe nutritional requirements or revise a diet order prescribed by a health care provider.

Food substitutions shall not result in any additional cost to the student.

3. Class Parties/School Activities

Without identifying the student, the principal or teacher may notify parents/guardians of other students in the class that a student is allergic to a specific food and may request that the food not be provided at class parties or other school events.

Whenever the ingredients in any food served at class parties or other school activities are unknown, the student shall be encouraged to avoid the food.

4. Sanitation and Cleaning

To avoid spreading allergens, cafeteria tables and classroom surfaces shall be cleaned with a fresh cloth or disposable paper towels utilizing cleaning products known to effectively remove food proteins, excluding waterless cleaners or instant hand sanitizers that do not involve a wet-wash step. Cross-contact from a sponge or cloth used to clean allergen-containing tabletops shall be avoided.

Staff shall use and promote hand-washing using soap and water before and after food handling.

Students shall be notified that exchanging meals or utensils is prohibited.

5. Professional Development

Schoolwide professional development shall be provided to appropriate staff on the identification and management of food allergies, including avoidance measures, typical symptoms, the proper use of epinephrine auto-injectors, documentation and storage of medication, and emergency drills.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

6. Supervision of Students

When available, staff who are trained and knowledgeable about symptoms of anaphylaxis and

actions to take in an emergency shall provide supervision in the classroom and cafeteria and on the playground, and on field trips or other school activities whenever students known to have a food allergy are present.

(cf. 6153- School-Sponsored Trips)

7. Health Education

The district's health education curriculum may include instruction on food allergies in order to assist food-allergic students in taking responsibility for monitoring their diet and to teach other students about the dangers of sharing foods or utensils with others.

(cf. 6142.8 - Comprehensive Health Education)

Emergency Response

Epinephrine auto-injectors or other medicine provided for use in the event of an anaphylactic shock reaction shall be stored and used in accordance with law and BP/AR 5141.21 -

Administering Medication and Monitoring Health Conditions.

(cf. 4119.43 - Universal Precautions)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

In addition, staff shall call 911 and seek immediate medical attention for a student experiencing an anaphylactic shock reaction.

(cf. 5141 - Health Care and Emergencies)

As soon as possible, school staff shall contact the student's parents/guardians or other person identified as an emergency contact.

When a student with a known allergy will be off school grounds, such as on a field trip, he/she shall be accompanied by a kit containing at least two doses of epinephrine, other medications as noted by the student's health care provider and, as appropriate, the student's individualized food allergy plan.

Regulation MADERA UNIFIED SCHOOL DISTRICT

Adopted: December 13, 2011

Adopted: June 26, 2014 Madera, California

Madera USD

Board Policy

Nondiscrimination/Harassment

BP 5145.3

Students

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school. (Education Code 234.1)

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that is so severe and pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any

identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
 (cf. 1330 - Use of Facilities)
 (cf. 4131 - Staff Development)
 (cf. 4231 - Staff Development)
 (cf. 4331 - Staff Development)
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)
 (cf. 6164.2 - Guidance/Counseling Services)

Students who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequences or discipline. Any employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
 (cf. 4119.21/4219.21/4319.21- Professional Standards)
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
 (cf. 5144 - Discipline)(cf. 5144.1 - Suspension and Expulsion/Due Process)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 48900.3 Suspension or expulsion for act of hate violence
 48900.4 Suspension or expulsion for threats or harassment
 48904 Liability of parent/guardian for willful student misconduct
 48907 Student exercise of free expression
 48950 Freedom of speech
 48985 Translation of notices
 49020-49023 Athletic programs
 51500 Prohibited instruction or activity
 51501 Prohibited means of instruction
 60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student record

4600-4687 Uniform Complaint Procedures

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 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

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

FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy: MADERA UNIFIED SCHOOL DISTRICT

approved: August 28, 2012 Madera, California

revised: September 24, 2013

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Madera USD

Administrative Regulation

Nondiscrimination/Harassment

AR 5145.3

Students

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying and to answer inquiries regarding the district's nondiscrimination policies: (Education Code 234.1; 5 CCR 4621)

Chief Academic Officer
1902 Howard Road
Madera, CA 93637
(559) 675-4500

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

To prevent discrimination, harassment, intimidation, and bullying of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Provide to employees, volunteers, and parents/guardians training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, harassment, intimidation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include guidelines for addressing issues related to transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

2. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

3. Annually notify all students and parents/guardians of the district's nondiscrimination policy and of the opportunity to inform the Coordinator whenever a student's participation in a sex-segregated school program or activity together with another student of the opposite biological sex would be against the student's religious beliefs and/or practices or a violation of his/her right to privacy. In such a case, the Coordinator shall meet with the student and/or parent/guardian to determine how best to accommodate the student.

(cf. 5145.6 - Parental Notifications)

4. Publicize the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, employees, volunteers, and the general public and post them on the district's web site and other locations that are easily accessible to students. (Education Code 234.1)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

5. When 15 percent or more of a school's students speak a single primary language other than English, translate the nondiscrimination policy, related complaint procedures, and all forms for use in the complaint process into that other language. (Education Code 234.1, 48985)

6. At the beginning of each school year, inform school employees that any employee who witnesses any act of discrimination, harassment, intimidation, or bullying against a student is required to intervene if it is safe to do so. (Education Code 234.1)

7. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate accommodation(s) to protect students' privacy rights and ensure their safety from threatened or potentially harassing, intimidating, or discriminatory behavior.

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall immediately report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

Transgender and Gender-Nonconforming Students

Gender identity means a person's gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth.

Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth. (Education Code 210.7)

Transgender student means a student whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district will only disclose the information to others with the student's prior consent, except when the disclosure is otherwise required by law or is necessary to preserve the student's physical or mental well-being. Any district employee to whom a student discloses his/her transgender or gender-nonconforming status shall seek the student's permission to notify the Coordinator for Nondiscrimination. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to law or district policy, and shall inform the student that it may be impossible to accommodate the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the Coordinator, the employee shall do so within three school days.

As appropriate, the Coordinator shall discuss with the student any need to disclose the student's transgender or gender-nonconformity status to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. Any decision to disclose the student's status to others shall be based on the student's best interest.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The Coordinator shall accept the student's assertion unless district personnel present a credible basis for believing that the student's assertion is for an improper purpose. In such a case, the Coordinator shall document the improper purpose and, within seven school days of receiving notification of the student's assertion, shall provide a written response to the student and, if appropriate, to his/her parents/guardians.

3. Addressing a Student's Transition Needs: The Coordinator shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify potential issues, including transition-related issues, and to develop strategies for addressing them. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the Coordinator shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action could be taken to address it.

4. Accessibility to Sex-segregated Facilities, Programs, and Activities: The district may maintain sex-segregated facilities, such as restrooms and locker rooms, and sex-segregated programs and activities, such as physical education classes, intermural sports, and interscholastic athletic programs. A student shall be entitled to access facilities and participate in programs and activities consistent with his/her gender identity. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. However, a student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6153 - School-Sponsored Trips)
(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed pursuant to a court order. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns shall not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)

Regulation MADERA UNIFIED SCHOOL DISTRICT

Adopted: December 13, 2011

Revised: June 26, 2014

Madera USD

Board Policy

Married/Pregnant/Parenting Students

BP 5146 Students

The Governing Board recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills and to promote the healthy development of their children.

(cf. 5113.1 - Chronic Absence and Truancy)
 (cf. 5147 - Dropout Prevention)
 (cf. 5149 - At-Risk Students)
 (cf. 6011 - Academic Standards)
 (cf. 6146.1 - High School Graduation Requirements)
 (cf. 6146.11 - Alternative Credits Toward Graduation)
 (cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
 (cf. 6164.5 - Student Success Teams)

The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
 (cf. 5127 - Graduation Ceremonies and Activities)

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)
 (cf. 6145 - Extracurricular and Cocurricular Activities)

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

For school-related purposes, married students under the age of 18 years shall have all the rights and privileges of students who are 18 years, even if the marriage has been dissolved. (Family Code 7002)

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of district strategies to support married, pregnant, and parenting students, which may include data on participation rates in district programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on district programs and services.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

Pregnant and Parenting Students

Pregnant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child. (Education Code 54745)

(cf. 6158 - Independent Study)

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

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. A lactating student shall have access to a private location, other than a restroom, to breastfeed or express milk for her infant child.

(cf. 6183 - Home and Hospital Instruction)

A student may be required, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that she is physically and emotionally able to participate in an educational program or activity, if other students with physical or emotional conditions or temporary disabilities are required by the district to provide such certification. (34 CFR 106.40)

To the extent feasible, educational and related support services shall be provided, either through the district or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf. 1020 - Youth Services)

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

(cf. 5148 - Child Care and Development)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

4. Health care services, including prenatal care

(cf. 5141.6 - School Health Services)

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

6. Academic and personal counseling

(cf. 6164.2 - Guidance/Counseling Services)

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by her physician. At the conclusion of the leave, the student shall be reinstated to the status she held when the leave began. (34 CFR 106.40)

(cf. 5112.3 - Student Leave of Absence)

A pregnant or parenting student also may request exemption from attendance because of a related physical or mental condition or because of personal services that must be rendered to a dependent. (Education Code 48410)

(cf. 5112.1 - Exemptions from Attendance)

Legal Reference:

EDUCATION CODE

230 Sex discrimination

8200-8498 Child Care and Development Services Act

48205 Excused absences

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

54740-54749 Cal-SAFE program for pregnant/parenting students and their children

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

WEB SITES

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

California Women's Law Center: <http://www.cwlc.org>

U.S. Department of Agriculture, Women, Infants, and Children Program:

<http://www.fns.usda.gov/wic>

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

Policy MADERA UNIFIED SCHOOL DISTRICT

approved: December 13, 2011 Madera, California

revised: June 26, 2014



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of Board Bylaws 9324 – Minutes and Recordings

Responsible Staff: Edward C. González, Superintendent

Agenda Placement: Consent

Background/ rationale:

The revision of the existing MUSD Board Bylaw 9324 and new language is recommended by CSBA.

Financial impact:

None.

Superintendent's recommendation:

The Superintendent recommends First Reading of Board Bylaw 9324. A Second Reading and request for Approval will be presented at the September 23rd Board meeting.

Supporting documents attached:

Board Bylaw 9324.

Madera USD

Board Bylaw

Minutes And Recordings

BB 9324

Board Bylaws

The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public. Accurate minutes also help foster public trust that Board actions are occurring in public in accordance with law.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9323 - Meeting Conduct)

The secretary of the Board shall keep minutes and record all official Board actions. The Board's minutes shall be public records and shall be made available to the public upon request.

(Education Code 35145, 35163)

(cf. 1340 - Access to District Records)

(cf. 9122 - Secretary)

(cf. 9323.2 - Actions by the Board)

The minutes shall record which members are present and whether a member is not present for part of the meeting due to late arrival and/or early departure.

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

In order to ensure that the minutes are focused on Board action, the minutes shall include only a brief summary of the Board's discussion, but shall not include a verbatim record of the Board's discussion on each agenda topic or the names of Board members who made specific points during the discussion.

The minutes shall include the specific language of each motion, the names of members who made and seconded the motion, and the individual votes of each member, unless the action was unanimous. When a roll call vote is taken, the names and votes of each member shall be listed. Motions or resolutions shall be recorded as having passed or failed. All motions and Board resolutions shall be numbered consecutively from the beginning of each fiscal year.

The minutes shall also report any action taken and the vote or abstention on that action of each member present. (Government Code 54953)

The minutes shall also report any action taken and the vote or abstention on that action of each member present. (Government Code 54953)

MINUTES AND RECORDINGS (continued)

The minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address.

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. At the next meeting, the Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the Board, the official minutes shall be signed by the Board Clerk.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

(cf. 3580 - District Records)

Any minutes or recordings kept for Board meetings held in closed session shall be kept separately from the minutes or recordings of regular and special meetings. Minutes or recordings of closed sessions are not public records. (Government Code 54957.2)

(cf. 9321.1 - Closed Session Actions and Reports)

Recording or Broadcasting of Meetings

The district may tape, film, or broadcast any open Board meeting. The Board president shall announce that a recording or broadcasting is being made at the direction of the Board at the beginning of the meeting and, as practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any district recording may be erased or destroyed 30 days after the meeting. Recordings made at the direction of the Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on a district ~~recorder~~ equipment without charge. (Government Code 54953.5)

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journals

35164 Vote requirements

GOVERNMENT CODE

54952.2 Meeting defined

54953.5 Audio or video recording of proceedings

54953.6 Broadcasting of proceedings

54957.2 Closed sessions; clerk; minute book

54960 Violations and remedies

PENAL CODE

632 Unlawful to intentionally record a confidential communication without consent

CODE OF REGULATIONS, TITLE 5

16020-16027 Classification and retention of records

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, rev. 2007

Guide to Effective Meetings, rev. 2007

~~Maximizing School Board Leadership: Boardsmanship, 1996~~

WEB SITES

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

Bylaw

adopted: December 13, 2011

revised:

MADERA UNIFIED SCHOOL DISTRICT

Madera, California



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of Board Bylaw 9270 – Conflict of Interest

Responsible Staff: Edward C. González, Superintendent

Agenda Placement: Consent

Background/ rationale:

The Political Reform Act requires every local government agency to review its conflict-of-interest code biennially and submit the revised bylaw to the County Board of Supervisors.

Board Bylaw 9324 – Minutes and Recording has been revised and updated.

Financial impact:

None.

Superintendent's recommendation:

The Superintendent recommends First Reading of Board Bylaw 9324.

Supporting documents attached:

Board Bylaw 9270.

Madera USD

Board Bylaw

Conflict Of Interest

BB 9270

Board Bylaws

Incompatible Activities

Governing Board Members shall not engage in any employment or activity, which is inconsistent with, incompatible with, in conflict with or inimical to the Board Member's duties as an officer of the school district. (Government Code 1126)

Conflict of Interest Code

The district's Conflict of Interest Code shall comprise the terms of 2 CCR 18730, and any amendments to it adopted by the Fair Political Practices Commission, together with a district attachment specifying designated positions and the specific types of disclosure statements required for each position.

When a change in the district's Conflict of Interest Code is necessitated by changed circumstances such as the creation of new positions, amendments or revisions shall be submitted to the code reviewing body within 90 days. (Government Code 87306)

The Board shall review the appropriate district Conflict of Interest Code in even-numbered years and send the code reviewing body either an amended code or, by October 1 of that year, a statement to the effect that no change is necessary. (Government Code 87306.5)

When reviewing and preparing Conflict of Interest Codes, the district shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

Designated employees of the district, including Board Members, shall adhere to the financial disclosure requirements of the district's Conflict of Interest Code adopted pursuant to the provisions of Government Code 87300.

In accordance with the Conflict of Interest Code, designated employees, including Board Members, shall file statements of economic interests with the Madera County Clerk-Recorder/Registrar of Voters office. The Madera County Clerk-Recorder/Registrar of Voters or designee shall make and retain copies of all statements and make them available for public inspection and reproduction, pursuant to Government Code 81008.

Filing Officer for designated employees of the Madera Unified School District is the Clerk of the Madera County Board of Supervisors. The code reviewing body is the Madera County Board of

Supervisors.

Financial Interest

Board Members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board Members or designated employees. (Government Code 1090)

A Board Member shall not be considered to be financially interested in a contract if his/her interest includes, but is not limited to, any of the following: (Government Code 1091.5)

1. That of an officer who is being reimbursed for his/her actual and necessary expenses incurred in the performance of an official duty
2. That of a recipient of public services generally provided by the public body or board of which he/she is a member, on the same terms and conditions as if he or she were not a member of the Board
3. That of a landlord or tenant of the contracting party if such contracting party is the federal government or any federal department or agency, this state or an adjoining state, any department or agency of this state or an adjoining state, any county or city of this state or an adjoining state, or any public corporation or special, judicial or other public district of this state or an adjoining state unless the subject matter of such contract is the property in which such officer or employee has such interest as landlord or tenant in which even his/her interest shall be deemed a remote interest within the meaning of, and subject to, the provisions of Government Code 1091
4. That of a spouse of an officer or employee of a public agency if his/her spouse's employment or office holding has existed for at least one year prior to his/her election or appointment
5. That of a non-salaried member of a nonprofit corporation, provided that such interest is disclosed to the Board at the time of the first consideration of the contract, and provided further that such interest is noted in its official records
6. That of a non-compensated officer of a nonprofit, tax-exempt corporation which, as one of its primary purposes, supports the functions of the Board or to which the Board has legal obligation to give particular consideration, and provided further that such interest is noted in its official records
7. That of a person receiving salary, per diem, or reimbursement for expenses from a governmental entity, unless the contract directly involves the department of the government entity that employs the officer or employee, provided that the interest is disclosed to the Board at the time of consideration of the contract, and provided further that the interest is noted in its official record
8. That of an attorney of the contracting party or that of an owner, officer, employee or

agent of a firm which renders, or has rendered service to the contracting party in the capacity of stockbroker, insurance agent, insurance broker, real estate agent, or real

estate broker, if these individuals have not received and will not receive remuneration, consideration, or a commission as a result of the contract and, if these individuals have an ownership interest of less than 10 percent in the law practice or firm, stock brokerage firm, insurance firm, or real estate firm.

In addition, a Board Member or employee shall not be deemed to be interested in a contract made pursuant to competitive bidding under a procedure established by law if his/her sole interest is that of an officer, director, or employee of a bank or savings and loan association with which a party to the contract has the relationship of borrower or depositor, debtor or creditor. (Government Code 1091.5)

A Board Member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract and if the remote interest is disclosed during a Board meeting and noted in the official Board minutes. The affected Board Member shall not vote or debate on the matter or attempt to influence any other Board Member to enter into the contract. Remote interests are specified in Government Code 1091(b); they include, but are not limited to, the interest of a parent in the earnings of his/her minor child. (Government Code 1091)

If a Board Member or designated employee determines that he/she has a financial interest in a decision, as described in Government Code 87103, this determination shall be disclosed and made part of the Board's official minutes. In the case of a designated employee, this announcement shall be made in writing and submitted to the Board. (2 CCR 18700)

A Board Member shall abstain from voting on personnel matters that uniquely affect a relative of the Board Member. A Board Member may vote, however, on collective bargaining agreements and personnel matters that affect a class of employees to which the relative belongs. "Relative" means an adult who is related to the person by blood or affinity within the third degree, as determined by the common law, or an individual in an adoptive relationship within the third degree. (Education Code 35107)

A relationship within the third degree includes the individual's parents, grandparents and great-grandparents, children, grandchildren and great-grandchildren, brothers, sisters, aunts and uncles, nieces and nephews, and the similar family of the individual's spouse unless the individual is widowed or divorced.

Board Members are encouraged to abstain from votes in which they have a personal interest, even if they are permitted to vote under the conflict of interest laws, in order to avoid even the appearance of impropriety.

Gifts

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to

report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89503)

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code 89506.

A gift of travel does not include travel provided by the school district for Board Members and designated employees. (Government Code 89506)

Honoraria

Designated employees shall not accept any honorarium which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89502)

The term "honorarium" does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

APPENDIX A

Designated Positions/Disclosure Categories

Designated Positions	Disclosure Category
Governing Board	1
Madera Unified School District Superintendent	1
Deputy Superintendent	1
Associate Superintendent(s)	1
<u>Assistant Superintendent</u>	<u>1</u>
Senior Administrative Assistant to Superintendent	1
Chief Academic Officer(s)	1
Director of Human Resources/Labor Relations	1
Chief Human Resources Officer	1
<u>Director of Facilities, Planning and Construction Management</u>	<u>1</u>

Director of Fiscal Services	1
Director of Purchasing	1
Attorneys:	1
Atkinson, Andelson, Loya, Ruud and Romo	
Best Best and Krieger LLP	
Kidd Crawford	
Director of Child Nutrition	2
Director of Data Processing	2
Director of Technology	2
Director of Curriculum Instruction and Assessment	2
Director of Categorical Programs	2
Director of Performance Management & Internal Communications	2
Director of English Learners	2
Director of Instructional Technology	2
Director of College and Career Readiness	2
Director of Visual and Performing Arts	2
Director of Transportation	2
Principals	2

APPENDIX B

Designated Positions/Disclosure Categories

The definition of designated employees in Government Code 82019 includes consultants. To preclude amending the code whenever retaining a consultant in a decision-making capacity, the following section provides that the Superintendent or Associate Superintendent shall make case-by-case determinations of the disclosures necessary, depending on the range of duties to be performed by the consultant.

Designated Positions	Disclosure Category
<u>Rex Despain, Isom Advisors, A Division of Urban Futures, Inc.</u>	<u>3</u>
<u>Greg Isom, Isom Advisors, A Division of Urban Futures, Inc.</u>	<u>3</u>
<u>Alan Caeton, JPA Administrator, California Risk Management</u>	<u>3</u>
<u>Authority (Property/Liability and Workers' Compensation)</u>	<u>3</u>
<u>Ed Darden, Architect, Edwin Darden Associates, Inc.</u>	<u>3</u>
 Richard Mangini, Architect, Mangini Associates	3
Mike Paoli, of Mike Paoli and Associates	3
Bruce Kerns, Director, Stone and Youngberg <u>Stifel, Nicolaus & Company, Inc.</u>	<u>3</u>
Robert L. Williams, Jr., Managing Director, RBC Dain Rauscher	3
Spectrum Energy	3

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent or Associate Superintendent may determine in writing that a particular

consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and, thus, is not required to comply fully with the disclosure requirements described in this section. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The (Superintendent's or Associate Superintendent's) determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX C

Designated Positions/Disclosure Categories

Disclosure Categories

An investment, business position, interest in real property, or source of income is reportable if the business entity in which the investment or business position is held, the interest in real property, or the income or source of income may foreseeable be affected materially by any decision made or participated in by the designated employee by virtue of the employee's position.

Disclosure Category No. 1

Designated persons in Category 1 must report all:

1. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries or of any land owned or used by the district. Such interests include any leasehold, beneficial or ownership interests or option to acquire such interest in real property.
2. Investments or business positions in or income from sources which:
 - a. Are engaged in the acquisition or disposal of real property within the district
 - b. Are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the district or
 - c. Manufacture or sell supplies, books, machinery or equipment of the type used by the school district

Disclosure Category No. 2

Designated persons in Category 2 must report all investments or business positions in or income from sources which:

1. Are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs, or

2. Manufacture or sell supplies, books, machinery or equipment of the type used by the department that the designated person manages or directs. For the purposes of this category, a principal's department is his/her entire school.

APPENDIX D

Disclosure Category 3

Consultants are designated employees who must disclose financial interests as determined on a case-by-case basis by the Superintendent or Associate Superintendent. The Superintendent's or Associate Superintendent's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this Conflict of Interest Code.

A consultant is an individual who, pursuant to a contract with the district, makes any of several specified governmental decisions or serves in a staff capacity with the district, performing the same or substantially the same duties for the district that would otherwise be performed by an individual holding a position specified in the district's Conflict of Interest Code. Consultants are individuals who decide whether to: (2 CCR 18700)

1. Approve a rate, rule or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend or revoke a permit, license, application, certificate, approval, order or similar authorization or entitlement
4. Authorize the district to enter into, modify or renew a contract that requires district approval
5. Grant district approval to a contract or contract specifications that require district approval and in which the district is a party
6. Grant district approval to a plan, design, report, study or similar item
7. Adopt or grant district approval of district policies, standards or guidelines

Legal Reference:

EDUCATION CODE

1006 Qualifications for holding office

35107 School district employees

35230-35240 Corrupt practices, especially:

35233 Prohibitions applicable to members of governing boards

41000-41003 Moneys received by school districts

FAMILY CODE

297.5 Rights, protections, and benefits of registered domestic partners

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

81000-91014 Political Reform Act of 1974, especially:

82011 Code reviewing body

87100-87103.6 General prohibitions

87200-87210 Disclosure

87300-87313 Conflict of interest code

87500 Statements of economic interests

89501-89503 Honoraria and gifts

91000-91014 Enforcement

PENAL CODE

85-88 Bribes

CODE OF REGULATIONS, TITLE 2

18110-18997 Regulations of the Fair Political Practices Commission, especially:

18702.5 Public identification of a conflict of interest for Section 87200 filers

COURT DECISIONS

Klistoff v. Superior Court, (2007) 157 Cal.App.4th 469

Thorpe v. Long Beach Community College District, (2000) 83 Cal.App.4th 655

Kunec v. Brea Redevelopment Agency, (1997) 55 Cal.App.4th 511

ATTORNEY GENERAL OPINIONS

92 Ops.Cal.Atty.Gen. 26 (2009)

92 Ops.Cal.Atty.Gen. 19 (2009)

89 Ops.Cal.Atty.Gen. 217 (2006)

86 Ops.Cal.Atty.Gen. 138(2003)

85 Ops.Cal.Atty.Gen. 60 (2002)

82 Ops.Cal.Atty.Gen. 83 (1999)

81 Ops.Cal.Atty.Gen. 327 (1998)

80 Ops.Cal.Atty.Gen. 320 (1997)

69 Ops.Cal.Atty.Gen. 255 (1986)

68 Ops.Cal.Atty.Gen. 171 (1985)

65 Ops.Cal.Atty.Gen. 606 (1982)

63 Ops.Cal.Atty.Gen. 868 (1980)

Management Resources:

CSBA PUBLICATIONS

Conflict of Interest: Overview of Key Issues for Governing Board Members, Fact Sheet, July 2010

FAIR POLITICAL PRACTICES COMMISSION PUBLICATIONS

Can I Vote? A Basic Overview of Public Officials' Obligations Under the Conflict-of-Interest Rules, 2005

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Understanding the Basics of Public Service Ethics: Personal Financial Gain Laws, 2009

Understanding the Basics of Public Service Ethics: Transparency Laws, 2009

WEB SITES

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

Fair Political Practices Commission: <http://www.fppc.ca.gov>

Institute of Local Government: <http://www.ca-ilg.org>

Bylaw

adopted: December 22, 1981

reviewed: May 17, 2005

revised: December 13, 2011

revised: October 23, 2012

revised:

MADERA UNIFIED SCHOOL DISTRICT

Madera, California



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of Program Adoption Recommendation for Integrated Math I for grades 9-12

Responsible Staff: **Victor Villar, Associate Superintendent of Educational Services**
Sheryl Sisil, Director of College and Career Readiness

Agenda Placement: New Business

Background/ rationale:

Integrated Math I course was board approved in the spring of 2009 and serves as a bridge between Algebra I and Geometry for students who need to achieve mastery or need a stronger foundation in Algebra I. The Secondary Curriculum and Instruction administrators and math department staff have completed the review of instructional materials and are making a recommendation for core program materials for the Integrated Math I course for grades 9-12. The committee utilized criteria to review and evaluate using the following categories: Mathematics Content, Alignment with the Standards, Assessment, Universal Access, and Instructional Strategies

The Secondary Curriculum and Instruction administrators and math department staff respectfully recommend the following program to be used:

Integrated Math I	SpringBoard Mathematics
	Publisher: The College Board

These are the same program materials previously adopted at the April 29, 2014 board meeting for Algebra I, Geometry, and Algebra II.

Approval of the recommendation will be requested at the September 9, 2014 board meeting.

Financial impact:

\$100.00/Student Materials x 470 students = \$47,000

Superintendent's recommendation:

The Superintendent recommends the first reading of the Program Adoption Recommendation for Core Mathematics for Integrated Math I grades 9-12.

Supporting documents attached:

- Integrated I revised course guide proposal
- Integrated Math I committee recommendation

Integrated Math Revised Course Guide Proposal for 2014/15 School Year

Course Title: Integrated Mathematics I
Department: Mathematics
Career School: All
Grade Level: 10th – 12th
Fulfills HS Graduation Requirement: yes
Fulfills UC Requirement: yes
Pre-Requisites: Algebra I

NEW Proposed Required Board Approved Material:
 Springboard Alg I and McDougal-Littell Geometry

Goal/Standard	CCSS Alignment	Objectives	Time	Skills	Assess	NEWPageCitation
ALGI 2.0 Students understand and use such operations as taking the opposite, finding the reciprocal, taking the root, and raising to a fractional power. They understand and use the rules of exponents.	8-EE.1; Know and apply the properties of integer exponents to generate equivalent numerical expressions. 8-EE.2; Use square root and cube root symbols to represent solutions to equations of the form $x^2 = p$ and $x^3 = p$, where p is a positive rational number. Evaluate square roots of small perfect squares and cube roots of small perfect cubes. Know that $\sqrt{2}$ is irrational. N-RN.1; Explain how the definition of the meaning of rational exponents follows from extending the properties of integer exponents to those values, allowing for a notation for radicals in terms of rational exponents. N-RN.2; Rewrite expressions involving radicals and rational exponents using the properties of exponents. A-SSE.3c; Use the properties of exponents to transform expressions for exponential functions.	Students will: Understand rules for adding and subtracting real numbers then explain the phrase “add the opposite”, Understand the rules for multiplying and dividing real numbers then explain “reciprocals”. Simplify expressions by taking the root. Apply the rules of exponents to simplify expressions.	3 weeks 2 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	Springboard Alg I Unit 4 (Activity 19, 20)
ALGI 4.0 Students simplify expressions prior to solving linear equations and inequalities in one variable such as $3(2x -$	8-EE.7; Solve linear equations in one variable. b. Solve linear equations with rational number coefficients, including equations whose solutions require expanding expressions using the distributive property and collecting like terms. A-CED.3; Represent constraints by equations or inequalities, and by systems of equations and/or inequalities, and interpret solutions as viable or nonviable options in a modeling context.	Students will: Read and identify when to apply order of operations and other algebraic properties such as the distributive property.	1 week 2 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	Springboard Alg I Unit 1 (Activity 3) Unit 3 (Activity 18)

Red print denotes proposed adjustments to current approved curriculum (Integrated Math I – McDougal-Littell)

Date: 8/6/14

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Integrated Math Revised Course Guide Proposal for 2014/15 School Year

5) + 4 (x - 2) = 12.						
ALGI 5.0 Students solve multistep problems, involving linear equations and linear inequalities in one variable and provide justification for each step.	<p>7-EE.4; Use variables to represent quantities in a real-world or mathematical problem, and construct simple equations and inequalities to solve problems by reasoning about the quantities.</p> <p>a. Solve word problems leading to equations of the form $px + q = r$ and $p(x + q) = r$, where p, q, and r are specific rational numbers. Solve equations of these forms fluently. Compare an algebraic solution to an arithmetic solution, identifying the sequence of the operations used in each approach.</p> <p>b. Solve word problems leading to inequalities of the form $px + q > r$ or $px + q < r$, where p, q, and r are specific rational numbers. Graph the solution set of the inequality and interpret it in the context of the problem.</p> <p>8-EE.7; Solve linear equations in one variable.</p> <p>a. Give examples of linear equations in one variable with one solution, infinitely many solutions, or no solutions. Show which of these possibilities is the case by successively transforming the given equation into simpler forms, until an equivalent equation of the form $x = a$, $a = a$, or $a = b$ results (where a and b are different numbers).</p> <p>b. Solve linear equations with rational number coefficients, including equations whose solutions require expanding expressions using the distributive property and collecting like terms.</p> <p>A-CED.3; Represent constraints by equations or inequalities, and by systems of equations and/or inequalities, and interpret solutions as viable or nonviable options in a modeling context.</p> <p>A-REI.1; Explain each step in solving a simple equation as following from the equality of numbers asserted at the previous step, starting from the assumption that the original equation has a solution. Construct a viable argument to justify a solution method.</p> <p>A-REI.3; Solve linear equations and inequalities in one variable, including equations with coefficients represented by letters.</p>	<p>Students will:</p> <p>Solve a linear equation or inequality then place in a T-Proof format and supply reasons for all statements.</p>	2 weeks	<p>Read</p> <p>Prove</p> <p>Write</p> <p>Graph</p> <p>Identify</p> <p>Analyze</p> <p>Evaluate</p> <p>Solve</p> <p>Compute</p> <p>Simplify</p>	<p>Quizzes</p> <p>Tests</p> <p>CST</p>	<p>Springboard Alg I</p> <p>Unit 1 (Activity 2, 3)</p> <p>Unit 3 (Activity 17)</p>

Red print denotes proposed adjustments to current approved curriculum (Integrated Math I – McDougal-Littell)

Integrated Math Revised Course Guide Proposal for 2014/15 School Year

	<p>A-REI.5; Prove that, given a system of two equations in two variables, replacing one equation by the sum of that equation and a multiple of the other produces a system with the same solutions.</p> <p>A-REI.6; Solve systems of linear equations exactly and approximately (e.g., with graphs), focusing on pairs of linear equations in two variables.</p>					
<p>ALGI 6.0</p> <p>Students graph a linear equations, and compute the x- and y-intercepts. They are also able to sketch the regions defined by a linear inequality.</p>	<p>8.EE.5; Graph proportional relationships, interpreting the unit rate as the slope of the graph. Compare two different proportional relationships represented in different ways.</p> <p>A-REI.10; Understand that the graph of an equation in two variables is the set of all its solutions plotted in the coordinate plane, often forming a curve (which could be a line).</p> <p>A-REI. 12; Graph the solutions to a linear inequality in two variables as a half-plane (excluding the boundary in the case of a strict inequality), and graph the solution set to a system of linear inequalities in two variables as the intersection of the corresponding half-planes.</p> <p>F-IF.7a; Graph linear & quadratic functions & show intercepts, maxima, & minima.</p>	<p>Students will:</p> <p>Graph linear equations on a coordinate plane and then be able to identify the x- and y-intercepts.</p> <p>Graph inequalities and shade regions for solutions.</p>	<p>2 weeks</p> <p>7 weeks</p>	<p>Read</p> <p>Write</p> <p>Identify</p> <p>Evaluate</p> <p>Compute</p> <p>Simplify</p> <p>Solve</p> <p>Analyze</p> <p>Graph</p> <p>Prove</p>	<p>Quizzes</p> <p>Tests</p> <p>CST</p>	<p>Springboard Alg I</p> <p>Unit 2 (Activity 6, 7, 12, 13)</p> <p>Unit 3 (Activity 14, 15, 16, 18)</p> <p>Unit 4 (Activity 22)</p> <p>Unit 5 (Activity 29, 30, 34)</p>
<p>ALGI 7.0</p> <p>Students verify that a point lies on a line given an equation of the line. Students are able to derive linear equations by using the point-slope formula.</p>	<p>NA</p>	<p>Students will:</p> <p>Use substitution to prove that a given point is a solution to the equation.</p> <p>Simplify an equation in point-slope $(y - y_1) = m(x - x_1)$ form and convert it to slope-intercept form $y = mx + b$.</p>	<p>1 week</p>	<p>Read</p> <p>Write</p> <p>Identify</p> <p>Evaluate</p> <p>Compute</p> <p>Simplify</p> <p>Solve</p> <p>Analyze</p> <p>Graph</p> <p>Prove</p>	<p>Quizzes</p> <p>Tests</p> <p>CST</p>	<p>NA</p>
<p>ALGI 10.0</p> <p>Students add, subtract,</p>	<p>A-APR 1; Understand that polynomials form a system analogous to the integers, namely, they are closed under the operations of addition, subtraction, and multiplication; add, subtract, and multiply</p>	<p>Students will:</p> <p>Read, identify and apply rules for</p>	<p>2 weeks</p>	<p>Read</p> <p>Write</p> <p>Identify</p>	<p>Quizzes</p> <p>Tests</p>	<p>Springboard Alg I</p> <p>Unit 4 (Activity 24, 25)</p>

Red print denotes proposed adjustments to current approved curriculum (Integrated Math I – McDougal-Littell)

Integrated Math Revised Course Guide Proposal for 2014/15 School Year

multiply and divide monomials and polynomials. Students solve multistep problems, including word problems, by using these techniques.	polynomials.	combining like terms and also rules for exponents. Translate word problems into appropriate expressions then form equations to solve.		Evaluate Compute Simplify Solve Analyze Graph Prove	CST	
ALGI12.0- Students simplify fractions with polynomials in the numerator and denominator by factoring both and reducing them to lowest terms.	NA - Now an Alg II standard A-APR. 6; Rewrite simple rational expressions in different forms; write $a(x)/b(x)$ in the form $q(x) + r(x)/b(x)$, where $a(x)$, $b(x)$, $q(x)$, and $r(x)$ are polynomials with the degree of $r(x)$ less than the degree of $b(x)$, using inspection, long division, or, for the more complicated examples, a computer algebra system.	Students will: Identify when and how to factor binomials, trinomials, differences of squares, and differences of cubes, then apply rules for reducing fractions.	1-week	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	NA
ALGI13.0- Students add, subtract, multiply and divide rational expressions and functions. Students solve both computationally and conceptually challenging	NA - Now an Alg II standard A-APR.7; Understand that rational expressions form a system analogous to the rational numbers, closed under addition, subtraction, multiplication, and division by a nonzero rational expression; add, subtract, multiply, and divide rational expressions.	Students will: Perform operations involving rational expressions, including simplifying. Write and solve rational equations.	3-weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	NA

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problem- using these- techniques.						
ALGI 14.0 Students solve quadratic equations by factoring or completing the square.	A-REI. 4; Solve quadratic equations in one variable. a. Use the method of completing the square to transform any quadratic equation in x into an equation of the form $(x - p)^2 = q$ that has the same solutions. Derive the quadratic formula from this form. F-IF. 8a; Use the process of factoring and completing the square in a quadratic function to show zeros, extreme values, and symmetry of the graph, and interpret these in terms of a context.	Students will: Analyze type of equation given then evaluate best method for finding solution between factoring or completing the square.	2 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	Springboard Alg I Unit 5 (Activity 31, 32)
ALGI 19.0 Students know the quadratic formula and are familiar with its proof by completing the square.	A-REI.4a; Use the method of completing the square to transform any quadratic equation in x into an equation of the form $(x - p)^2 = q$ that has the same solutions. Derive the quadratic formula from this form.	Students will: Read and write the quadratic formula from memory. Given a quadratic expression, they will apply the quadratic formula to find solutions.	1 week	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph	Quizzes Tests CST	Springboard Alg I Unit 5 (Activity 32 and ancillary)
ALGI 20.0 Students use the quadratic formula to find the roots of a second-degree polynomial and to solve quadratic equations.	A-REI.4b; Solve quadratic equations by inspection (e.g., for $x^2 = 49$), taking square roots, completing the square, the quadratic formula and factoring, as appropriate to the initial form of the equation. Recognize when the quadratic formula gives complex solutions and write them as $a \pm bi$ for real numbers a and b .	Students will: Apply the quadratic formula to any quadratic equation to find the roots.	1 week	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	Springboard Alg I Unit 5 (Activity 31, 32, and ancillary)

Red print denotes proposed adjustments to current approved curriculum (Integrated Math I – McDougal-Littell)

Integrated Math Revised Course Guide Proposal for 2014/15 School Year

GEOM 8.0 Students know, derive, and solve problems involving the perimeter, circumference, area, volume, lateral area, and surface area of common geometric figures.	G-GPE.7; Use coordinates to compute perimeters of polygons and areas of triangles and rectangles, e.g., using the distance formula.	Students will: Identify between various polygons, shapes and figures and then apply any and all forms of area to each specific figure. Other units of measure may also be evaluated.	2 weeks 4 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	McDougal-Littell Geometry pp. 51-57, 372-379, 384, 537-540, 669-675, 677-682, 683-689, 691-698, 699-705, 708, 728-734, 735-742, 743-749, 752-758, 758-765, 766-772, 774-776, 843
GEOM 10.0 Students compute areas of polygons, including rectangles, scalene triangles, equilateral triangles, rhombi, parallelograms, and trapezoids.	6-G.1; Find the area of right triangles, other triangles, special quadrilaterals, and polygons by composing into rectangles or decomposing into triangles and other shapes; apply these techniques in the context of solving real-world and mathematical problems.	Students will: Identify specific polygons and then compute the area of said polygon.	2 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	McDougal-Littell Geometry pp. 51-57, 372-379, 384, 537-540, 669-675, 699-705, 708, 843
GEOM 12.0 Students find and use measures of sides and of	8-G.5; Use informal arguments to establish facts about the angle sum and exterior angle of triangles, about the angles created when parallel lines are cut by a transversal, and the angle-angle criterion for similarity of triangles. G-CO.9; Prove theorems about lines and angles. Theorems include: vertical angles are congruent; when a	Students will: Find angle measurements of polygons.	2 weeks 3 weeks	Read Write Identify Evaluate Compute	Quizzes Tests CST	McDougal-Littell Geometry pp. 194-201, 236-242, 322-328, 330-337, 338-346, 347-355, 356-363, 364-

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interior and exterior angles of triangles and polygons to classify figures and solve problems.	<i>transversal crosses parallel lines, alternate</i>			Simplify Solve Analyze Graph		370, 661-668
GEOM 17.0 Students prove theorems by using coordinate geometry, including the midpoint of line segment, the distance formula, and various forms of equations of lines and circles.	G-GPE.4; Use coordinates to prove simple geometric theorems algebraically. G-GPE.7; Use coordinates to compute perimeters of polygons and areas of triangles and rectangles, e.g., using the distance formula.	Students will: Find midpoints of line segments using the Midpoint Formula. Find the distance of line segments using the Distance Formula. Prove theorems using properties of lines.	2 weeks 3 weeks	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	McDougal-Littell Geometry 17-24, 34-41, 165-171, 172-177, 243-249, 287-292, 636-640, 792-796, 836-838, 842-843
GEOM 18.0 Students know the definitions of the basic trigonometric functions defined by the angles of a right triangle.	G-SRT.6; Understand that by similarity, side ratios in right triangles are properties of the angles in the triangle, leading to definitions of trigonometric ratios for acute angles. G-SRT.7; Explain and use the relationship between the sine and cosine of complementary angles. G-SRT.8; Use trigonometric ratios and the Pythagorean Theorem to solve right triangles in applied problems. F-TF.8; Prove the Pythagorean identity $\sin^2(\theta) + \cos^2(\theta) = 1$ and use it to calculate trigonometric ratios.	Students will: Find sine, cosine, and tangent ratios of right triangles.	1 week	Read Write Identify Evaluate Compute Simplify Solve Analyze Graph Prove	Quizzes Tests CST	McDougal-Littell Geometry pp. 558-566, 583-584, 845

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Integrated Math I Adoption Committee:

Nichole Walsh	MHS C & I VP
Robyn Cosgrove	MSHS C & I VP
Alan Hollman	MHS Principal
Todd Lile	MSHS Principal
Wayne Clemensen	MHS Math teacher
Rose Rialon	MHS Math Teacher
Jennifer Nelson	Mt. Vista Math Teacher

This recommendation is based on the following criteria utilized by the committee to review and evaluate the core math program:

1. Mathematics Content
2. Alignment with the Standards
3. Assessment
4. Universal Access
5. Instructional Strategies

The Integrated Math I adoption committee respectfully recommends the following program:

Grades 9-12, Integrated Math I

SpringBoard Mathematics

Publisher: The College Board

Approval of the recommendation will be requested at the September 9th, 2014 board meeting.



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of Revised Board Policies, Administrative Regulations, and Exhibits for Educational Services Department.

Responsible Staff: Victor Villar, Associate Superintendent of Educational Services

Agenda Placement: New Business

Background/rationale:

- Revisions/New Language are recommended by CSBA on the following Board Policies, Administrative Regulations, and Exhibits:
 - BP 3513.3 Tobacco-Free Schools
 - BP 5131.62 Tobacco
 - BP 5144 Discipline
 - AR 5144 Discipline
 - BP 5144.1 Suspension and Expulsion/Due Process
 - AR 5144.1 Suspension and Expulsion/Due Process
 - E 5145.6 Parental Notifications
 - BP 6141.5 Advanced Placement
 - AR 6141.5 Advanced Placement
 - BP 6142.92 Mathematics Instruction
 - BP 6162.5 Student Assessment
 - BP 6162.54 Test Integrity/Test Preparation
 - BP 6163.1 Library Media Centers
 - BP 6184 Continuation Education
 - AR 6184 Continuation Education

Financial impact:

- None.

Superintendent's recommendation:

- The Superintendent recommends approval of the first reading of the revised Board Policies, Administrative Regulations, and Exhibits.

Supporting documents attached:

- Revised Board Policies, Administrative Regulations and Exhibits.

Madera USD

Board Policy

Tobacco-Free Schools

BP 3513.3

Business and Noninstructional Operations

The Governing Board recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content that mimic the use of tobacco products. ~~and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.~~

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet

of the playground. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

<http://www.cde.ca.gov/ls/he/at>

California Department of Education, Tobacco-Free School District Certification:

<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

California Department of Public Health, Tobacco Control:

<http://www.cdph.ca.gov/programs/tobacco>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

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

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Board Policy

Tobacco

BP 5131.62

Students

The Governing Board recognizes ~~that tobacco use presents~~ the serious health risks and desires to ~~provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco use prevention education including youth development activities, and intervention and cessation activities and/or referrals.~~ ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

(cf. 5141.23 - Asthma Management)

The Superintendent or designee shall provide prevention, intervention, and cessation education, information, activities, and/or referrals to district students and shall ensure consistent enforcement of district policies prohibiting student possession and use of tobacco products.

Prohibition Against Tobacco Use

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900, 48901)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

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

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

Students' possession or use of ~~nicotine delivery devices, such as electronic cigarettes, electronic cigarettes, electronic hookahs, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products~~ is also prohibited.

These prohibitions do not apply to a student's possession or use of his/her own prescription

products. However, student possession or use of prescription products in school shall be subject to the district's policy and regulation for addressing the administration of medications on campus. (Education Code 48900, ~~48901~~)

Prevention Instruction

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12 pursuant to Education Code 51202. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

Intervention/Cessation Services

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. ~~When appropriate,~~ Such intervention services may be provided as an alternative to suspension for tobacco possession.

(cf. 1020 - Youth Services)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Program Planning

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

(cf. 1220 - Citizen Advisory Councils)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

The Superintendent or designee also shall coordinate the district's tobacco-use prevention and intervention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)

The Superintendent or designee shall select ~~anti-tobacco~~ tobacco-use prevention programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which has received funding from the tobacco industry.

(cf. 1325 - Advertising and Promotion)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Program Evaluation

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey or other appropriate student survey at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco. He/she also shall annually report to the Board, and to the CDE if required, the data specified in Health and Safety Code 104450.

(cf. 0500 - Accountability)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6162.8 - Research)

The results of program evaluations shall be used to refine program goals and objectives and make changes as needed to strengthen program implementation.

Legal Reference:

EDUCATION CODE

48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
51202 Instruction in personal and public health and safety
60041 Instructional materials, portrayal of effects of tobacco use

HEALTH AND SAFETY CODE

104350-104495 Tobacco-use prevention education
119405 Unlawful to sell or furnish electronic cigarettes to minors

PENAL CODE

308 Minimum age for tobacco possession

CODE OF REGULATIONS, TITLE 17

6800 Definition, health assessment

6844-6847 Child Health and Disability Prevention program; health assessments

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 8 (2005)

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Getting Results: Part II California Action Guide to Tobacco Use Prevention Education, 2000

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Guidebook for the California Healthy Kids Survey

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<http://www.cde.ca.gov/ls/he/at/tupe.asp>

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California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

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Centers for Disease Control and Prevention, Smoking and Tobacco Use:

<http://www.cdc.gov/tobacco>

Safe and Healthy Kids Annual Report: <http://hk.duerrevaluation.com>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Board Policy

Discipline

BP 5144

Students

The Governing Board ~~desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility.~~ is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and to preparing students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, use of effective school and classroom management, strategies, provision of appropriate intervention and support and parent involvement can minimize the need for discipline. ~~Staff shall use preventative measures and positive conflict resolution techniques whenever possible. In addition, discipline shall be used in a manner that corrects student behavior without intentionally creating an adverse effect on student learning or health.~~ disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5020 – Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall approve, for each school, a complement of effective, age-appropriate strategies for ~~correcting student behavior, maintaining a positive school climate and correcting student misbehavior at district schools.~~ Such strategies may include, but are not limited to, conferences with students and their parents/guardians; use of study, guidance, or other intervention related teams; enrollment in a program teaching prosocial behavior or anger management; and participation in a restorative justice program. ~~Staff shall use preventative measures and positive conflict resolution techniques whenever possible. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as suspension and expulsion, shall be imposed only when required by law and when other means of correction have failed.~~ (Education Code 48900.5) The strategies shall focus on providing students with needed supports; communicating clear, appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

In addition, the Superintendent or designee's strategies shall reflect the Board's preference for the

use of positive interventions and alternative disciplinary measures over exclusionary discipline measures as a means for correcting student misbehavior.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

~~(cf. 5138 - Conflict Resolution/Peer Mediation)~~

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

~~(cf. 6020 - Parent Involvement)~~

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

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

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

(cf. 6164.5 - Student Success Teams)

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs. However, the rules shall be consistent with law, Board policy, and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)

(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn.

Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

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

(cf. 5136 - Gangs)

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

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

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

(cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

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

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

At the beginning of every school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in each school in the immediately preceding school year and their effect on student learning in the school.

Corporal Punishment

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

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

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

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion
48980-48985 Notification of parent/guardian
49000-49001 Prohibition of corporal punishment
49330-49335 Injurious objects

CIVIL CODE

1714.1 Parental liability for child's misconduct

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

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

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

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

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

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

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Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

revised: March 12, 2013

Madera USD

Administrative Regulation

Discipline

AR 5144

Students

Site-Level Rules

Site-level rules shall be consistent with district policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

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

(cf. 3515.3 - District Police/Security Department)

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

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in district discipline policies or goals for school safety and climate as specified in the district's local control and accountability plan. A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

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

Disciplinary Strategies

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Except when a student's presence causes a danger to himself/herself or others or he/she commits a single act of a grave nature or an offense for which

suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

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

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

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

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

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

(cf. 6164.5 - Student Success Teams)

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

(cf. 6159 - Individualized Education Program)

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

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

6. Participation in a restorative justice program

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

8. ~~After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups~~ Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably

(cf. 5148.2 - Before/After School Programs)

9. Participation in a program that is sensitive to the traumas experienced by students,

focuses on students' behavioral health needs, and addresses those needs in a proactive manner

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

(cf. 5148.2 - Before/After School Programs)

9. 11. Recess restriction as provided in the section below entitled "Recess Restriction"

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

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

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

(cf. 6145 - Extracurricular/Cocurricular Activities)

13. 15. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

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

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

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

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

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

~~Each school shall file a copy of its rules with the Superintendent or designee. The rules shall be consistent with law, Board policy, and district regulations. The Governing Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)~~

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

Corporal Punishment

~~Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain-~~

~~on a student. (Education Code 49001)~~

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

~~(cf. 4158/4258/4358—Employee Security)~~

~~(cf. 5131.7—Weapons and Dangerous Instruments)~~

~~(cf. 6145.2—Athletic Competition)~~

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

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

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

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)
AR 5144(d)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians

of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

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

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

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

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at his/her discretion, require a student to perform community service during nonschool hours, on school grounds, or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

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

Notice to Parents/Guardians and Students

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

(cf. 5145.6 - Parental Notifications)

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

Regulation MADERA UNIFIED SCHOOL DISTRICT
approved: December 13, 2011 Madera, California
revised: March 12, 2013

Madera USD

Board Policy

Suspension And Expulsion/Due Process

BP 5144.1

Students

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

(cf. 5131.2 - Bullying)

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

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or other school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension and Expulsion

Except when a student commits an act that violates Education Code 48900(a)-(e) or his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct.

Except when a student commits an act listed in Education Code 48915(c), the Superintendent or designee shall have the discretion to determine whether to recommend to the Board that the student be expelled.

(cf. 5131.7 - Weapons and Dangerous Instruments)

To correct the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies specified in AR 5144.1 - Discipline. (Education Code 48900.5)

(cf. 1020 - Youth Services)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.5 - Student Success Teams)

~~Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.~~

~~(cf. 5113 - Absences and Excuses)~~

~~(cf. 5113.1 - Chronic Absence and Truancy)~~

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

~~Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself or others.~~

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

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

To correct the behavior of students who are subject to discipline, the Superintendent or designee, to the extent allowed by law, shall use alternative disciplinary measures that keep students in school during the school day.

(cf. 1020 - Youth Services)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

~~Alternatives to suspension or expulsion also shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.~~

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

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

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

~~District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, and in accordance with the district's nondiscrimination policies.~~

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

District staff shall not suspend any student for disruption or willful defiance, unless the suspension is warranted by documented repetitive behavior of the student or the disruption or willful defiance occurred in conjunction with another violation for which the student may be suspended.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to classroom or school removal

Due Process

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

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

Removal from Class by a Teacher and Parental Attendance

When suspending a student from class for committing an obscene act, engaging in habitual profanity or vulgarity, disrupting school activities, or otherwise willfully defying valid staff

authority, the teacher of the class may require any parent/guardian who lives with the student to attend a portion of the school day in the class from which the student is being suspended, to assist in resolving the classroom behavior problems. (Education Code 48900.1)

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and his/her parents/guardians and to improve classroom behavior.

Any teacher requiring parental attendance pursuant to this policy shall apply the policy uniformly to all students within the classroom. (Education Code 48900.1)

When a teacher requires parental attendance, the principal shall send a written notice to the parent/guardian stating that his/her attendance is required pursuant to law. (Education Code 48900.1)

(cf. 5145.6 - Parental Notifications)

A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

When a parent/guardian does not respond to the request to attend school, the principal or designee shall contact him/her by telephone, mail, or other means that maintains the confidentiality of the student's records.

(cf. 5125 - Student Records)

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements. Parents/guardians shall be notified of this policy prior to its implementation. (Education Code 48900.1)

~~(cf. 5145.6 - Parental Notifications)~~

~~A parent/guardian who has received a written notice shall attend class as specified in the notice. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)~~

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

Supervised Suspension Classroom

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated,

the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

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

Decision Not to Enforce Expulsion Order

~~In cases where expulsion is mandatory pursuant to Education Code 48915(c), the enforcement of an expulsion order shall not be suspended by the Board. In all other cases of expulsion, the order for expulsion may be suspended by the Board, on case by case basis, pursuant to the requirements of law and administrative regulation.~~

Upon voting to expel a student, the Board may suspend enforcement of the expulsion order pursuant to the requirements of law and administrative regulation. (Education Code 48917)

Maintenance and Monitoring of Outcome Data

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period.

The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981 Enrollment of students in community school

17292.5 Program for expelled students

32261 Interagency School Safety Demonstration Act of 1985

35145 Open board meetings

35146 Closed sessions (regarding suspensions)

35291 Rules (for government and discipline of schools)

35291.5 Rules and procedures on school discipline

48645.5 Readmission; contact with juvenile justice system

48660-48667 Community day schools
48853.5 Foster youth
48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
49073-49079 Privacy of student records
52060-52007 Local control and accountability plan

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

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11455.20 Contempt

54950-54963 Ralph M. Brown Act

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11014.5 Drug paraphernalia

11053-11058 Standards and schedules

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230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined

240 Assault defined

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

422.6 Interference with exercise of civil rights

422.7 Aggravating factors for punishment

422.75 Enhanced penalties for hate crimes

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razors, or stun guns

868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions, firearm

UNITED STATES CODE, TITLE 20

1415(K) Placement in alternative educational setting

7151 Gun-free schools

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Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182

John A. v. San Bernardino School District (1982) 33 Cal. 3d 301

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84 Ops.Cal.Atty.Gen. 146 (2001)

80 Ops.Cal.Atty.Gen. 91 (1997)

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U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights Data Collection Summary, March 2012

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

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

<http://www.ed.gov/about/offices/list/osdfs>

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: August 28, 2012 Madera, California

revised: March 12, 2013

Madera USD

Administrative Regulation

Suspension and Expulsion/Due Process

AR 5144.1
Students

Definitions

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

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

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

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

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

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

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

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

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, suspension, and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion

~~Any Acts for which a student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:~~ suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense. (Education Code 48900(a))

A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, a student may be suspended or expelled pursuant to Education Code 48900(a) once he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence. (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, or otherwise furnished, or was under the influence of, any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind. (Education Code 48900(c))

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(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as controlled substance, alcoholic beverage, or intoxicant.

(Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion. (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property. (Education Code 48900(f))
7. Stole or attempted to steal school property or private property. (Education Code 48900(g))
8. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. This restriction shall not prohibit a student from using or possessing his/her own prescription products. (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity. (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

12. Knowingly received stolen school property or private property. (Education Code 48900(l))
13. Possessed an imitation firearm. (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4. (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness. (Education Code

48900(o))

16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (Education Code 48900(p))

17. Engaged in, or attempted to engage in, hazing. (Education Code 48900(q))

Hazing means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

18. Engaged in an act of bullying. (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 (items #20-22 below), that has any of the effects described above on a reasonable student.

Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

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

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

19. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31. (Education Code 48900(t))

~~19.~~ 20. Made terrorist threats against school officials and/or school property. (Education Code 48900.7)

A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

A student in grades 4-12 is also subject to suspension or recommendation for expulsion when it is determined that he/she:

~~20.~~ 21. Committed sexual harassment as defined in Education Code 212.5. (Education Code 48900.2)

Sexual harassment means that conduct, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

~~21.~~ 22. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

~~22.~~ 23. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment. (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

~~A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including, but not limited to, the following circumstances: (Education Code 48900(s))~~

~~1. While on school grounds~~

~~2. While going to or coming from school~~

~~(cf. 5131.1—Bus Conduct)~~

~~3. During the lunch period, whether on or off the school campus~~

~~(cf. 5112.5—Open/Closed Campus)~~

~~4. During, going to, or coming from a school-sponsored activity~~

~~(cf. 5131.1—Bus Conduct)~~

~~The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(v))~~

~~(cf. 5138—Conflict Resolution/Peer Mediation)~~

~~(cf. 6164.2—Guidance/Counseling Services)~~

~~Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.~~

~~(cf. 5113—Absences and Excuses)~~

~~(cf. 5113.1—Chronic Absence and Truancy)~~

Removal from Class by a Teacher and Parental Attendance

A teacher may ~~suspend~~ remove any student from his/her class for the remainder of the day and the following day only for ~~any acts listed~~ specified in Education Code 48900 and listed under "Grounds for Suspension and Expulsion" above. (Education Code 48910)

~~A teacher also may refer a student to the principal or designee for consideration of suspension from school. (Education Code 48910)~~

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If the action requires the continuing presence of the student at school, The student he/she shall be appropriately supervised during the class periods from which he/she has been removed.

(Education Code 48910)

As soon as possible, ~~the teacher shall ask the~~ after the teacher decides to remove the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may ~~be placed in any~~ continue to attend other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may ~~provide that~~ require the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall: ~~also:~~

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. ~~Ask-Direct~~ the parent/guardian to meet with the principal after the visit and before leaving school ~~as required by Education Code 48900.1~~

Suspension by Superintendent, Principal, or ~~Principal's~~ Designee

~~The Superintendent, principal, or designee may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)~~

~~When other means of correcting a student's behavior are implemented prior to imposing~~

~~suspension upon the student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)~~

~~(cf. 5125—Student Records)~~

~~However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated any of items #1-5 listed in "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons.— (Education Code 48900.5)~~

~~In addition,~~ The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence
2. Brandishing a knife, as defined in Education Code 48915(g), ~~at another person~~
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
5. Possession of an explosive as defined in 18 USC 921

~~Explosive means a destructive device and includes, but is not limited to, any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or similar device. A destructive device includes any other type of weapon (except a shotgun or shotgun shell recognized by the United States Secretary of Army as suitable for sporting purposes) which might be converted to project an explosive. (18 USC 921)~~

~~A student may be suspended from school for not more than 20 school days in any school year unless, for purposes of adjustment, the student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class, in which case suspension shall not exceed 30 days in any school year. However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion. (Education Code 48903, 48911, 48912)~~

~~(cf. 6184—Continuation Education)~~

~~The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903)~~

Suspensions shall be initiated according to the following procedures:

1. ~~Informal Conference:~~ Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or principal's designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

~~This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists. An emergency situation involves a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)~~

2. ~~Administrative Actions:~~ All requests for student suspension are to be processed by the principal or designee of the school in which the student is enrolled at the time of the misbehavior. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. ~~Notice to Parents/Guardians:~~ At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

~~— This notice shall state the specific offense committed by the student. (Education Code 48900.8)~~

~~In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.~~

4. ~~Parent/Guardian Conference:~~ Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the causes and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

~~While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied~~

~~readmission solely because the parent/guardian failed to attend the conference.—
(Education Code 48911)~~

5. ~~Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)~~

~~Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)~~

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

~~(cf. 6173.1—Education for Foster Youth)~~

In addition, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days unless the suspension is extended pending expulsion. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year.

However, when a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)

3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the

suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. Parent/Guardian Conference: Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. Extension of Suspension: If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

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

(cf. 6173.1 - Education for Foster Youth)

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

Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Principal's Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not

longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

Supervised Suspension Classroom

Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, students, or staff may be assigned to a supervised suspension classroom in a separate classroom, building, or site for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The supervised suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling service
3. The supervised suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. Each student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s) shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion." (Education Code 48915)

~~The Board also may order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer, or administrative panel, based on either or both of the following finding(s): (Education Code 48915(b) and (e))~~

For all other grounds listed above under "Grounds for Suspension and Expulsion," the Board shall order a student expelled, upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Unless the Superintendent, principal, or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife as defined in Education Code 48915(g) or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

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

Mandatory Recommendation for Expulsion

~~Unless the Superintendent, principal, or designee finds that expulsion is inappropriate due to particular circumstances, the principal or the Superintendent or designee shall recommend a student's expulsion for any of the following acts: (Education Code 48915(a))~~

- ~~1. Causing serious physical injury to another person, except in self-defense~~
- ~~2. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student~~
- ~~3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over the counter medication for his/her use or other medication prescribed for him/her by a physician~~
- ~~4. Robbery or extortion~~
- ~~5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee~~

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

Mandatory Recommendation and Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be: (Education Code 48915(c))

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee's concurrence.

However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
5. Possessing an explosive as defined in 18 USC 921

Upon finding that the student committed any of the above acts, the Board shall expel the student.

(Education Code 48915)

Student's Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the principal or Superintendent or designee determines that the student has committed one of the acts listed under "Grounds for Suspension and Expulsion." (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

After a determination that ~~one of the grounds~~ the student has committed listed above under "Grounds for Suspension and Expulsion" has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. ~~for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)~~
The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

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

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student

is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion shall be effective upon approval by the Board.

Rights of Complaining Witness

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

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

Written Notice of the Expulsion Hearing

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

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

(cf. 5119 - Students Expelled from Other Districts)

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

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

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is

familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses.

Additional Notice of Expulsion Hearing for Foster Youth

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

Conduct of Expulsion Hearing

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

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

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

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

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with the Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

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

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

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

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

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

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

- a. Any complaining witness shall be given five days' notice before being called to testify.
- b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present

during his/her testimony.

- c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
- (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the

student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing" including the requirement to issue its decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated. The Superintendent or designee shall place the student in a classroom instructional program, any other instructional program, a rehabilitation program, or any combination of these programs after consulting with district staff, including the student's teachers, and with the student's parent/guardian. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be

based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion for a period of one year. (Education Code 48917, 48918)

Final Action by the Board

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

(cf. 9321.1 - Closed Session Actions and Reports)

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

and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for an act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during the summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to

Decision Not to Enforce Expulsion Order

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall also inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the time of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))

7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion action is suspended and the student is placed on probation. (Education Code 48919)

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students or nonstudents regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Post-Expulsion Placements

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at such a site

3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available, and when the County Superintendent so certifies, students expelled for acts described in items #6-13 and #20-22 under "Grounds for Suspension and Expulsion" above may be instead referred to a program of study that is provided at another comprehensive middle, junior, or senior high school, or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)

7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

~~The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)~~

~~The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school. (Education Code 48900.8, 48918(k))~~

~~(cf. 5125—Student Records)~~

~~The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)~~

~~(cf. 5119—Students Expelled from Other Districts)~~

Outcome Data

~~The Superintendent or designee shall maintain the following data: (Education Code 48900.8, 48916.1)~~

- ~~1. The number of students recommended for expulsion~~
- ~~2. The specific grounds for each recommended expulsion~~
- ~~3. Whether the student was subsequently expelled~~
- ~~4. Whether the expulsion order was suspended~~
- ~~5. The type of referral made after the expulsion~~
- ~~6. The disposition of the student after the end of the expulsion period~~

Regulation MADERA UNIFIED SCHOOL DISTRICT

approved: December 13, 2011 Madera, California
revised: October 23, 2012
revised: March 12, 2013

Madera USD

Exhibit

Parental Notifications

E 5145.6

Students

<u>When to Notify</u>	<u>Education or Other Legal Code</u>	<u>Board Policy/Administrative Regulation #</u>	<u>Subject</u>
<u>I. Annually</u>			
<u>Beginning of each school year</u>	17612, 48980.3	AR 3514.2	<u>Use of pesticide product, active ingredients, Internet address to access information</u>
<u>By February 1</u>	35256	BP 0510	<u>School Accountability Report Card provided</u>
<u>Beginning of each school year</u>	35291, 48980	AR 5144 AR 5144.1	<u>District and site discipline rules</u>
<u>Beginning of each school year</u>	46010.1	BP 5113	<u>Absence for confidential medical services</u>
<u>Beginning of each school year</u>	48980	BP 6111	<u>Schedule of minimum days</u>
<u>Beginning of each school year</u>	48980, 231.5; 5 CCR 4917	AR 5145.7	<u>Sexual harassment policy as related to students</u>
<u>Beginning of each school year</u>	48980, 32255- 32255.6	AR 5145.8	<u>Right to refrain from harmful or destructive use of animals</u>
<u>Beginning of each school year</u>	48980, 35160.5, 46600-46611, 48204	AR 5111.1 AR 5116.1 AR 5117	<u>All statutory attendance options, available local attendance options, options for meeting residency</u>
<u>Beginning of each school year, if Board allows such absence</u>	48980, 46014	BP 5113 AR 5113	<u>Absence for religious exercises or purposes</u>
<u>Beginning of each school year</u>	48980, 48205	BP 5113 AR 5113 AR 6154	<u>Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed</u>
<u>Beginning of each school year</u>	48980, 48206.3, 48207, 48208	AR 6183	<u>Availability of home/hospital instruction for students with temporary disabilities</u>
<u>Beginning of each school year</u>	48980, 49403	BP 5141.31	<u>Consent to school immunization program</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
<u>I. Annually</u> (continued)			
<u>Beginning of each school year</u>	<u>48980, 49423, 49480</u>	<u>AR 5141.21</u>	<u>Administration of prescribed medication</u>
<u>Beginning of each school year</u>	<u>48980, 49451; 20 USC 1232h</u>	<u>AR 5141.3</u>	<u>Right to refuse consent to physical examination</u>
<u>Beginning of each school year</u>	<u>48980, 49472</u>	<u>BP 5143</u>	<u>Availability of insurance</u>
<u>Beginning of each school year</u>	<u>49013; 5 CCR 4622</u>	<u>AR 1312.3</u>	<u>Uniform complaint procedures, available appeals, civil law remedies</u>
<u>Beginning of each school year</u>	<u>49063</u>	<u>AR 5125 AR 5125.3</u>	<u>Challenge, review, and expunging of records</u>
<u>Beginning of each school year</u>	<u>49063, 49069; 20 USC 1232g; 34 CFR 99.7</u>	<u>AR 5125</u>	<u>Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability</u>
<u>Beginning of each school year</u>	<u>49063, 49073; 20 USC 1232g; 34 CFR 99.37</u>	<u>AR 5125.1</u>	<u>Release of directory information</u>
<u>Beginning of each school year</u>	<u>49520, 48980; 42 USC 1758; 7 CFR 245.5</u>	<u>AR 3553</u>	<u>Free and reduced price meals</u>
<u>Beginning of each school year</u>	<u>56301</u>	<u>BP 6164.4</u>	<u>Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment</u>
<u>Beginning of each school year</u>	<u>58501, 48980</u>	<u>AR 6181</u>	<u>Alternative schools</u>
<u>Beginning of each school year</u>	<u>Health and Safety Code 104855</u>	<u>AR 5141.6</u>	<u>Availability of dental fluoride treatment; opportunity to accept or deny treatment</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
<u>I. Annually (continued)</u>			
Annually	5 CCR 852	AR 6162.51	Student's participation in state assessments; option to request exemption from testing
Beginning of each school year	20 USC 1232h	AR 5022 BP 6162.8	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities
Beginning of each school year, if district receives Title I funds	20 USC 6311; 34 CFR 200.61	AR 4112.24 AR 4222	Right to request information re: professional qualifications of child's teacher and paraprofessional
Beginning of each school year, if any district school has been identified for program improvement or corrective action	20 USC 6316	AR 0520.2	Availability of supplemental educational services, identity of providers, description of services, qualifications, effectiveness of providers
Beginning of each school year	34 CFR 104.8, 106.9	BP 0410 BP 6178	Nondiscrimination
Beginning of each school year to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. At Specific Times During the Student's Academic Career

Beginning in grade 7, at least once prior to course selection and career counseling	221.5, 48980	BP 6164.2	Course selection and career counseling
When child first enrolls in a public school, if the school offers a fingerprinting program	32390, 48980	AR 5142.1	Fingerprinting program
Upon registration in K-6, if students have not previously been transported	39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
II. At Specific Times During the Student's Academic Career (continued)			
<u>Beginning of each school year for high school students, if high school is open campus</u>	44808.5, 48980	AR 5112.5	<u>Open campus</u>
<u>Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement</u>	48980, 51225.3	AR 6146.1	<u>How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of district CTE courses that satisfy a-g course criteria</u>
<u>Beginning of each school year in grades 9-12 and when high school student transfers into the district</u>	48980, 60850	AR 6162.52	<u>Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation</u>
<u>When students entering grade 7</u>	49452.7	AR 5141.3	<u>Specified information on type 2 diabetes</u>
<u>When in kindergarten, or first grade if not previously enrolled in public school</u>	49452.8	AR 5141.32	<u>Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights</u>
<u>Beginning of each school year for students in grades 9-12</u>	51229, 48980	AR 6143	<u>College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors</u>
<u>Beginning of each school year for students in grades 7-12</u>	51938, 48980	AR 6142.1	<u>Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse</u>
<u>Within 20 working days of receiving results of standardized achievement tests or, if results not available in school year, 20 days of start of next school year</u>	60641; 5 CCR 863	AR 6162.51	<u>Results of tests; test purpose, individual score and intended use</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
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II. At Specific Times During the Student's Academic Career (continued)

When child is enrolled in kindergarten	Health and Safety Code 124100	AR 5141.32	Health screening examination
To students in grades 11-12, early enough to enable registration for fall test	5 CCR 11523	AR 6146.2	Notice of proficiency examination provided under Education Code 48412
To secondary students, if district receives Title I funds	20 USC 7908	AR 5125.1	Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent

III. When Special Circumstances Occur

Upon receipt of a complaint alleging discrimination	262.3	AR 1312.3	Civil law remedies available to complainants
When student has been placed in structured English immersion program	310-311; 5 CCR 11309	AR 6174	Student's placement in program, opportunity to apply for parental exception waiver, other rights of student relative to such placements
When determining whether an English learner should be reclassified as fluent English proficient	313; 5 CCR 11303	AR 6174	Description of reclassification process, opportunity for parent/guardian to participate
When student is identified as English learner and district receives Title III funds, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year	440; 20 USC 7012	AR 6174	Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, exit requirements of program
Before high school student attends specialized secondary program on a university campus	17288	None	University campus buildings may not meet Education Code requirements for structural safety
At least 72 hours before use of pesticide product not included in annual list	17612	AR 3514.2	Intended use of pesticide product

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
To members of athletic teams	32221.5	AR 5143	<u>Offer of insurance; no-cost and low-cost program options</u>
If school has lost its WASC accreditation status	35178.4	BP 6190	<u>Loss of status, potential consequences</u>
At least six months before implementing uniform policy	35183	AR 5132	<u>Dress code policy requiring schoolwide uniform</u>
Before implementing a year-round schedule	37616	BP 6117	<u>Year-round schedule</u>
When interdistrict transfer is requested and not approved or denied within 30 days	46601	AR 5117	<u>Appeal process</u>
Before early entry to kindergarten, if offered	48000	AR 5111	<u>Effects, advantages and disadvantages of early entry</u>
When student identified as being at risk of retention	48070.5	AR 5123	<u>Student at risk of retention</u>
When student excluded due to quarantine, contagious or infectious disease, danger to safety or health	48213	AR 5112.2 BP 5141.33	<u>Student has been excluded from school</u>
Before already admitted student is excluded for lack of immunization	48216; 17 CCR 6040	AR 5141.31	<u>Need to submit evidence of immunization or exemption within 10 school days; referral to medical care</u>
When a student is classified a truant	48260.5, 48262	AR 5113.1	<u>Truancy, parental obligation, availability of alternative programs, student consequences, need for conference</u>
When a truant is referred to a SARB or probation department	48263	AR 5113.1	<u>Name and address of SARB or probation department and reason for referral</u>
When a school is identified on the state's Open Enrollment List	48354; 5 CCR 4702	AR 5118	<u>Student's option to transfer to another school</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
<u>Within 60 days of receiving application for transfer out of open enrollment school</u>	<u>48357; 5 CCR 4702</u>	<u>AR 5118</u>	<u>Whether student's transfer application is accepted or rejected; reasons for rejection</u>
<u>When student requests to voluntarily transfer to continuation school</u>	<u>48432.3</u>	<u>AR 6184</u>	<u>Copy of district policy and regulation on continuation education</u>
<u>Prior to involuntary transfer to continuation school</u>	<u>48432.5</u>	<u>AR 6184</u>	<u>Right to request meeting prior to involuntary transfer to continuation school</u>
<u>When student is removed from class and teacher requires parental attendance at school</u>	<u>48900.1</u>	<u>BP 5144.1 AR 5144.1</u>	<u>Parental attendance required; timeline for attendance</u>
<u>Prior to withholding grades, diplomas, or transcripts</u>	<u>48904</u>	<u>AR 5125.2</u>	<u>Damaged school property</u>
<u>When withholding grades, diplomas or transcripts from transferring student</u>	<u>48904.3</u>	<u>AR 5125.2</u>	<u>Next school will continue withholding grades, diplomas, or transcripts</u>
<u>When student is released to peace officer</u>	<u>48906</u>	<u>BP 5145.11</u>	<u>Release of student to peace officer</u>
<u>At time of suspension</u>	<u>48911</u>	<u>BP 5144.1 AR 5144.1</u>	<u>Notice of suspension</u>
<u>When original period of suspension is extended</u>	<u>48911</u>	<u>AR 5144.1</u>	<u>Extension of suspension</u>
<u>At the time a student is assigned to a supervised suspension classroom</u>	<u>48911.1</u>	<u>AR 5144.1</u>	<u>The student's assignment to a supervised suspension classroom</u>
<u>Before holding a closed session re: suspension</u>	<u>48912</u>	<u>AR 5144.1</u>	<u>Intent to hold a closed session re: suspension</u>
<u>When student expelled from another district for certain acts seeks admission</u>	<u>48915.1, 48918</u>	<u>BP 5119</u>	<u>Hearing re: possible danger presented by expelled student</u>
<u>When readmission is denied</u>	<u>48916</u>	<u>AR 5144.1</u>	<u>Reasons for denial; determination of assigned program</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When expulsion occurs	48916	AR 5144.1	Readmission procedures
10 calendar days before expulsion hearing	48918	AR 5144.1	Notice of expulsion hearing
When expulsion or suspension of expulsion occurs	48918	AR 5144.1	Decision to expel; right to appeal to county board; obligation to inform new district of status
One month before the scheduled minimum day	48980	BP 6111	When minimum days are scheduled after beginning of the school year
When parents request guidelines for filing complaint of child abuse at a school site	48987	AR 5141.4	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When student in danger of failing a course	49067	AR 5121	Student in danger of failing a course
When student transfers from another district or private school	49068	AR 5125	Right to receive copy of student's record and to challenge its content
Within 24 hours of release of information to a judge or probation officer	49076	AR 5125	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
Before release of information pursuant to court order or subpoena	49077	AR 5125	Release of information pursuant to court order or subpoena
When screening results in suspicion that student has scoliosis	49452.5	AR 5141.3	Scoliosis screening
When test results in discovery of visual or hearing defects	49456	AR 5141.3	Vision or hearing test
Annually to parents/guardians of student athletes before their first practice or competition	49475	AR 6145.2	Information on concussions and head injuries

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
<u>Before any test questioning personal beliefs</u>	51513	AR 5022	<u>Permission for test, survey questioning personal beliefs</u>
<u>Within 14 days of instruction if arrangement made for guest speaker after beginning of school year</u>	51938	AR 6142.1	<u>Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant</u>
<u>Prior to administering survey regarding health risks and behaviors to students in 7-12</u>	51938	AR 5022	<u>Notice that the survey will be administered</u>
<u>Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency</u>	52164.1, 52164.3; 5 CCR 11511.5	AR 6174	<u>Results of state test of English proficiency</u>
<u>When migrant education program is established</u>	54444.2	BP 6175 AR 6175	<u>Parent advisory council membership composition</u>
<u>When child participates in licensed child care and development program</u>	Health and Safety Code 1596.857	AR 5148	<u>Parent right to enter facility</u>
<u>When district receives Tobacco-Use Prevention Education Funds</u>	Health and Safety 104420	AR 3513.3	<u>The district's tobacco-free schools policy and enforcement procedures</u>
<u>When sharing student immunization information with an immunization system</u>	Health and Safety Code 120440	AR 5125	<u>Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share</u>
<u>When hearing is requested by person asked to leave school premises</u>	Penal Code 627.5	AR 3515.2	<u>Notice of hearing</u>
<u>When responding to complaint re: discrimination, special education, or noncompliance with law</u>	5 CCR 4631	AR 1312.3	<u>Appeal rights and procedures</u>
<u>When child participates in licensed child care and development program</u>	5 CCR 18066	AR 5148	<u>Policies re: unexcused absences</u>

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/Administrative Regulation #	Subject
III. When Special Circumstances Occur (continued)			
When district substantively changes policy on student privacy rights	20 USC 1232h	AR 5022	Notice of any substantive change in policy or regulation
For districts receiving Title I funds, when child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"	20 USC 6311	AR 4112.24	Timely notice to parent of child's assignment
When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress, to parents of English learners	20 USC 6312	AR 0520.2	Notice of failure to make adequate yearly progress
For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners	20 USC 6312	AR 6174	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose other program
When school identified for program improvement or corrective action	20 USC 6316	AR 0520.2 AR 5116.1	Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services
When district identified for program improvement	20 USC 6316	AR 0520.3	Explanation of status, reasons for identification, how parents can participate in upgrading district
For schools receiving Title I funds, upon development of parent involvement policy	20 USC 6318	AR 6020	Notice of policy
For districts receiving Title III funds, within 30 days of the release of state Title III accountability report	20 USC 7012	AR 6174	Notification of any failure to make progress on state's annual measurable achievement objectives for English learners

PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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III. When Special Circumstances Occur (continued)

When household is selected for verification of eligibility for free or reduced-price meals	42 USC 1758; 7 CFR 245.6a	AR 3553	Notice of need to submit verification information; any subsequent change in benefits; right to appeal
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When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30	34 CFR 99.34	AR 5125	Right to review records
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IV. Special Education Notices

Before functional behavioral assessment begins	56321	AR 6159.4	Notification and consent
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Prior to conducting initial evaluation	56301, 56321, 56321.5, 56321.6, 56329; 34 CFR 300.502	AR 6164.4	Proposed evaluation plan, related parental rights, prior written notice
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24 hours before IEP when district intending to record	56341.1	AR 6159	Intention to audio-record IEP meeting
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Early enough to ensure opportunity for parent to attend IEP meeting	56341.5; 34 CFR 300.322	AR 6159	Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate
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When parent orally requests review of IEP	56343.5	AR 6159	Need for written request
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Within one school day of emergency intervention or serious property damage	56521.1	AR 6159.4	Emergency intervention
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Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	Prior written notice
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PARENTAL NOTIFICATIONS (continued)

When to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
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IV. Special Education Notices (continued)

<u>Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services</u>	<u>20 USC 1415(c); 34 CFR 300.300, 300.503</u>	<u>AR 6159 AR 6159.1</u>	<u>Prior written notice</u>
<u>Initial referral for evaluation</u>	<u>20 USC 1415(d); 34 CFR 300.503</u>	<u>AR 6159.1</u>	<u>Prior written notice and procedural safeguards notice</u>
<u>Registration of complaint</u>	<u>20 USC 1415(d); 34 CFR 300.504</u>	<u>AR 6159.1</u>	<u>Procedural safeguards notice</u>
<u>Disciplinary action taken for dangerous behavior</u>	<u>20 USC 1415(k); 34 CFR 300.530</u>	<u>AR 5144.2</u>	<u>Decision and procedural safeguards notice</u>
<u>Suspension or change of placement for more than 10 days</u>	<u>20 USC 1415(k); 34 CFR 300.530</u>	<u>AR 5144.2</u>	<u>Decision and procedural safeguards notice</u>
<u>Upon requesting a due process hearing</u>	<u>20 USC 1415(k); 34 CFR 300.508</u>	<u>AR 6159.1</u>	<u>Student's name, address, school, description of problem, proposed resolution</u>
<u>Eligibility for services under Section 504</u>	<u>34 CFR 104.32, 104.36</u>	<u>AR 6164.6</u>	<u>District responsibilities, district actions, procedural safeguards</u>

V. Classroom Notices

<u>In each classroom in each school</u>	<u>35186</u>	<u>AR 1312.4 E 1312.4</u>	<u>Complaints re: sufficiency of instructional materials, teacher vacancy or misassignment, maintenance of facilities</u>
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Exhibit: MADERA UNIFIED SCHOOL DISTRICT
 adopted: December 13, 2011 Madera, California
 revised: August 28, 2012
 revised: September 24, 2013

Madera USD

Board Policy

Advanced Placement

BP 6141.5

Instruction

~~Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Madera Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.~~

~~To encourage students to challenge themselves academically, develop college-level skills, and to enable students to be more competitive when applying for admission to postsecondary institutions, the Governing Board shall offer provide opportunities to high school students to take Advanced Placement (AP) courses and pass AP examinations. for college-level coursework that will prepare interested high school students to pass Advanced Placement (AP) examinations.~~

(cf. 0200 - Goals for the School District)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6172.1 - Concurrent Enrollment in College Classes)

The Board desires to provide at least four AP courses at each high school. The Superintendent or designee shall recommend subject areas for AP courses at each school based on student interest and the availability of qualified certificated staff, instructional materials, and other resources. The Superintendent or designee shall also explore alternative methods of delivering AP courses, such as online courses or distance learning.

The Superintendent or designee shall ensure that the district's educational program provides opportunities for students to acquire the skills necessary to successfully undertake AP coursework. ~~To the extent possible, The Superintendent or designee may consult and shall collaborate with feeder middle schools to ensure that students are offered the opportunity to take coursework that will prepare them for AP courses in developing and implementing a preparation program.~~

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.11 - Alternative Credits Toward Graduation)

All students who meet course prerequisites shall have equal access to AP courses.

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

Grades for AP courses shall be assigned in accordance with Board policy and administrative regulation.

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

The Superintendent or designee shall make efforts to encourage students to participate in AP courses and to take end-of-course AP exams by creating support systems for AP students, such as resource centers and programs to recognize student accomplishments. In addition, the Superintendent or designee shall explore partnerships with colleges and universities to help encourage students to pursue postsecondary education.

(cf. 5126 - Awards for Achievement)
(cf. 6164.2 - Guidance/Counseling Services)

To increase the capacity of district schools to offer ~~these~~ AP courses, the Superintendent or designee shall provide staff development and support to AP teachers of such courses. ~~Such~~ This professional development may include, but is not be limited to, opportunities for teachers to obtain ~~course-specific~~ information on the curriculum of specific courses, ~~as well as information on~~ instructional methods, and data-driven ~~decisions~~ decision making; mentoring for prospective AP teachers or AP courses; and opportunities for staff within the district to share course syllabi and practices.

(cf. 4111 - Recruitment and Selection)
(cf. 4113 - Assignment)
(cf. 4131 - Staff Development)

The Board desires that every district AP course receive authorization to use the AP designation by the College Board. To that end, the Superintendent or designee shall coordinate the process for submitting courses for approval as part of the AP course audit.

Examination Fee

To the extent feasible, the district shall reduce the cost of AP examination fees for eligible low-income students. At the beginning of each school year, the

Superintendent or designee shall notify parents/guardians of the availability of funds for this purpose and shall provide information on how income-eligible students may apply for funding.

(cf. 3100 - Budget)

Legal Reference:

EDUCATION CODE

~~48980 Parental notifications~~

~~52200-52212 Gifted and talented education program~~

52240-52244 552243 Advanced Placement program

CODE OF REGULATIONS, TITLE 5

3840 Advanced Placement as program option for gifted and talented students

UNITED STATES CODE, TITLE 20

6534 Advanced Placement exam fee program

Management Resources:

WEB SITES

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

Advancement Via Individual Determination: <http://www.avid.org>

California Colleges.edu: <http://californiacolleges.edu>

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

International Baccalaureate: <http://www.ibo.org>

~~California Department of Education, Advanced Placement Programs:~~

~~<http://www.cde.ca.gov/ci/gt/ps/apgen.asp>~~

College Board: <http://www.collegeboard.org/ap>

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

Policy MADERA UNIFIED SCHOOL DISTRICT
adopted: December 13, 2011 Madera, California

Madera USD

Administrative Regulation

Advanced Placement Instruction

AR 6141.5

~~Cautionary Notice: As added and amended by SBX3-4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4-2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Madera Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.~~

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians on the availability of state funds to cover the costs of Advanced Placement examination fees pursuant to Education Code 52244. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Any economically disadvantaged student, as defined in Education Code 52241, who is enrolled in an Advanced Placement course may apply to the Superintendent or designee to cover the costs of Advanced Placement examination fees minus five dollars which shall be paid by the student. (Education Code 52244)

Regulation MADERA UNIFIED SCHOOL DISTRICT
approved: December 13, 2011 Madera, California

Madera USD

Board Policy

Mathematics Instruction Instruction

BP 6142.92

The Governing Board desires to offer a rigorous mathematics program that progressively develops the knowledge and skills students will need to succeed in college and career. The district's mathematics program shall be designed to teach mathematical concepts in the context of real-world situations and to help students gain a strong conceptual understanding, a high degree of procedural skill and fluency, and ability to apply mathematics to solve problems. provides a strong foundation in basic mathematical skills and prepares students to apply mathematics in real life.

(cf. 6143 – Course of Study)

(cf. 6146.1 – High School Graduation Requirements)

For each grade level, the Board shall adopt academic standards for mathematics that meet or exceed the Common Core State Standards. The Superintendent or designee shall develop or select curricula that are aligned with these standards and the state curriculum framework.

(cf. 6011 – Academic Standards)

(cf. 6141 – Curriculum Development and Evaluation)

The district's mathematics program shall address the following standards for mathematical practices which are the basis for mathematics instruction and learning:

1. Overarching habits of mind of a productive mathematical thinker: Making sense of problems and persevering in solving them; attending to precision
2. Reasoning and explaining: Reasoning abstractly and quantitatively; constructing viable arguments and critiquing the reasoning of others.
3. Modeling and using tools: Modeling with mathematics; using appropriate tools strategically
4. Seeing structure and generalizing: Looking for and making use of structure; looking for and expressing regularity in repeated reasoning

In addition, the program shall be aligned with grade-level standards for mathematics content.

For grades K-8, content shall address, at appropriate grade levels, counting and cardinality, operations and algebraic thinking, number and operations in base ten, fractions, measurement and data, geometry, ratios, and proportional relationships, functions, expression and equations, the number system, and statistics and probability. Students shall learn the concepts and skills that prepare them for the rigor of higher mathematics.

~~The Superintendent or designee shall develop grade-level curricula that offer a balanced instructional program, including but not limited to:~~

- ~~1. Basic mathematical skills: quantification, basic facts, sorting and classification, and computational skills including addition, subtraction, multiplication, division, fractions, decimals, squares and square roots~~
- ~~2. Conceptual understanding: knowledge and application of facts and definitions, identification of principles, understanding of relationships among mathematical concepts, recognition and application of signs, symbols and terms~~
- ~~3. Problem solving: use of mathematical concepts, skills, tools and reasoning strategies to formulate and solve problems in a variety of situations~~

~~The mathematics program shall develop such knowledge and skills in the subject areas of numbers, measurement, geometry, functions, statistics and probability, logic, algebra and discrete mathematics. Students should know, understand and demonstrate concepts through their application to classroom and real-life situations.~~

For higher mathematics, the district shall offer a pathway of courses through which students shall be taught concepts that address number and quantity, algebra, functions, modeling, geometry, and statistics and probability.

~~The Superintendent or designee shall ensure that all students have many opportunities to take the full range of mathematics course options.~~

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

~~The Board shall establish specific content and performance standards in mathematical skills, concepts and problem-solving ability for each grade level. Students at risk of failing to meet performance standards shall receive additional assistance and intervention.~~

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

The Superintendent or designee shall ensure that certificated staff have opportunities to participate in professional development activities designed to

increase their knowledge and skills in effective mathematics teaching practices.

(cf. 4131 - Staff Development)

(cf. 4331 – Staff Development)

The Superintendent or designee shall ensure that students shall have access to sufficient instructional materials, including manipulatives and technology, to support a balanced, standards-aligned mathematics program.

(cf. 0440 - District Technology Plan)

(cf. 1312.2 – Complaints Concerning Instructional Materials)

(cf. 1312.4 – Williams Uniform Complaint Procedures

(cf. 6141 – Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 – Library Media Centers)

The Superintendent or designee shall provide the Board with data from state and district mathematics assessments and program evaluations to enable the Board to monitor program effectiveness.

(cf. 0460 – Local Control and Accountability Plan)

(cf. 0500 – Accountability)

(cf. 6162.5 – Student Assessment)

(cf. 6162.51 – State Academic Achievement Tests)

(cf. 6162.52 – High School Exit Examination)

(cf. 6190 – Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

51210 Areas of study, grades 1 through 6

51220 Areas of study, grades 7 through 12

51224.5 Algebra in course of study for grades 7-12

51225.3 High school graduation requirements

51284 Financial Literacy

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

Management Resources:

CSBA PUBLICATIONS

Governing to the Core, Governance Briefs

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013

California Common Core State Standards: Mathematics, rev. January 2013
COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS
Appendix A: Designing High School Mathematics Courses Based on the
Common Core State Standards

WEB SITES

CSBA: <http://csba.org>

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

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

CDE PUBLICATIONS

~~Improving Mathematics Achievement for All California Students: The Report of
the California Mathematics Task Force, 1995~~

~~Mathematics Framework for California Public Schools, 1992~~

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Board Policy

Student Assessment Instruction

BP 6162.5

The Governing Board recognizes that student assessments are an important instructional and accountability tool. Assessment data shall be used to help determine individual students' progress, mastery of academic standards, appropriate placement in district programs, and/or eligibility for graduation. In addition, summary data on student assessment results shall be used by the district to identify and review student achievement goals in the district's local control and accountability plan, evaluate district educational programs in order to identify needed improvements, and, as appropriate, evaluate staff performance. ~~program effectiveness and staff evaluations shall, as appropriate, be based in part on indicators of student achievement.~~

(cf. 0460 – Local Control and Accountability Plan)
(cf. 0500 - Accountability)
(cf. 2140 – Evaluation of the Superintendent)
(cf. 4115 - Evaluation/Supervision)
(cf. 4315 – Evaluation/Supervision)
(cf. 5121 – Grades/Evaluation of Student Achievement)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 6011 - Academic Standards)
(cf. 6142.7 – Physical Education and Activity)
(cf. 6162.51 – State Academic Achievement Tests)
(cf. 6162.52 – High School Exit Examination)
(cf. 6190 - Evaluation of the Instructional Program)

To obtain the most accurate evaluation of student performance, the district shall use a variety of measures, including district, state, and/or national assessments. As appropriate, assessment results shall be disaggregated by student subgroup, classroom, grade level, and/or school site to allow for critical analysis of student needs.

(cf. 3553 – Free and Reduced Price Meals)
(cf. 5121 – Grades/Evaluation of Student Achievement)
(cf. 6142.7 – Physical Education and Activity)
(cf. 6162.51 – Standardized Testing and Reporting Program)
(cf. 6162.52 – High School Exit Examination)

In selecting or developing a any district assessment, the Superintendent or designee shall examine evidence of its reliability, its validity for the intended purpose and for various student populations, and the extent to which it aligns with ~~corresponds to~~ the material that is being taught.

The Superintendent or designee shall ensure that assessments are administered in accordance with law and the test publisher's directions and that test administration

procedures are fair and equitable for all students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 6162.54 - Test Integrity/Test Preparation)

The Superintendent or designee shall provide professional development as needed to assist administrators and teachers and paraprofessionals in interpreting and using assessment data to improve student performance and the instructional program.

(cf. 4131 - Staff Development)
(cf. 4331 – Staff Development)
(cf. 4222 - Teacher Aides/Paraprofessionals)

When districtwide and school-level results of student assessments are published by the state, the Superintendent or designee may provide supplementary information to assist parents/guardians and the local community in interpreting-understanding test results. ~~and evaluating school performance.~~

(cf. 0510 - School Accountability Report Card)

Individual Record of Accomplishment

The Superintendent or designee shall ensure that each student, by the end of grade 12, has an individual record of accomplishment that includes the following: (Education Code 60607)

1. The results of the state achievement tests administered under the Standardized Testing and Reporting Program pursuant to Education Code 60640-60649 or any predecessor assessments.
2. The results of any end-of-course examinations taken
3. The results of any vocational education certification examinations taken

(cf. 6178 - Career Technical Education)

No individual record of accomplishment shall be released to any person, other than the student's parent/guardian or a teacher, counselor, or administrator directly involved with the student, without the written consent of the student's parent/guardian, or the student if he/she is an adult or emancipated minor. The student or his/her parent/guardian may authorize the release of the record of accomplishment to a postsecondary educational institution for the purposes of credit, placement, or admission. (Education Code 60607)

(cf. 5125 - Student Records)

Legal Reference:
EDUCATION CODE
313 Assessment of English language development

10600-10610 California Education Information System
44660-44665 Evaluation and assessment of performance of certificated employees (Stull Act)
49558 Free and reduced priced meals, use of individual applications and records
51041 Evaluation of educational program
51450-51455 Golden State Seal Merit Diploma
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
60600-60649 Assessment of academic achievement, especially:
~~60640-60649 Standardized Testing and Reporting Program~~ California Assessment of Student Performance and Progress
60800 Physical fitness testing
60810-60812 Assessment of English language development
60850-60859 High school exit examination
60900 California Longitudinal Pupil Achievement Data System
CODE OF REGULATIONS, TITLE 5
850-864 California Assessment of Student Performance and Progress
~~850-870 Standardized Testing and Reporting program~~
1200-1225 High School Exit Examination
UNITED STATES CODE, TITLE 20
9622 National Assessment of Educational Progress

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Key Elements of Testing, 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Teachers' Use of Student Data Systems to Improve Instruction, 2007

WEB SITES

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

California Department of Education, Testing and Accountability: <http://www.cde.ca.gov/ta>

Educational Testing Service: <http://www.ets.org>

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

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Board Policy

Test Integrity/Test Preparation Instruction

BP 6162.54

The Governing Board desires to protect the integrity of student assessments ~~processes~~ in order to obtain an accurate and reliable ~~assessment~~ of student achievement ~~data and~~ to ensure accountability to the community and state. ~~in the district and maintain~~ ~~accountability to the community and state.~~ Students and staff ~~are expected to~~ shall maintain a high level of integrity in the completion and handling of student assessments.

(cf. 0500 - Accountability)

~~(cf. 0520.1 - High Priority Schools Grant Program)~~

~~(cf. 0520.2 - Title I Program Improvement Schools)~~

~~(cf. 0520.3 - Title I Program Improvement Districts)~~

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

(cf. 5131 - Conduct)

(cf. 5131.9 - Academic Honesty)

(cf. 6162.5 - Student Assessment)

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

(cf. 6162.51 – State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

In administering standardized tests, staff shall not engage in any acts that could result in the invalidation of test results, such as:

Test Integrity

~~In the administration of standardized tests, staff shall not:~~

1. ~~Provide~~ Providing inappropriate test preparation
2. ~~Modifying~~ test administration procedures, except as allowed by law
3. ~~Provide~~ Providing inappropriate assistance to students during test administration
4. ~~Change or fill~~ Changing or filling in answers on student answer sheets
5. ~~Provide~~ Providing inaccurate data on student header sheets
6. ~~Discourage or exclude~~ Discouraging or excluding certain students from taking the test
7. ~~Engage~~ Engaging in any other practice to artificially raise student scores without actually improving underlying student achievement

Appropriate Test Preparation

The Superintendent or designee, principals, and teachers shall not implement any program for the sole purpose of test preparation of students for the statewide assessment system or a particular test used in the statewide assessment system (Education Code 60611)

The primary preparation for assessments shall be high-quality instruction in the content specified in state and district academic standards. In addition, staff may prepare students for assessments by teaching general test-taking strategies and familiarizing them with item types or the computer-based testing environment used in state assessments.

(cf. 6011 Academic Standards)

Preparation for State Tests

~~Staff may prepare students for assessments by providing instruction in the content specified in state and district academic standards and teaching general test-taking strategies that are designed to improve their performance on tests included in the Standardized Testing and Reporting program, the California High School Exit Examination, or the California English Language Development Test. Such strategies may include, but not be limited to, using time efficiently, understanding directions, placing answers correctly on answer sheets, checking answers, problem-solving tactics, and exposing students to various test formats.~~

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

~~The Superintendent or designee, principals, and teachers shall not implement any program of specific preparation for the statewide student assessment program or a particular test used within that program. (Education Code 60611)~~

~~Practice tests provided by the publisher of the state achievement test may be used for the limited purpose of familiarizing students with the use of scanable test booklets or answer sheets and the format of test items. No alternate or parallel form of the test shall be administered or used. (5 CCR 854)~~

~~Staff shall not use released test questions to develop practice tests that mimic or parallel state tests, or for teaching or drilling students only on the released items.~~

Investigation and Consequences of Testing Irregularities

Reports of student cheating on assessments shall be submitted to the Superintendent principal or designee. for investigation The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.

Students found to have cheated on assessments shall be subject to disciplinary procedures in accordance with Board policy and administrative regulations.

(cf. 5144 - Discipline)

A staff member found to have committed testing irregularities shall be subject to discipline in accordance with law, where applicable collective bargaining agreements, Board policy, and administrative regulations.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

~~The Superintendent or designee shall immediately investigate with due diligence any reports of inappropriate test preparation or other testing irregularities.~~

If the Superintendent or designee is made aware of a testing irregularity on state assessments, he/she shall report the irregularity to the California Department of Education.

Legal Reference:

EDUCATION CODE

60600-60649 California Assessment of Academic Achievement, especially:

60611 Inappropriate test preparation

60850-60859 California High School Exit Examination

GOVERNMENT CODE

54957 Complaints against employees, closed session

CODE OF REGULATIONS, TITLE 5

850-864 California Assessment of Student Performance and Progress

~~850-870 Standardized Testing and Reporting program, especially:~~

~~854 Advance preparation for STAR test~~

~~880-901 Designated primary language test~~

1200-1225 California High School Exit Examination, especially:

1220 Cheating on the high school exit examination

~~1215 Cheating on the high school exit examination~~

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines on Academic Preparation for State Assessments, ~~April 2004~~ December 2009

WEB SITES:

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

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

Smarter Balanced Assessment Consortium: <http://www.smarterbalanced.org>

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Board Policy

Library Media Centers Instruction

BP 6163.1

~~Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code 42238.01-42251). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.~~

The Governing Board recognizes that school libraries support the educational program by providing access to a variety of informational and supplemental resources that can help raise the academic achievement of all students. To the extent funding is available, the Board desires that school libraries shall be stocked with up-to-date books, reference materials, and electronic resources that promote literacy, support academic standards, and prepare students to become lifelong learners.

(cf. 0440 - District Technology Plan)
(cf. 1330.1 – Joint Use Agreements)
(cf. 6011 - Academic Standards)
(cf. 6161 – Equipment, Books and Materials)
(cf. 6163.4 - Student Use of Technology)
(cf. 7110 - Facilities Master Plan)

The Superintendent or designee may, in consultation with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate, develop and regularly update a plan for school libraries that describes the district's goals for school libraries and how funds will be distributed to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, the development and maintenance of classroom libraries, prevention of loss or damage of library materials, prioritization of needs, and other related matters. The Superintendent or designee shall ensure that the library plan is aligned with the district's local control and accountability plan and other district and school plans.

(cf. 0200 – Goals for the School District)
(cf. 0400 – Comprehensive Plans)
(cf. 0420 – School Plans/Site Councils)
(cf. 0460 – Local Control and Accountability Plan)

(cf. 5125.2 – Withholding Grades, Diploma, or Transcripts
(cf. 6161.2 – Damaged or Lost Instructional Materials

Staffing

To staff secondary school libraries, the district may employ one or more teacher librarians who possess appropriate credentials issued by the Commission on Teacher Credentialing, (Education Code 18120, 44868, 5 CCR 80024.6, 80053)

(cf. 4112.2 – Certification)
(cf. 4113 – Assignment)

The Superintendent or designee may assign teacher librarians to perform the following duties in accordance with the authorizations of their credential:
(5 CCR 80053, 80053.1)

1. Instruct students in accessing, evaluating, using, and integrating information and resources in the library program and/or provide departmentalized instruction in information literacy, digital literacy, and digital citizenship.
2. Plan and coordinate school library programs with the district's instructional programs through collaboration with teachers
3. Select materials for school and district libraries
4. Develop and deliver staff development programs for school library services
5. Coordinate or supervise library programs at the school or district level
6. Plan and conduct a course of instruction for students who assist in the operation of school libraries
7. Supervise classified personnel assigned school library duties
8. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library media technicians. Volunteers may assist with school library services in accordance with law, Board policy, and administrative regulation.

(cf. 1240 – Volunteer Assistance)
(cf. 4222 – Teacher Aides/Paraprofessionals)

Hours of Operation

School libraries shall be open for use by students and teachers during the school day.

(Education Code 18103)

With the approval of the Board, a school library may be open at other hours outside the school day, including evenings and Saturdays. Any library open to serve students during evening and Saturday hours shall be under the supervision of a certificated employee who consents to the assignment. (Education Code 18103)

District Plan

~~Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement which incorporates a districtwide plan for school libraries.~~
(Education Code 41572)

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

~~In developing the districtwide plan, the Superintendent or designee is encouraged to consult with teacher librarians, classroom teachers, administrators, parents/guardians, and students as appropriate.~~

~~The districtwide library plan shall describe the district's vision and goals for district libraries and how funds will be distributed to school sites to support libraries. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, prioritization of needs, and other related matters.~~

~~(cf. 0000 - Vision)~~

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

~~The districtwide library plan shall be regularly reviewed and updated.~~

Classroom Libraries for Grades K-4

~~When state funding is available for classroom library materials in grades K-4, the Superintendent or designee shall develop, for certification by the Board, a districtwide classroom library plan for grades K-4. The plan shall include a means of preventing loss, damage, or destruction of the materials. (Education Code 60242)~~

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

~~(cf. 6161.2 - Damaged or Lost Instructional Materials)~~

~~The districtwide library plan developed pursuant to Education Code 41572 may fulfill this requirement provided the plan meets the criteria of Education Code 60242.~~

~~The Superintendent or designee is encouraged to consult with primary grade teachers and teacher librarians employed by the district and/or county office of education in the development of the K-4 classroom library plan and to consider selections from the list of~~

~~books recommended by the California Department of Education (CDE).~~

Selection and Evaluation of School Library Materials

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive or language needs.

Library materials shall be evaluated and selected through a process that invites recommendations from Teacher-librarians shall evaluate and select materials in accordance with law, Board policy, and administrative regulation and shall use professional selection aids and standards. The selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

(cf. 6144 - Controversial Issues)

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

(cf. 6161.11 - Supplementary Instructional Materials)

Library materials ~~should~~ shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed, ~~and lost or worn materials may be replaced.~~

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)

All gifts and donations of school library materials shall be subject to the same criteria as materials selected for purchase by the district.

(cf. 1260 - Educational Foundation)

(cf. 3290 - Gifts, Grants and Bequests)

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

Fees

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. (5 CCR 16042)

(cf. 3260 - Fees and Charges)

To encourage students to return materials in a timely manner, a nominal fee shall be charged for the late return of materials. (5 CCR 16042)

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

Library Instruction

Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners.

Teacher librarians also may provide support to teachers, administrators, and other staff by identifying instructional materials that will aid in the development of curriculum and instructional activities and by providing information about effective and ethical uses of school library services and equipment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6141 - Curriculum Development and Evaluation)

Program Evaluation

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of its school libraries for the preceding year ending June 30. (Education Code 18122)

Legal Reference:

EDUCATION CODE

1703 Coordination of district library services by county superintendent

1770-1775 Provision of library services by county superintendent

18100-18203 School libraries

18300-18571 Union high school district/unified school district library district

19335-19336 Reading Initiative Program; recommended books

35021 Volunteer aides

~~41570-41573 School and Library Improvement Block Grant~~

~~42605 Tier 3 categorical flexibility~~

44868-44869 Qualifications and employment of library media teachers

45340-45349 Instructional aides

~~60240-60251.5 State Instructional Materials Fund, purchase of classroom library materials~~

~~REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS~~

~~18181 Districtwide library plan~~

~~52012 Establishment of school site council~~

~~52014-52015 School plans~~

CODE OF REGULATIONS, TITLE 5

16040-16043 School libraries

80023-80023.2 Emergency permits, general requirements

80024.6 Emergency teacher librarian services permit

80026-80026.6 Emergency permits

80053-80053.1 Teacher librarian services credential

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

"Examples of Model School Library Standards for California Public Schools Supporting Common Core State Standards (CCSS) for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects", rev. February 2012

"Model School Library Standards for California Public Schools: Kindergarten Through Grade Twelve", 2010 (includes standards for student instruction as well as program standards)

"Looking at the School Library: An Evaluation Tool", 2003

"Recommended Literature: Kindergarten Through Grade Twelve"

CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS

"Standards and Guidelines for Strong School Libraries", 2004

WEB SITES

American Association of School Libraries: <http://www.ala.org/aasl>

California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>

California School Library Association: <http://www.csla.net>

Policy: MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

revised: September 24, 2013

Madera USD

Board Policy

Continuation Education

BP 6184

Instruction

The Governing Board shall provide a continuation education program ~~to meet the educational needs of district students who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory continuation school attendance.~~ as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

~~(cf. 0420.4 – Charter Schools)~~

~~(cf. 5112.1 – Exemptions from Attendance)~~

~~(cf. 6030 – Integrated Academic and Vocational Instruction)~~

~~(cf. 6158 – Independent Study)~~

~~(cf. 6164.2 – Guidance/Counseling Services)~~

~~(cf. 6178 – Vocational Education)~~

~~(cf. 6178.1 – Work Experience Education)~~

~~(cf. 6181 – Alternative Schools)~~

~~(cf. 6183 – Home and Hospital Instruction)~~

~~(cf. 6185 – Community Day School)~~

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 - Charter School Authorization)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 6158 - Independent Study)

(cf. 6172 - Gifted and Talented Student Program)

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

(cf. 6183 - Home and Hospital Instruction)

(cf. 6185 - Community Day School)

(cf. 6200 - Adult Education)

~~The Board shall establish a plan to coordinate instruction and training in the school with the home, employment and other agencies and shall designate one or more persons as coordinators. (5 CCR 11003)~~

~~The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation education program. (Education Code 48432.5)~~

~~The Superintendent or designee may allow the voluntary enrollment of students in the continuation education program as space permits and when it is determined to be in the best interests of the student.~~

~~Minors otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410.~~

~~(cf. 5112.1 - Exemptions from Attendance)~~

~~The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434)~~

~~(cf. 6112 - School Day)~~

~~(cf. 6200 - Adult Education)~~

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

The continuation high school shall be conducted for not less than 175 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5 CCR 11004)

(cf. 6111 - School Calendar)

(cf. 6112 - School Day)

Students eligible for continuation education classes shall be age 16 or 17 years at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with a disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

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

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6159 - Individualized Education Program)

Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 - Regional Occupational Center/Program)

Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 - Exemptions from Attendance.

(cf. 5112.1 - Exemptions from Attendance)

The Superintendent or designee shall regularly evaluate the effectiveness of district continuation education programs and report these evaluation results to the Board. Indicators may include, but not be limited to, disaggregated data on student enrollment, student assessment results, and graduation rates.

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6162.52 - High School Exit Examination)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

~~41505-41508 Pupil Retention Block Grant~~

~~42243.7 District revenue limit for districts with a continuation high school~~

48400-48454 Compulsory continuation education in general, especially:

48401 Weekly minimum attendance requirement

48402 Minors not regularly employed

48410-48416 Compulsory continuation education

48430-48438 Continuation classes

48450-48454 Violation

48900 Grounds for suspension and expulsion

48900.5 Student Discipline

48903 Limitations on days of suspension

51224 Courses of study

~~51225.3 Requirements for graduation~~

60850-60856 High school exit examination

FAMILY CODE

7000-7002 Emancipation of minors law

7050 Purposes for which emancipated minor considered an adult

CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

COURT DECISIONS

Nathan G. v. Clovis Unified School District (2014) Cal.App.5th (No. F065485)

Management Resources:

WEB SITES

CDE: www.cde.ca.gov

JOHN W. GARDNER CENTER FOR YOUTH AND THEIR COMMUNITIES

PUBLICATIONS

Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012

Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011

WEB SITES

California Continuation Education Association: <http://www.cceanet.org>

California Department of Education: [http:// www.cde.ca.gov](http://www.cde.ca.gov)

John W. Gardner Center for Youth and Their Communities, Stanford School of Education:
<http://jgc.stanford.edu>

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

Madera USD

Administrative Regulation

Continuation Education

AR 6184
Instruction

Program Components

~~The curriculum offered by the continuation high school shall enable students to meet requirements for high school graduation prescribed in Education Code 51224-51225.3. (5 CCR 11004)~~

The district's continuation education program shall include the following components:

1. Curriculum that prepares students to meet the course requirements for graduation prescribed in Education Code 51224-51225.3 (5 CCR 11004)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6162.52 - High School Exit Examination)
(cf. 6178 - Career Technical Education)

~~In order to receive a high school diploma, students in continuation education must pass the high school exit examination. (Education Code 60850)~~

~~(cf. 6162.5 - Student Assessment)~~

~~Instruction in continuation education classes shall be based on individual needs as determined by the findings of the counseling and coordination services. (5 CCR 11002)~~

~~The Superintendent or designee shall provide to all minors in the district subject to compulsory continuation education a program that includes: (Education Code 48431; 5 CCR 11001)~~

1. ~~Personal guidance~~

~~(cf. 6164.2 - Guidance/Counseling Services)~~

2. ~~Occupational guidance~~

3. ~~Placement in suitable employment whenever the student can benefit from such employment~~

~~(cf. 5113.2 – Work Permits)~~
~~(cf. 6178.1 – Work Experience Education)~~

~~4. Follow up services including:~~

~~a. Visitations at places of employment to determine the effectiveness of the guidance and placement services~~

~~b. Regular home contacts and parent conferences when students are not succeeding in the continuation program~~

~~(cf. 6020 – Parent Involvement)~~

~~c. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education with the intent of eventually returning them to the full-time continuation education program~~

~~The continuation high school shall be conducted for not less than 175 days during a school year. (5 CCR 11004)~~

Program Administration

~~The director of continuation education shall be responsible for the organization and administration of the district's continuation education program and guidance, placement and follow-up. (5 CCR 11000)~~

2. A plan to coordinate instruction and training in the continuation education program with students' parents/guardians, employment, and other agencies (5 CCR 11003)

3. Instruction based on individual student needs as determined by counseling and coordination services (5 CCR 11002)

4. Personal guidance in matters affecting students' personal, social, and educational adjustment (5 CCR 11001)

(cf. 6164.2 - Guidance/Counseling Services)

5. Occupational guidance to prepare students for future employment opportunities (5 CCR 11001)

6. Placement in suitable employment whenever students can benefit from such employment, and follow-up visitations at places of employment to determine the effectiveness of the guidance and placement services (5 CCR 11001)

(cf. 5113.2 - Work Permits)
(cf. 6178.1 - Work-Based Learning)

7. Regular home contacts and parent conferences when students are not succeeding in the continuation program (5 CCR 11001)

(cf. 6020 - Parent Involvement)

8. Regular contacts with students enrolled for only four hours per week and all students suspended from continuation education, with the intent of eventually returning them to the full-time continuation education program (5 CCR 11001)

9. Regular communication with all parents/guardians regarding their child's progress in the educational program

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

10. Opportunities for parent/guardian and community involvement in school activities and program planning

(cf. 1240 - Volunteer Assistance)

11. Student support services that may include, but are not limited to, academic support services, health services or referrals, child care and development services for the children of enrolled students, and/or prevention and intervention services for alcohol or substance abuse

(cf. 1020 - Youth Services)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.6 - School Health Services)

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

(cf. 5147 - Dropout Prevention)

(cf. 5148 - Child Care and Development)

(cf. 5149 - At-Risk Students)

(cf. 6164.5 - Student Success Teams)

(cf. 6179 - Supplemental Instruction)

12. Professional development that includes opportunities for teachers to continually improve their instructional and classroom management skills

(cf. 4131 - Staff Development)

13. Efforts to ensure school safety and promote a positive school climate

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5131.4 - Student Disturbances)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5136 - Gangs)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)

Involuntary Transfer

~~Students eligible for continuation education classes shall be age 16 or 17 at the time of their enrollment and shall not have graduated from high school. (Education Code 48400, 48413)~~

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions: (Education Code 48432.5)

1. The student committed an act enumerated in Education Code 48900.

~~Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)~~

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6185 - Community Day School)

2. The student has been habitually truant or irregular in legally required school attendance.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 – Chronic Absence and Truancy)

Involuntary transfer to a continuation school shall be made only when other means fail to bring about student improvement. However, a student may be involuntarily transferred the first time he/she commits an act enumerated in Education Code 48900 if the principal determines that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process. (Education Code 48432.5)

Prior to an involuntary transfer, the student and parent/guardian shall be given written notice that they may request a meeting with the Superintendent or designee. (Education Code 48432.5)

(cf. 5145.6 - Parental Notifications)

At the meeting, the student or parent/guardian shall be informed of the specific facts and reasons

for the proposed transfer. The student or parent/guardian shall have the opportunity to inspect all documents relied upon, question any evidence and witnesses presented, and present evidence on the student's behalf. The student may designate one or more representatives and witnesses to be present with him/her at the meeting. (Education Code 48432.5)

A written decision to transfer, stating the facts and reasons for the decision, shall be sent to the student and parent/guardian. It shall indicate whether the decision is subject to periodic review and the procedure for such review. (Education Code 48432.5)

The persons making the final decision for involuntary transfer shall not be members of the staff of the school in which the student is enrolled at the time. (Education Code 48432.5)

No involuntary transfer to a continuation school shall extend beyond the end of the semester following the semester when the acts leading to the involuntary transfer occurred. (Education Code 48432.5)

~~However, at the request of a student or parent/guardian, the Superintendent or designee shall conduct an annual review of the involuntary transfer.~~

Voluntary Enrollment

~~With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. Students so enrolled may return to the regular high school at the beginning of the following school year, or at any time the Superintendent or designee gives consent. (Education Code 48432.5)~~

As space permits, students who meet the eligibility criteria specified in Board policy may voluntarily enroll in a continuation school. A student may be considered for placement in the continuation school whenever his/her parent/guardian submits a written request to the Superintendent or designee or the student is referred by a counselor or school administrator.

Approval of a student's voluntary transfer shall be based on a finding that the placement will promote the educational interests of the student. (Education Code 48432.3)

Voluntary enrollment shall be subject to the following conditions: (Education Code 48432.3, 48432.5)

1. A student's voluntary placement in continuation education shall not be used as an alternative to expulsion unless alternative means of correction have been attempted pursuant to Education Code 48900.5.
2. The district shall strive to ensure that no specific group of students, including a group based on race, ethnicity, language status, or special needs, is disproportionately enrolled in continuation education within the district.

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

The Superintendent or designee shall annually review disaggregated student enrollment data and report such data to the Governing Board. If it is determined that one or more student groups are enrolled in continuation education at a significantly higher level than their proportional enrollment in the district, the Superintendent or designee shall conduct a review of enrollment criteria and procedures to determine the reason for the disproportionate enrollment.

3. A copy of this administrative regulation and accompanying Board policy shall be provided to a student whose voluntary transfer to a continuation school is under consideration and to his/her parent/guardian.
4. Before a student is transferred and upon request by his/her parent/guardian, the parent/guardian may meet with a counselor, principal, or administrator from both the school that the student is currently attending and the continuation school to determine if transferring is the best option for the student.
5. To the extent possible, voluntary transfer to a continuation school shall occur within the first four weeks of each semester.
6. A student who is voluntarily enrolled in continuation education may return to the regular high school at the beginning of the following school year, or at any other time with the consent of the Superintendent or designee.

Intake and Orientation

Upon voluntary or involuntary transfer to a continuation education program, an intake meeting shall be conducted with each student and his/her parent/guardian. At this meeting, the principal or counselor shall provide information about each course and number of credits that the student needs to complete in order to graduate and shall develop an individualized academic plan for the student. The student, and his/her parent/guardian as appropriate, shall sign a contract indicating their commitment to these objectives.

In addition, at the beginning of each school year, the district coordinator for continuation education, school counselor(s), or other designee(s) shall provide an orientation session for all incoming students and their parents/guardians in order to help them understand the credit recovery process and establish expectations for student conduct and participation. As appropriate, extended orientation sessions may be provided to assist students in developing academic, social, communication, anger management, or other skills necessary to success in school.

Reenrollment

Any person age 16 or 17 who left school after obtaining a certificate of proficiency may reenroll in the district without prejudice. If the student leaves a second time, the Superintendent or

~~designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)~~

~~Leaves of Absence~~

~~A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training or work in accordance with law, Board policy and administrative regulation. (Education Code 48416)~~

~~(cf. 5112.3 – Student Leave of Absence)~~

Minimum Attendance Requirement

~~Each student in the continuation education program shall attend classes for not less than four 60-minute hours per week for the regular school term. The requirement may be met by attendance in a continuation education class and/or regional occupational center or program. (Education Code 48400)~~

~~If a student subject to compulsory attendance in continuation education classes cannot give satisfactory proof of regular employment, the student shall attend continuation education classes and/or a regional occupational center or program for not less than 15 hours per week during the period of unemployment. (Education Code 48402)~~

In continuation high schools and classes, a day of attendance shall be at least 180 minutes. (Education Code 46170)

Each student shall attend classes for not less than 15 hours per week. However, if a student gives satisfactory proof of regular employment, he/she may attend classes for not less than four hours per week for the regular school term. These requirements may be met by any combination of attendance in a continuation education class and/or regional occupational center or program. (Education Code 46170, 48402, 48400)

Leaves of Absence

A student enrolled in compulsory continuation education classes may take a leave of absence for up to two semesters for the purpose of supervised travel, study, training, or work in accordance with law, Board policy, and administrative regulation. (Education Code 48416)

(cf. 5112.3 - Student Leave of Absence)

Reenrollment

Any person age 16 or 17 years who terminated his/her enrollment in continuation school after obtaining a certificate of proficiency may reenroll in the district once without prejudice. If the student leaves a second time, the Superintendent or designee may deny reenrollment until the beginning of the next semester. (Education Code 48414)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Regulation MADERA UNIFIED SCHOOL DISTRICT
approved: December 13, 2011 Madera, California



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT FINANCING CORPORATION

Date: **August 26, 2014**

Subject: First Reading of revised Board Policies,
Administrative Regulations - Fiscal Services

Responsible Staff: **Edward C. González, Superintendent**
Teri Bradshaw, Director of Fiscal Services

Agenda Placement: New Business

Background/ rationale:

Revisions/New Language are recommended by CSBA on the following Board Policies, and Administrative Regulations:

- BP 3260 – Business and Noninstructional Operations – Fees and Charges
- AR 3260 – Business and Noninstructional Operations – Fees and Charges
- AR 3460 – Business and Noninstructional Operations – Financial Reports & Accountability

Financial impact:

None

Superintendent's recommendation:

The Superintendent recommends approval of the First Reading of the new and revised Board Policies, Administrative Regulations – Fiscal Services

Supporting documents attached:

Revised Board Policies, Administrative Regulations and Exhibits

- BP 3260 – Business and Noninstructional Operations – Fees and Charges
- AR 3260 – Business and Noninstructional Operations – Fees and Charges
- AR 3460 – Business and Noninstructional Operations – Financial Reports & Accountability

Madera USD

Board Policy

Fees And Charges

BP 3260

Business and Noninstructional Operations

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the district's educational program are made available to them at no cost.

No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

~~(cf. 1321—Solicitation of Funds from and by Students)~~

(cf. 3100 - Budget)

~~(cf. 3290—Gifts, Grants and Bequests)~~

(cf. 6145 - Extracurricular and Cocurricular Activities)

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. ~~For such authorized~~ When approving such fees, deposits, and or charges, ~~the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions, or determining whether waivers or exceptions should be granted,~~ the Board shall consider relevant data, including the socio-economic conditions of district students' families and their ability to pay.

(cf. 3250 - Transportation Fees)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5143 - Insurance)

(cf. 9323.2 - Actions by the Board)

The prohibition against student fees shall not restrict the district from soliciting for voluntary donations, participating in fundraising activities, and providing prizes or other recognition for participants in such activities and events. However, the district shall not offer or award to a student any course credit or privileges related to educational activities in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student and shall not remove, or threaten to remove, from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

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

(cf. 3290 - Gifts, Grants and Bequests)

Whenever district employees, volunteers, students, parents/guardians, or educational or civic organizations participate in such events or activities, the Superintendent or designee shall emphasize that participation in the event or activity is voluntary.

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

~~Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)~~

(cf. 1312.3 - Uniform Complaint Procedures)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification required to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

~~The Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)~~

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

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall provide additional information or professional development opportunities to administrators, teachers, and other personnel to learn about regarding permissible fees.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services

8250 Child care and development services for children with disabilities

8263 Child care eligibility

8482.6 After School Education and Safety programs

8760-8774~~3~~ Outdoor science and conservation programs

17453.1 District sale or lease of Internet appliances or personal computers to students or parents

17551 Property fabricated by students

19910-19911 Offenses against libraries

32033 Eye protective devices

32221 Insurance for athletic team member

32390 Fingerprinting program

35330-35332 Excursions and field trips

35335 School camp programs

38080-38085 Cafeteria establishment and use

38120 Use of school band equipment on excursions to foreign countries

39801.5 Transportation for adults

39807.5 Payment of transportation costs

39837 Transportation of students to places of summer employment

48050 Residents of adjoining states

48052 Tuition for foreign residents

48904 Liability of parent or guardian

49010-49013 Student fees

49065 Charge for copies

49066 Grades, effect of physical education class apparel

49091.14 Prospectus of school curriculum

51810-51815 Community service classes

52612 Tuition for adult classes

52613 Nonimmigrant aliens

56504 School records; students with disabilities

60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

~~4622 Notice~~

UNITED STATES CODE, TITLE 8

1184 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513

Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251

Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739

Hartzell v. Connell (1984) 35 Cal. 3d 899

CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

Pupil Fees, Deposits, and Other Charges: Cap and Gown for High School Graduation

Ceremony, Addendum to Fiscal Management Advisory 12-02, October 4, 2013

Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

~~1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges~~

WEB SITES

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

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

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: December 13, 2011 Madera, California

revised: April 9, 2013

Madera USD

Administrative Regulation

Fees And Charges

AR 3260

Business and Noninstructional Operations

~~The district shall not require any district student to pay any fees, deposits, or charges except as specifically authorized by law. (Education Code 49011; 5 CCR 350)~~

When approved by the Governing Board, the Superintendent or designee may impose a fee for the following: (5 CCR 350)

1. Insurance for athletic team members, with an exemption ~~for financial hardship providing for the district to pay the cost of the insurance for any team member who is financially unable to pay~~ – (Education Code 32221)

(cf. 5143 - Insurance)

2. Insurance for medical or hospital service for students participating in field trips and excursions (Education Code 35331)

3. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia, or a foreign country, as long as no student is prohibited from making the field trip due to lack of funds (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

4. Student fingerprinting program- as long as the fee does not exceed the actual costs associated with the program (Education Code 32390)

(cf. 5142.1 - Identification and Reporting of Missing Children)

5. School camp programs in outdoor science education, conservation education, or forestry operated pursuant to Education Code 8760-87734, provided that the fee is not mandatory and no student is denied the opportunity to participate for nonpayment of the fee (Education Code 35335)

(cf. 6142.5 - Environmental Education)

6. Reimbursement for the direct cost of materials provided by the district to a student for the fabrication of nonperishable personal property the student will take home for his/her own possession and use, such as wood shop, art, or sewing projects kept by the student ~~Personal property of the~~

~~district fabricated by students, as long as the cost of the property does not exceed the cost of the materials provided by the district (Education Code 17551)~~

7. Home-to-school transportation and transportation between regular, full-time day schools and regional occupational centers, programs, or classes, as long as the fee does not exceed the statewide average nonsubsidized cost per student and as long as exemptions are made for indigent and disabled students (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

8. Transportation for students to and from their places of employment in connection with any summer employment programs for youth (Education Code 39837)

9. Deposit for school band instruments, music, uniforms, and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

10. Sale or lease of Internet appliances or personal computers for the purpose of providing access to the district's educational computer network, at no more than cost, as long as the district provides network access for families who cannot afford it (Education Code 17453.1)

cf. 0440 - District Technology Plan)

(cf. 6163.4 - Student Use of Technology)

~~11.0.~~ Fees for community service classes in civic, vocational, illiteracy, health, homemaking, and technical and general education, not to exceed the cost of maintaining the class (Education Code 51810, 51815)

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

~~12.1.~~ Eye safety devices, worn in courses or activities involving the use of hazardous substances likely to cause injury to the eyes, when being sold to students and/or teachers or instructors to keep and at a price not to exceed the district's actual costs (Education Code 32033)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

~~13.2.~~ Actual cost of furnishing copies of any student's records, except, that no charge shall be made for furnishing if he/she is a former student, up to two transcripts or two verifications of a former student's records or for reproducing records of a student with a disability when the cost would effectively prevent the parent/guardian from exercising the right to receive the copies ~~of his/her various records~~ (Education Code 49065, 56504)

(cf. 5125 - Student Records)

~~14.3.~~ Actual costs of duplication for reproduction of the prospectus of school curriculum or for copies of public records (Education Code 49091.14; Government Code 6253)

(cf. 1340 - Access to District Records)

~~14. Actual costs of duplication for reproduction of the prospectus of school curriculum—
(Education Code 49091.14)~~

(cf. 5020 - Parent Rights and Responsibilities)

15. Food sold at school, subject to free and reduced-price meal program eligibility and other restrictions specified in law (Education Code 38084)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Funds)

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

~~16. As allowed in law, replacement cost Fines or reimbursements for lost or damaged district-
property or damage to library property books, supplies, or property, or for district property loaned to
a student that he/she fails to return~~ (Education Code 19910-19911, 48904)

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

17. Tuition for district school attendance by an out-of-state and out-of-country resident

(Education Code 48050, 48052, 52613; 8 USC 1184)

~~(cf. 5111.1 - District Residency)~~

(cf. 5111.2 - Nonresident Foreign Students)

18. Adult education books, materials, transportation, and classes ~~as specified in law~~, except that no fee may be charged for classes in elementary subjects or for which high school credit is granted when taken by a person who does not hold a high school diploma or, effective July 1, 2015, classes in English and citizenship (Education Code 39801, 52612, 60410)

(cf. 6200 - Adult Education)

19. Preschool and child care and development services, in accordance with the fee schedule established by the Superintendent of Public Instruction, unless the family qualifies for subsidized services or the program is for severely disabled children and the student is eligible to enroll in it (Education Code 8239, 8250, 8263)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

~~20. Physical education uniforms~~

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

~~21. — Parking on school grounds (Vehicle Code 21113)~~

~~22. — Rental or lease of personal property needed for District purposes, such as caps and gowns used by seniors in graduation ceremonies (Education Code 38119)~~

~~(cf. 5127—Graduation Ceremonies and Activities)~~

20. After School Education and Safety Programs, as long as no eligible student is denied the ability to participate because of inability to pay the fee (Education Code 8482.6)

21. Advanced Placement and International Baccalaureate Diploma examinations for college credits, as long as the examination is not a course requirement and the results have no impact on student grades or credits in the course

(cf. 6141.5 - Advanced Placement)

Regulation MADERA UNIFIED SCHOOL DISTRICT
approved: March 2011 Madera, California
revised: April 9, 2013

Madera USD

Administrative Regulation

Financial Reports And Accountability

AR 3460

Business and Noninstructional Operations

Interim Reports

Each interim fiscal report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

The interim report shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected ~~revenue limit,~~ local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget, and the second interim report shall be compared to the projections in the first interim report. (Education Code ~~33128.3,~~ 42130; 5 CCR 15453-15464)

(cf. 3100 - Budget)

(cf. 3220.1 - Lottery Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3314 - Payment for Goods and Services)

The report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

~~(cf. 3100 - Budget)~~

~~(cf. 3111 - Deferred Maintenance Funds)~~

~~(cf. 3220.1 - Lottery Funds)~~

~~(cf. 3300 - Expenditures and Purchases)~~

~~(cf. 3314 - Payment for Goods and Services)~~

| (cf. 3110 – Transfer of Funds)

Audit Report

The Superintendent or designee shall establish a timetable for the completion and review of the audit within the deadlines established by law.

The Superintendent or designee shall provide the necessary financial records and cooperate with the auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

The audit shall include an audit of income and expenditures by source of funds for all funds of the district, including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the district, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

| (cf. 0460 - Local Control and Accountability Plan)

(cf. 3430 - Investing)

(cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

(cf. 5117 - Interdistrict Attendance)

When required by federal law, specified records pertaining to the audit of federal funds received and expended by the district shall be transmitted to the federal clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the fiscal year, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (31 USC 7502)

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in

Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Fund Balance

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Non-Voter-Approved Debt Report

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the County Auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

(cf. 7214 - General Obligation Bonds)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and

County Auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the County Auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report (GASB 45)

In accordance with GASB Statement 45, the district's financial statements shall report the annual expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

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

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

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at a public meeting of the Board. (Education Code 42140)

The amount of the district's financial obligation for OPEBs shall be reevaluated every two or three years in accordance with GASB 45 depending on the number of members in the OPEB plan.

Workers' Compensation Claims Report

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

Regulation MADERA UNIFIED SCHOOL DISTRICT
approved: September 24, 2013 Madera, California



AGENDA ITEM
MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of revised Board Policies, Administrative Regulations, and Exhibits – Human Resources.

Responsible Staff: **Edward C. González, Superintendent**
Kent Albertson, Chief Human Resources Officer

Agenda Placement: New Business

Background/rationale:

- Revisions/New Language as recommended by CSBA on the following Board Policies, Administrative Regulations, and Exhibits:
 - BP 4112.9 / BP 4212.9 / BP 4312.9
 - AR 4112.9 / AR 4212.9 / AR 4312.9
 - AR 4117.14 / AR 4317.14
 - AR 4117.7

Financial impact:

- None.

Superintendent's recommendation:

- The Superintendent recommends approval of the first reading of the revised Board Policies, Administrative Regulations, and Exhibits – Human Resources.

Supporting documents attached:

- Revised Board Policies, Administrative Regulations and Exhibits.

Employee Notifications

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

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

(cf. 3580 - District Records)

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

Legal Reference:

EDUCATION CODE

231.5 Sexual harassment policy

17612 Notification of pesticide use

22455.5 STRS information to potential members

22461 Postretirement compensation limitation

35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services

35171 Notice of regulations pertaining to certificated employee evaluations

37616 Notice of public hearing on year-round schedule

44031 Personnel file contents, inspection

44663-44664 Evaluation of certificated employees

44842 Reemployment notices, certificated employees

44896 Transfer of administrator or supervisor to teaching position

44916 Written statement of employment status

44929.21 Reelection or nonreelection of probationary employee after second year

44934 Notice of disciplinary action for cause

44938 Notice of unprofessional conduct and opportunity to correct

44940.5-44941 Notification of suspension and intent to dismiss

44948.3-44948.5 Dismissal of probationary employees

44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel

44954 Nonreelection of temporary employees

44955 Reduction in number of employees

45113 Notification of charges, classified employees

45117 Notice of layoff, classified employees

45169 Employee salary data, classified employees

Employee Notifications –continued-

45192 Industrial and accident leave

45195 Additional leave

46162 Notice of public hearing on block schedule

49013 Complaints regarding student fees

49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion

GOVERNMENT CODE

1126 Incompatible activities of employees

3100-3109 Oath or affirmation of allegiance

8355 Certification of drug-free workplace, including notification

12950 Sexual harassment

54957 Complaints against employees; right to open session

54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

1797.196 Automated external defibrillators; notification of use and locations

104420 Tobacco-free schools

120875 Information on AIDS, AIDS-related conditions, and hepatitis B

120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

2800.2 Notification of availability of continuation health coverage

3550-3553 Notifications re: workers' compensation benefits

5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

11165.7 Child Abuse and Neglect Reporting Act; notification requirement

11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

7288.0 Sexual harassment training, provision of district policy

11049 Notice of right to request pregnancy disability leave or transfer

11096 Notice of right to request family care leave

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures

80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

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

5193 California bloodborne pathogens standard

CODE OF REGULATIONS, TITLE 13

1234 Reports regarding school buses and bus drivers

2480 Vehicle idling, limitations

Employee Notifications –continued-

UNITED STATES CODE, TITLE 20

6316 School improvement

UNITED STATES CODE, TITLE 38

4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.601 Controlled substance and alcohol use and testing notifications

(6/94 2/95) 7/12

REGULATION: MADERA UNIFIED SCHOOL DISTRICT

Approved:

All Personnel

AR 4112.9

AR 4212.9

AR 4312.9

EMPLOYEE NOTIFICATIONS

~~The district shall provide employees with the following notifications and shall obtain signed acknowledgments that the notifications were received when so required by law or by district policy or regulations.~~

~~Acknowledgments Required by Law~~

~~1. Legal obligation to report known or suspected instances of child abuse~~

~~(cf. 5141.4—Child Abuse Prevention and Reporting)~~

~~2. Oath or affirmation of allegiance required of public employees~~

~~(cf. 4112.3/4212.3/4312.3—Oath or Affirmation)~~

~~3. Hepatitis B vaccine declination~~

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

~~4. The district's school bus driver drug and alcohol testing policy, regulations and related information~~

~~(cf. 4112.42/4212.42/4312.42—Drug and Alcohol Testing for School Bus Drivers)~~

~~5. Notice of release from position requiring an administrative or supervisory credential~~

~~(cf. 4313.2—Demotion/Reassignment)~~

~~6. The classified employee's class specification, salary data, assignment or work location, duty hours and prescribed workweek~~

~~(cf. 4212—Appointment and Conditions of Employment)~~

~~7. Information about certificated employee membership in the State Teachers' Retirement System~~

~~Acknowledgments Not Required by Law~~

~~1. The district's drug and alcohol free workplace~~

~~(cf. 4020—Drug and Alcohol Free Workplace)~~

~~2. The district's nonsmoking policy~~

EMPLOYEE NOTIFICATIONS –continued-

(cf. 3513.3 – Tobacco Free Schools)

3. Prohibition of sexual harassment

(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)

4. The certificated employee's employment status and salary

(cf. 4112.1 – Contracts)

5. State disability insurance rights and benefits

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

6. Certificated employee evaluations

(cf. 4115 – Evaluation/Supervision)

(cf. 4315 – Evaluation/Supervision)

7. Requirements and information pertinent to emergency teaching or specialist permit applicants

(cf. 4112.2 – Certification)

8. Notice of layoff

(cf. 4117.3 – Personnel Reduction)

(cf. 4217.3 – Layoff/Rehire)

9. Derogatory information to be placed in personnel file

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

10. Exhaustion of classified employee's paid leave

(cf. 4261.1 – Personal Illness/Injury Leave)

(cf. 4261.11 – Industrial Accident/Illness Leave)

11. Notice of charges related to disciplinary action

EMPLOYEE NOTIFICATIONS –continued-

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

12. Notice of intention to dismiss

(cf. 4118—Suspension/Disciplinary Action)

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

13. ~~Students whose actions could constitute grounds for suspension or expulsion, except for possession or use of tobacco~~

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

Legal Reference:

EDUCATION CODE

231.5 Sexual harassment policy

22455.5 STRS information to potential members

22515 Irrevocable election to join STRS

44031 Personnel file contents, inspection

44663 Evaluation and assessment; copy to certificated employee

44916 Written statement of employment status

44940.5 44941 Notification of suspension and intent to dismiss

44949 Cause, notice and right to hearing

44951 Continuation in position unless notified

44955 Reduction in number of employees

45113 Notification of charges

45117 Notice of layoff

45169 Employee salary data

EMPLOYEE NOTIFICATIONS –continued-

45192 Industrial and accident leave

45195 Additional leave

49079 Notification to teacher

GOVERNMENT CODE

3100 3109 Oath or affirmation of allegiance

8355 Certification of drug free workplace, including notification

PENAL CODE

11166.5 Employment; statement of knowledge of duty to report

UNEMPLOYMENT INSURANCE CODE

2613 Notice of rights and benefits

CODE OF REGULATIONS, TITLE 5

80026.1 Information to applicants

CODE OF REGULATIONS, TITLE 8

5193 California bloodborne pathogens standard

CODE OF FEDERAL REGULATIONS, TITLE 49

382.601 Controlled substance and alcohol use and testing notifications

<u>When/Whom to Notify</u>	<u>Education or Other Legal Code</u>	<u>Board Policy/ Administrative Regulation #</u>	<u>Subject</u>
<u>I. To All Employees</u>			
<u>At the beginning of school year or upon employment</u>	<u>231.5, Government Code 12950, 2 CCR 11023</u>	<u>AR 4119.11 4219.11 4319.11</u>	<u>The district's policy on sexual harassment, legal remedies, complaints</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Other Legal Code</u>	<u>Board Policy/ Administrative Regulation #</u>	<u>Subject</u>
<u>I. To All Employees (continued)</u>			
<u>Annually to all employees</u>	<u>17612</u>	<u>AR 3514.2</u>	<u>Use of pesticide product, active ingredients, Internet address to access information</u>
<u>To all employees, prior to implementing year-round schedule</u>	<u>37616</u>	<u>AR 6112</u>	<u>Public hearing on year-round program</u>
<u>To all employees, prior to implementing block schedule</u>	<u>46162</u>	<u>AR 6112</u>	<u>Public hearing on block schedule</u>
<u>Annually to all employees</u>	<u>49013; 5 CCR 4622</u>	<u>AR 1312.3 BP 3260</u>	<u>Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan</u>
<u>To all employees</u>	<u>Government Code 1126</u>	<u>BP 4136 4236 4336</u>	<u>Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal</u>
<u>Prior to beginning employment</u>	<u>Government Code 3102</u>	<u>AR 4112.3 4212.3 4312.3</u>	<u>Oath or affirmation of allegiance required of public employees</u>
<u>To all employees</u>	<u>Government Code 8355; 41 USC 8102</u>	<u>BP 4020 BP 4159 4259 4359</u>	<u>District's drug- and alcohol- free workplace; actions to be taken if violated; available employee assistance programs</u>
<u>Upon placement of automated external defibrillator (AED) in school, and annually thereafter</u>	<u>Health and Safety Code 1797.196</u>	<u>AR 5141</u>	<u>Proper use of AED; location of all AEDs on campus</u>
<u>To all employees, if the district receives Tobacco-Use Prevention Education funds</u>	<u>Health and Safety Code 104420</u>	<u>AR 3513.3</u>	<u>District's tobacco-free schools policy and enforcement procedures</u>

EMPLOYEE NOTIFICATIONS –continued-

AR 4112.9
AR 4212.9
AR 4312.9

<u>When/Whom to Notify</u>	<u>Education or Other Legal Code</u>	<u>Board Policy/ Administrative Regulation #</u>	<u>Subject</u>
<u>I. To All Employees (continued)</u>			
<u>Annually to all employees</u>	<u>Health and Safety 120875, 120880</u>	<u>AR 4119.43</u> <u>4219.43</u> <u>4319.43</u>	<u>AIDS and hepatitis B, including methods to prevent exposure</u>
<u>To covered employees and former employees</u>	<u>Labor Code 2800.2</u>	<u>AR 4154</u> <u>4254</u> <u>4354</u>	<u>Availability of COBRA/ Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage</u>
<u>Upon employment or by end of first pay period</u>	<u>Labor Code 3551</u>	<u>BP 4157.1</u> <u>4257.1</u> <u>4357.1</u>	<u>Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor</u>
<u>Prior to beginning employment</u>	<u>Penal Code 11165.7, 11166.5</u>	<u>AR 5141.4</u>	<u>Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law</u>
<u>Upon employment, and when employee goes on leave for specified reasons</u>	<u>Unemployment Insurance Code 2613</u>	<u>AR 4154</u> <u>4254</u> <u>4354</u>	<u>Disability insurance rights and benefits</u>
<u>To all employees via employee handbook, or to each new employee</u>	<u>2 CCR 11096; 29 CFR 825.300</u>	<u>AR 4161.8</u> <u>4261.8</u> <u>4361.8</u>	<u>Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible</u>
<u>To all employees and job applicants</u>	<u>34 CFR 104.8, 106.9</u>	<u>BP 0410</u> <u>BP 4030</u>	<u>District's policy on nondiscrimination and related complaint procedure</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>When/Whom to Notify</u>	<u>Education or Other Legal Code</u>	<u>Board Policy/ Administrative Regulation #</u>	<u>Subject</u>
<u>I. To All Employees (continued)</u>			
<u>Annually to all employees</u>	<u>40 CFR 763.84, 763.93</u>	<u>AR 3514</u>	<u>Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress</u>
<u>II. To Certificated Employees</u>			
<u>To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire</u>	<u>22455.5</u>	<u>AR 4121</u>	<u>Criteria for membership in retirement system; right to elect membership at any time</u>
<u>Upon employment of a retired certificated individual</u>	<u>22461</u>	<u>AR 4117.14 4317.14</u>	<u>Postretirement earnings limitation or employment restriction; monthly report of compensation</u>
<u>To certificated employees</u>	<u>35171</u>	<u>AR 4115 BP 4315</u>	<u>District regulations related to performance evaluations</u>
<u>30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated</u>	<u>44663</u>	<u>AR 4115</u>	<u>Copy of employee's evaluation</u>
<u>To a certificated employee with unsatisfactory evaluation</u>	<u>44664</u>	<u>AR 4115</u>	<u>Notice and description of the unsatisfactory performance</u>
<u>By May 30, if district issues reemployment notices to certificated employees</u>	<u>44842</u>	<u>AR 4112.1</u>	<u>Request that the employee notify district of intent to remain in service next year</u>
<u>To certificated employees upon employment</u>	<u>44916</u>	<u>AR 4112.1 AR 4121</u>	<u>Employment status and salary</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Board Policy/ Other Legal Code</u>	<u>Administrative Regulation #</u>	<u>Subject</u>
<u>II. To Certificated Employees (continued)</u>			
<u>To probationary employees in district with ADA of 250 or more, by March 15 of employee's second consecutive year of employment</u>	<u>44929.21</u>	<u>AR 4117.6</u>	<u>Whether or not employee is reelected for next school year</u>
<u>When certificated employee is subject to disciplinary action for cause</u>	<u>44934</u>	<u>AR 4117.4</u> <u>AR 4118</u>	<u>Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice</u>
<u>To certificated employee charged with unprofessional conduct</u>	<u>44938</u>	<u>AR 4118</u>	<u>Notice of deficiency and opportunity to correct</u>
<u>To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings</u>	<u>44940.5</u>	<u>AR 4118</u>	<u>Notice of intent to dismiss 30 days from notice</u>
<u>To probationary employees 30 days prior to dismissal, or not later than March 15 for second-year probationary employees</u>	<u>44948.3</u>	<u>AR 4117.4</u>	<u>Reasons for dismissal and opportunity to appeal</u>
<u>To probationary employees in districts with less than 250 ADA, before notice of nonreelection but no later than March 15, with final notice by May 15</u>	<u>44948.5</u>	<u>AR 4117.4</u>	<u>Recommendation of nonreelection notice for reason other than personnel reduction; statement of reasons upon request</u>
<u>By March 15 when necessary to reduce certificated personnel, with final notice by May 15</u>	<u>44949, 44955</u>	<u>BP 4117.3</u>	<u>Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination</u>
<u>On or before June 30, to temporary employee who served 75 percent of school year but will be released</u>	<u>44954</u>	<u>BP 4121</u>	<u>District's decision not to reelect employee for following school year</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Board Policy/ Other Legal Code</u>	<u>Administrative Regulation #</u>	<u>Subject</u>
<u>II. To Certificated Employees (continued)</u>			
<u>To teacher, when student engages in or is reasonably suspected of specified acts expulsion</u>	<u>49079</u>	<u>AR 4158</u> <u>4258</u> <u>4358</u>	<u>Student has committed specified act that constitutes ground for suspension or</u>
<u>To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending</u>	<u>5 CCR 80303</u>	<u>AR4117.7</u>	<u>Contents of state regulation re: report to Commission on Teacher Credentialing</u>
<u>To teachers when school is identified for Title I program improvement restructuring</u>	<u>20 USC 6316</u>	<u>AR 0520.2</u>	<u>School identified for restructuring; opportunity to comment and participate</u>
<u>III. To Classified Employees</u>			
<u>To classified employee charged with mandatory leave of absence offense, in merit system district</u>	<u>44940.5</u>	<u>AR 4218</u>	<u>Notice of intent to dismiss in 30 days</u>
<u>When classified employee is subject to disciplinary action for cause, in nonmerit district</u>	<u>45113</u>	<u>AR 4218</u>	<u>Notice of charges, procedures, and employee rights</u>
<u>To classified employees, at least 60 days prior to layoff, or by April 29 if specially funded program is expiring at end of school year</u>	<u>45117</u>	<u>AR 4217.3</u>	<u>Notice of layoff and reemployment rights</u>
<u>To classified employees upon employment and upon each change in classification</u>	<u>45169</u>	<u>AR 4212</u>	<u>Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek</u>
<u>To classified permanent employee whose leave is exhausted</u>	<u>45192,</u> <u>45195</u>	<u>AR 4261.1</u> <u>AR 4261.11</u>	<u>Exhaustion of leave, opportunity to request additional leave</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Board Policy/ Other Legal Code</u>	<u>Administrative Regulation #</u>	<u>Subject</u>
<u>III. To Classified Employees (continued)</u>			
<u>To school bus drivers and school activity bus drivers prior to expiration of specified documents</u>	<u>13 CCR 1234</u>	<u>AR 3542</u>	<u>Expiration date of driver's license, driver's certificate and medical certificate; need to renew</u>
<u>To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter</u>	<u>13 CCR 2480</u>	<u>AR 3542</u>	<u>Limitations on vehicle idling; consequences of not complying</u>
<u>To school bus drivers, prior to district drug testing program and thereafter upon employment</u>	<u>49 CFR 382.601</u>	<u>BP 4112.42</u> <u>4212.42</u> <u>4312.42</u>	<u>Explanation of federal requirements for drug testing program and district's policy</u>
<u>IV. To Administrative/Supervisory Personnel</u>			
<u>To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract</u>	<u>35031</u>	<u>BP 4312.1</u>	<u>Decision not to reelect or reemploy upon expiration of contract or term</u>
<u>Upon request by administrative or supervisory employee transferred to teaching position</u>	<u>44896</u>	<u>AR 4313.2</u>	<u>Statement of the reasons for the release or reassignment</u>
<u>By March 15 to employee who may be released/reassigned the following school year</u>	<u>44951</u>	<u>AR 4313.2</u>	<u>Notice that employee may be released or reassigned the following school year</u>
<u>V. To Individual Employees Under Special Circumstances</u>			
<u>Prior to placing derogatory information in personnel file</u>	<u>44031</u>	<u>AR 4112.6</u> <u>4212.6</u> <u>4312.6</u>	<u>Notice of derogatory information, opportunity to review and comment</u>
<u>24 hours before Board meets in closed session to hear complaints or charges against employee</u>	<u>Government Code</u> <u>54957</u>	<u>BB 9321</u>	<u>Employee's right to have complaints/charges heard in open session</u>

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Board Policy/ Other Legal Code</u>	<u>Administrative Regulation #</u>	<u>Subject</u>
<u>V. To Individual Employees Under Special Circumstances (continued)</u>			
<u>Notice or training to employee with access to confidential information</u>	<u>Government Code 54963</u>	<u>BP 4119.23 4219.23 4319.23</u>	<u>Law prohibiting disclosure of confidential information obtained in closed session</u>
<u>Within one day of work-related injury or victimization of crime at workplace</u>	<u>Labor Code 3553, 5401</u>	<u>BP 4157.1 4257.1 4357.1</u>	<u>Potential eligibility for workers' compensation benefits, claim form</u>
<u>Within five days of employee's request for family care and medical leave</u>	<u>2 CCR 11049; 29 CFR 825.300 4361.8</u>	<u>AR 4161.8 4261.8</u>	<u>Whether or not employee is eligible for FMLA leave</u>
<u>To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter</u>	<u>8 CCR 3204, 5193</u>	<u>AR 4119.42 4219.42 4319.42</u>	<u>The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records</u>
<u>To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation</u>	<u>8 CCR 5191</u>	<u>AR 3514.1</u>	<u>Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material</u>
<u>To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area</u>	<u>8 CCR 5194</u>	<u>AR 3514.1</u>	<u>Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights</u>
<u>To employee eligible for military leave</u>	<u>38 USC 4334</u>	<u>AR 4161.5 4261.5 4361.5</u>	<u>Notice of rights, benefits, and obligations under military leave</u>
<u>Whenever notice of eligibility for FMLA is provided to employee</u>	<u>29 CFR 825.300</u>	<u>AR 4161.8 4261.8 4361.8</u>	<u>Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations</u>

AR 4112.9
AR 4212.9
AR 4312.9

EMPLOYEE NOTIFICATIONS –continued-

<u>Education or When/Whom to Notify</u>	<u>Board Policy/ Other Legal Code</u>	<u>Administrative Regulation #</u>	<u>Subject</u>
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V. To Individual Employees Under Special Circumstances (continued)

<u>Within five days of receiving information to determine if leave qualifies for FMLA</u>	<u>29 CFR 825.300</u>	<u>AR 4161.8</u> <u>4261.8</u> <u>4361.8</u>	<u>Designation of leave as FMLA or non-FMLA; any requirement to use paid leave; any requirement for fitness- for-duty certification; any subsequent changes in designation notice</u>
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Regulation: MADERA UNIFIED SCHOOL DISTRICT
approved: ~~December 13, 2011~~ Madera, California

Postretirement Employment

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Madera Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

~~The Governing Board may hire retired certificated individuals who possess unique knowledge and experience to perform specialized work of a limited duration.~~

~~Any retired certificated individual who is a member of the defined benefit program of the State Teachers' Retirement System (STRS) and who is hired by the district to perform services pursuant to this administrative regulation shall not make contributions to the retirement fund or accrue service credit based on compensation earned from that service. (Education Code 24214)~~

~~Any retired individual hired under this administrative regulation shall be paid at a rate commensurate with that of other district employees performing comparable duties. (Education Code 24214)~~

~~Beginning July 1, 2010, any certificated individual who is a member of STRS and who retires from service below normal retirement age shall not be hired for service pursuant to this administrative regulation for at least six calendar months after his/her retirement from service. (Education Code 24214.5)~~

Postretirement Compensation Limitation

~~Upon retaining the services of a retired individual as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)~~

- ~~1. Advise the retired individual of the postretirement compensation limitation set forth in Education Code 24116, 24214, and 24215~~
- ~~2. Maintain accurate records of the retired individual's compensation and report it monthly to STRS and the individual regardless of the method of payment or the fund from which the payments are made~~

~~When employing a retired individual eligible for any of the exemptions from the postretirement compensation limitation stated below, the Superintendent or designee shall submit to STRS, no later than June 30 of the school year for which the exemption is to apply, all required documentation to substantiate eligibility for the exemption. (Education Code 24216, 24216.5, 24216.6)~~

Postretirement Employment –*continued*–

Exemption for Providing Specified Instructional Services

Until June 30, 2012, any retired certificated individual employed by the district shall be exempt from the compensation limitation for members of STRS provided that he/she retired from service with an effective date on or before January 1, 2009, and is employed to provide any of the following services: (Education Code ~~24216.5, 24216.6~~)

1. ~~Direct classroom instruction to students in grades K-12~~
2. ~~Support and assessment for new teachers through the Beginning Teacher Support and Assessment program pursuant to Education Code 44279.1-44279.7~~
(cf. ~~4131.1~~ –Beginning Teacher Support/Induction)
3. ~~Support to individuals completing student teaching assignments~~
4. ~~Support to individuals participating in an alternative certification program pursuant to Education Code 44380-44386 or a school paraprofessional teacher training program pursuant to Education Code 44390-44393~~
(cf. ~~4112.21~~ –Interns)
(cf. ~~4222~~ –Teacher Aides/Paraprofessionals)
5. ~~Instruction and student services to students enrolled in special education programs pursuant to Education Code 56000-56885~~
(cf. ~~4112.23~~ –Special Education Staff)
6. ~~Instruction to students enrolled in English language learner programs pursuant to Education Code 300-340, 400-410, and 430-446~~
(cf. ~~4112.22~~ –Staff Teaching Students of Limited English Proficiency)
7. ~~Direct remedial instruction to students in grades 2-12 for the programs specified in Education Code 37252 and 37252.2~~
(cf. ~~5123~~ –Promotion/Acceleration/Retention)
(cf. ~~6179~~ –Supplemental Instruction)

Retired individuals who are exempt from the limitation on compensation shall be treated as part of a distinct class of temporary employees within the existing bargaining unit whose service may not be included in computing the service required as a prerequisite to attainment

Postretirement Employment –*continued*–

of or eligibility for classification as a permanent employee of the district. (Education Code 24216.5, 24216.6)

The compensation for the class of retired individuals shall be agreed to in the collective bargaining agreement between the district and the exclusive representative for the bargaining unit. (Education Code 24216.5, 24216.6)

~~Exemption for Appointment as Trustee/Administrator or for Emergency Situations~~

~~Until June 30, 2012, a retired certificated individual shall be exempt from the postretirement compensation limitation for a maximum period of 24 consecutive months if he/she is appointed by the Superintendent of Public Instruction as a trustee or administrator pursuant to Education Code 41320.1, appointed as a trustee by the State Board of Education pursuant to Education Code 52055.57 52055.60 (the Local Educational Agency Intervention program), or assigned to a position by the County Superintendent of Schools pursuant to Education Code 42122 42129. (Education Code 24216)~~

~~Until June 30, 2012, a retired individual shall be exempt from the postretirement compensation limitation up to an additional one-half of the full-time position when employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met: (Education Code 24216)~~

- ~~1. The vacancy occurred due to circumstances beyond the district's control.~~
- ~~2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.~~
- ~~3. The employment is reported in a public meeting of the Board.~~

~~(cf. 9320—Meetings and Notices)~~

- ~~4. The retired individual's termination of employment with the district is not the basis for the vacant administrative position.~~

~~The above exemptions shall not apply to any individual who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any California district, community college district, or county office of education. (Education Code 24216)~~

~~(cf. 4117.13/4317.13—Early Retirement Option)~~

When necessary, the Governing Board may hire a qualified retired certificated individual who possesses the knowledge and experience needed to perform creditable service for the

Postretirement Employment –continued-

district as an employee, the employee of a third party, or an independent contractor/consultant, provided that all applicable restrictions specified by the California State Teachers' Retirement System (CalSTRS) are met. Applicable CalSTRS restrictions include, but are not limited to, a requirement that a retired member be paid compensation comparable to that for active employees for comparable duties and prohibitions against the hiring of a retired member within 180 days of his/her retirement and for the classified service, except as an aide pursuant to Education Code 45134. Additional restrictions and rules may apply to other employment situations, such as when CalSTRS retired members are employed as employees of third parties, independent contractors, or consultants. The Superintendent or designee should consult legal counsel when dealing with such employment situations. (Education Code 22119.5, 22164.5, 24214, 24214.5)

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112 - Appointment and Conditions of Employment)

Any retired member of the defined benefit program of CalSTRS who is hired by the district to perform retired member activities as defined pursuant to Education Code 22164.5 shall be paid at an annualized rate of pay that shall not be below the minimum or exceed the maximum paid to other district employees performing comparable duties. However, such a retired individual shall not make contributions to the CalSTRS retirement fund or accrue service credit based on compensation earned from the retired member activity. (Education Code 24214)

No retired member of the CalSTRS defined benefit program shall be hired by the district for at least 180 calendar days after his/her retirement from service, unless he/she has attained the normal retirement age and qualifies for an exemption to the 180-day waiting period. To seek this exemption, the Board shall, during the open session of a Board meeting, adopt a resolution which shall include the following information and findings: (Education Code 24214.5)

1. A statement expressing the Board's intent to seek an exemption to the 180-day waiting period
2. A description of the nature of the employment of the retiree
3. A finding that the retiree has reached the normal retirement age
4. A finding that the appointment of the retiree is necessary to fill a critically needed position before the 180-day waiting period has passed
5. A finding that the retired individual did not receive additional service credit pursuant to Education Code 22714 or 22715 or any financial inducement to retire. Financial inducement to retire shall include, but is not limited to, cash or any form of compensation or other payment directly or indirectly paid by any public employer to

Postretirement Employment –continued-

- the retired individual before or after his/her retirement, if the individual retires for service on or before a specific date or range of dates established by the public employer on or before the date the inducement is offered
6. A finding that the retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual

The resolution shall not be adopted through the Board's consent agenda. (Education Code 24214.5)

(cf. 9320 - Meetings and Notices)

When employing a retired individual who is eligible for exemption from the 180-day waiting period, the Superintendent or designee shall submit all required documentation to substantiate eligibility for the exemption to CalSTRS before the retired member begins performing any retired member activities. The Superintendent or designee may contact CalSTRS to request information as to whether the retired member qualifies for the exemption after 30 days of submitting the required documentation to CalSTRS. (Education Code 24214.5)

Postretirement Compensation Limitation, Notice, and Report

All CalSTRS retirees performing creditable service for the district shall be subject to the applicable CalSTRS earnings limit. Monies earned in excess of the limit may subject the CalSTRS retiree to a reduction in his/her retirement allowance. Compensation subject to the earnings limitation includes, but is not limited to, salary or wages, deferred compensation plans, purchase of an annuity contract, tax-deferred retirement plan or insurance program, and other plans or contributions when the cost is covered by a district. (Education Code 22119.5, 22164.5, 24214)

Whenever the district retains the services of a CalSTRS retiree as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement earnings limitation or employment restriction set forth in Education Code 22714, 24214, or 24214.5 or any other applicable law

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

2. Maintain accurate records of the retired individual's compensation and report it monthly to CalSTRS and the individual, regardless of the method of payment or the fund from which the payments are made

Postretirement Employment –continued-

Consultancy Contracts

A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations. (Education Code 35046)

To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the district or the County Superintendent for at least 10 years and be at least 55 years of age. (Education Code 35046)

Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first. (Education Code 35046)

Legal Reference:

EDUCATION CODE

~~300-340 English language education~~
~~400-410 English language acquisition program~~
~~430-446 English Learner and Immigrant Student Federal Conformity Act~~
22119.5 Creditable service, definition
22131 Employer; employing agency, definition
22164.5 Retired member activities, definition
22461 Notice of earnings limitation
22714 Encouragement of retirement
~~22714.5 2+2 service and year credit option under STRS~~
22715 Additional service credit
22716 Unpaid services
~~24116 Service at California State University~~
24214 Creditable service by retiree
24214.5 Postretirement compensation limit; members below normal retirement age
~~24215 Service at California State University~~
~~24216 Payments to retirants in excess of limitation~~
24216.5 Exemption from earnings limitation
24216.6 Exemption from earnings limitation
26113 Creditable service, definition
35046 Consultancy contracts
~~37252-37254.1 Supplemental instruction~~
~~41320.1 Appointment of trustee~~
~~42120-42129 Budget completion~~
~~44279.1-44279.7 Beginning Teacher Support and Assessment Program~~
~~44380-44386 Alternative certification program~~
~~44390-44393 School paraprofessional teacher training program~~
44830 Employment of certificated employees
44830.3 Employment of district interns
44929 Service credit under STRS; additional two years
44929.1 2+2 service and year credit option under STRS

AR 4117.14
AR 4317.14

Postretirement Employment –continued-

~~52055.57-52055.60 Local Educational Agency Intervention program~~

~~56000-56885 Special education~~

~~45134 Age limits~~

CODE OF REGULATIONS, TITLE 5

~~27000-27009 Penalties and interests for late remittances and late and unacceptable reporting by employers~~

AR 4117.14

Postretirement Employment –continued-

Management Resources:

WEB SITES

California State Teachers' Retirement System: <http://www.calstrs.com>

Regulation: MADERA UNIFIED SCHOOL DISTRICT

approved: ~~December 13, 2011~~ Madera, California

Employment Status Reports

~~Within 30 days of any change in the employment status of a credential holder working in a position requiring a credential made as a result of an allegation of misconduct, the Superintendent shall report the change to the Commission on Teacher Credentialing (CTC). The report shall be made whenever one of the following actions is taken as a result of alleged misconduct: (Education Code 44242.5; 5 CCR 80303)~~

~~1. Dismissal~~

~~(cf. 4117.4—Dismissal)~~

~~2. Nonreelection/nonreemployment~~

~~(cf. 4117.6—Decision Not to Rehire)~~

~~3. Suspension for more than 10 days~~

~~4. Placement on unpaid administrative leave for more than 10 days pursuant to a final adverse employment action~~

~~5. Resignation, retirement, or other departure from employment~~

~~(cf. 4117.2—Resignation)~~

~~6. Termination by a decision not to employ or reemploy~~

~~The report shall contain all known information about each alleged act of misconduct by the employee. (5 CCR 80303)~~

~~The report shall be made regardless of any proposed or actual agreement, settlement, or stipulation between the district and the employee not to make such a report. The report shall also be made if the allegations are withdrawn in consideration of the employee's resignation, retirement, or other failure to contest the truth of the allegations. (5 CCR 80303)~~

~~The Superintendent shall inform the employee in writing of the contents of 5 CCR 80303 upon a change in employment status as a result of alleged misconduct. (5 CCR 80303)~~

~~(cf. 4112.9/4212.9/4312.9—Employee Notifications)~~

~~Within 10 days after receipt of a complaint, information, or indictment regarding an employee who has been charged with a "mandatory leave of absence offense" (defined as a sex or drug offense specified in Education Code 44940), the Superintendent or designee shall forward a copy of the received documents to the CTC. In addition, he/she shall report to the CTC any action taken in connection with extending the employee's mandatory leave beyond the initial period. (Education Code 44940, 44940.5)~~

Employment Status Reports –*continued*–

~~(cf. 4118 – Suspension/Disciplinary Action)~~

Notice of Other Violations

~~The Superintendent or designee may notify the CTC of any of the following: (Education Code 44242.5)~~

~~1. A complaint received by the district regarding a credential holder's alleged sexual misconduct~~

~~The notice shall contain all of the following information: (5 CCR 80304)~~

~~a. Name of the employee alleged to have engaged in the sexual misconduct~~

~~b. Name, age, and address of each victim of the alleged sexual misconduct~~

~~c. A summary of all information known to the district regarding the alleged sexual misconduct~~

~~d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct~~

~~(cf. 1312.1 – Complaints Concerning District Employees)~~

~~(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)~~

~~(cf. 5145.7 – Sexual Harassment)~~

~~2. An employee's refusal, without good cause, to fulfill a valid employment contract, or departure from district service without the consent of the Superintendent or Governing Board (Education Code 44420)~~

~~3. An employee's knowing and willful use of student records in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the credential holder or in which the credential holder is an employee (Education Code 44421.1)~~

~~4. An employee's knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code 44421.5)~~

EMPLOYMENT STATUS REPORTS

The Superintendent shall report to the Commission on Teacher Credentialing (CTC) any change in the employment status of a certificated employee who, while working in a position requiring a credential and as a result of an allegation of misconduct or while an allegation of misconduct is pending: (Education Code 44030.5, 44242.5; 5 CCR 80303)

1. Is dismissed or nonreelected

Employment Status Reports –continued-

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Decision Not to Rehire)

2. Resigns

(cf. 4117.2 - Resignation)

3. Is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse employment action

(cf. 4118 - Suspension/Disciplinary Action)

4. Retires

5. Is otherwise terminated by a decision not to employ or reemploy

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

This report is not required when the change in employment status is due solely to unsatisfactory performance pursuant to Education Code 44932 or a reduction in force pursuant to Education Code 44955-44958. (Education Code 44030.5, 44242.5; 5 CCR 80303)

(cf. 4115 - Evaluation/Supervision)

(cf. 4117.3 - Personnel Reduction)

When required, the report of a change in employment status shall be submitted not later than 30 days after the employment action. The report shall be made using a form provided by the CTC and shall include all known information about each alleged act of misconduct by the employee. The report shall contain the name and current address of the certificated employee, name of the district, last school or district assignment, an explanation of the allegation of misconduct or pending allegation of misconduct, current contact information for all persons who may have information relating to the alleged misconduct, and any and all documentation related to the case. (Education Code 44030.5; 5 CCR 80303)

Upon a change in employment status as a result of alleged misconduct or while an allegation of misconduct is pending, the Superintendent shall, in writing, inform the employee of the contents of 5 CCR 80303. (5 CCR 80303)

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

Additional Reports of Employee Misconduct

The Superintendent or designee shall submit a report to the CTC, using a form provided by the CTC and attaching all relevant documents, whenever:

Employment Status Reports –continued-

1. An employee, by complaint, information, or indictment filed in court, is charged with a "mandatory leave of absence offense," defined as a sex or drug offense specified in Education Code 44940. (Education Code 44242.5, 44940, 44940.5)

Not later than 10 days after receipt of such a complaint, information, or indictment regarding an employee, the Superintendent or designee shall forward a copy of the received documents to the CTC. In addition, he/she shall report to the CTC any action taken in connection with extending the employee's mandatory leave beyond the initial period. (Education Code 44940, 44940.5)

If the offense results in a change in employment status, the Superintendent shall submit an employment status report in addition to the report of the mandatory leave of absence offense.

2. An employee refuses, without good cause, to fulfill a valid employment contract, or departs from district service without the consent of the Superintendent or Governing Board. (Education Code 44242.5, 44420)

As appropriate, the Superintendent or designee also shall notify the CTC of any of the following:

1. A complaint filed with the district regarding a certificated employee's alleged sexual misconduct (Education Code 44242.5)

The notice to the CTC shall contain all of the following information: (5 CCR 80304)

- a. Name of the employee alleged to have engaged in the sexual misconduct
- b. Name, age, and address of each victim of the alleged sexual misconduct
- c. A summary of all information known to the district regarding the alleged sexual misconduct
- d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5145.7 - Sexual Harassment)

2. An employee's knowing and willful use of school records of student data in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the certificated employee or in which the certificated employee is an employee (Education Code 44242.5, 44421.1)

(cf. 5125 - Student Records)

3. An employee's knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code 44242.5, 44421.5)

Employment Status Reports –continued-

4. An employee's subversion or attempt to subvert any licensing examination or the administration of an examination (Education Code 44242.5, 44439)

*Legal Reference:*EDUCATION CODE*44009 Conviction of specified crimes**44010 Sex offense, definitions**44011 Controlled substance offense, definitions**44030.5 Employment status reports**44225 Powers and duties of the CTC**44242.5 Reports and review of alleged misconduct**44420-44440 Adverse actions by CTC against credential holder**44932 Causes for dismissal**44940 Sex offenses and narcotic offenses; compulsory leave of absence**44940.5 Compulsory leave of absence**44955-44958 Reduction in force*CODE OF REGULATIONS, TITLE 5*80303 Reports of change in employment status, alleged misconduct**80304 Notice of sexual misconduct**Management Resources:*COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS*California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2013*WEB SITES*CSBA: <http://www.csba.org>**Commission on Teacher Credentialing: <http://www.ctc.ca.gov>*

Regulation: MADERA UNIFIED SCHOOL DISTRICT

Approved: ~~December 13, 2011~~ Madera, California



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: First Reading of Revised Board Policy for Administrative & Support Services

Responsible Staff: **Sandon Schwartz**
Assistant Superintendent of Administrative & Support Services

Agenda Placement: New Business

Background/ rationale: Revision and/or new language is recommended by CSBA on the following Board Policy:

- Board Policy 3280 – Sale Or Lease Of District-Owned Real Property

Financial impact: None

Superintendent's recommendation: The Superintendent recommends first reading of the revised Board Policy.

Supporting documents attached:

- Board Policy 3280 – Sale Or Lease of District-Owned Real Property

Board Policy

Sale Or Lease Of District-Owned Real Property

BP 3280

Business and Noninstructional Operations

The Governing Board believes that the district should utilize its facilities and resources in the most economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space and the effective delivery of instruction.

(cf. 1330 - Use of School Facilities)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7160 - Charter School Facilities)

Upon determination that district property is no longer needed or may not be needed until some future time, the Board shall first submit a report to the local planning agency as to what real property the district intends to offer for sale or lease. Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of district real property, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in applicable law, including, but not limited to, (Education Code 17230, 17387-17391, 17457.5, 17464, 17485-17500, and Government Code 54222, 65402).

(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)

Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388-17389)

(cf. 1220 - Citizen Advisory Committees)

In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regularly scheduled, open meeting. The resolution

shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

(cf. 9320 – Meetings and Notices)

(cf. 9323.2 - Actions by the Board)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a paper exists. (Education Code 17469)

The Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it in accordance with Education Code 17470.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17475-17478)

(cf. 1431 - Waivers)

(cf. 9320 - Meetings and Notices)

Use of Proceeds

The Superintendent or designee shall ensure that proceeds from the sale or lease with an option to purchase of district surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that: (Education Code 17463.7)

1. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.

(cf. 3111 - Deferred Maintenance Funds)

2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.

(cf. 7214 - General Obligation Bonds)

3. The real property is not suitable to meet projected school construction needs for the next 10 years.

Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district. (Education Code 17463.7)

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17457.5 Offer to charter school

17462.3 State Allocation Board program to reclaim funds

17463.7 Proceeds for general fund purposes

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley

Unified School District, (2006) 139 Cal.App. 4th 1356

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, September 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

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

California Department of Education, School Facilities Planning Division:

<http://www.cde.ca.gov/ls/fa>

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

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Policy MADERA UNIFIED SCHOOL DISTRICT

adopted: Madera, California



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of School Bus Sale Agreement between
Madera Unified School District and Chowchilla Elementary
School District

Responsible Staff: **Sandon Schwartz**
Assistant Superintendent of Administrative & Support Services

Agenda Placement: New Business

Background/ rationale: Madera Unified School District is requesting to purchase a 2005 Thomas Minotaur 25 passenger school bus from Chowchilla Elementary School District.

Financial impact: \$20,000 plus sales tax

Superintendent's recommendation: The Superintendent recommends approval of this agreement.

Supporting documents attached:
School Bus Sale Agreement

SCHOOL BUS SALE AGREEMENT

This School Bus Sale Agreement ("Agreement") is entered into between CHOWCHILLA ELEMENTARY SCHOOL DISTRICT ("CESD"), located at 355 N. 5TH Street, Chowchilla, California 93610, and MADERA UNIFIED SCHOOL DISTRICT ("MUSD"), located at 1902 Howard Road, Madera, California 93637, each of which is separately referred to as a "Party" and collectively as the "Parties". This Agreement is effective on the last date on which the Parties fully execute this Agreement.

ARTICLE 1 SALE OF SCHOOL BUS. CESD represents that it owns a 2005 Thomas Minotaur 25 passenger school bus, Vehicle Identification Number 1FDXE45P35HA16985 ("Bus"). CESD hereby agrees to sell to MUSD, and MUSD desires to purchase from CESD, the Bus for the sum of \$20,000 plus sales tax (collectively "Purchase Price"), which Purchase Price MUSD shall pay to CESD within 15 days of the Effective Date or at the same time MUSD picks up the bus from CESD. Upon the Parties' full execution of this Agreement and CESD's receipt of the Purchase Price, CESD shall provide MUSD with a valid smog inspection certification for the Bus if such certification is required and a Certificate of Title, and complete and submit all documents required of CESD to be completed and submitted to the California Department of Motor Vehicles. EXCEPT AS STATED IN THIS AGREEMENT, CESD MAKES NO REPRESENTATION, WARRANTY, OR GUARANTY, WHETHER EXPRESS OR IMPLIED, RELATING TO THE CONDITION, FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, VALUE, COMPLIANCE WITH APPLICABLE LAWS, OR ANY OTHER MATTERS RELATING TO THE BUS. MUSD HAS INSPECTED OR HAD THE OPPORTUNITY TO INSPECT THE BUS AND ACCEPTS THE BUS IN ITS "AS IS" CONDITION AS OF THE DATE ON WHICH MUSD PICKS UP THE BUS FROM CESD.

ARTICLE 2 INDEMNITY. To the fullest extent permitted by law, MUSD shall indemnify, defend, and hold harmless CESD and its governing board, officers, employees, volunteers, and agents (collectively "CESD Personnel") from and against any claim, demand, lawsuit, cause of action, action, cross-complaint, cross-action, proceeding, bodily injury, property damage, personal injury, advertising injury, liability, loss, damage, judgment, expense and/or cost, including attorney's fees and litigation costs, arising out of or occurring at the time of or after MUSD picks up the Bus from CESD and that arises from, results from, or relates to the Bus.

ARTICLE 3 GENERAL PROVISIONS. This Agreement is a complete and exclusive statement of the Parties' agreement under Code of Civil Procedure section 1856. The Parties may execute this Agreement in counterparts such that each Party's signature is on a separate page. A copy or an original of this Agreement with the Parties' signatures, whether original or transmitted by electronic means, shall be deemed a fully executed contract. This Agreement is to be interpreted according to its fair meaning and not strictly for or against any Party, and under California laws without giving effect to California's choice of law provisions that may result in the application of the laws of another jurisdiction. All causes of action, actions, lawsuits, and proceedings arising out of, resulting from, or relating to this Agreement shall be adjudicated in state or federal court in Madera County, California, provided that CESD does not hereby waive any immunity to suit. MUSD is an independent contractor, and it and its officers, employees, and agents are not, and shall not represent themselves as, officers, employees, or agents of CESD.

In consideration of the covenants, conditions, and promises in and for good and valuable consideration, the Parties hereby enter into this Agreement. Each person executing this Agreement on behalf of a Party represents that he/she is authorized to execute on behalf of and to bind the Party to this Agreement.

MUSD

CESD

By: _____

By: _____


Dr. Charles Martin, Superintendent

Print Name: _____

Title: _____

Date: _____

Date: _____

7/31/14

APPROVED BY MADERA COUNTY SUPERINTENDENT OF SCHOOLS: Pursuant to Education Code section 17542, the Madera County Superintendent of Schools hereby approves the selling price and the terms of sale of the school bus identified above in this Agreement.

By: _____

Date: _____

Print Name: _____

Title: _____



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request approval to enter into an agreement between Madera Unified School District and Creative Bus Sales to purchase passenger buses

Responsible Staff: **Sandon Schwartz**
Assistant Superintendent of Administrative & Support Services

Agenda Placement: New Business

Background/ rationale: Madera Unified School District is requesting to purchase buses as specified using Creative Bus Sales Piggy Back Bids # 14005-c and #14005-d.

31 passenger IC Bus Model CE2308 Quantity 3 @ \$134,032.82 per bus
76 passenger IC Bus Model RE3911 Quantity 2 @ \$174,947.82 per bus

Financial impact: Total Cost \$751,994.09

District General Fund	\$664,520.18
Grant Funded	\$ 87,473.91

Superintendent's recommendation: The Superintendent recommends approval of this agreement.

Supporting documents attached:
School Bus Sale Agreement



Creative Bus Sales

Buyer's Order Contract

Date:	August 14, 2014	Unit #(s):	Stock
Customer Name:	Madera Unified School District		
Contact:	Carl Garcia	Phone:	559.673.2288
Address:	1200 Gill Avenue	Fax:	599.673.5845
City, State, Zip:	Madera, CA 93637	E-Mail:	garcia_c@madera.k12.ca.us
F.I.N. #		Salesman:	Ken Naoe
Sys 2K Entity #:			

Finance Source:	TBD	Contact:	Mike Stoller
Address:		Phone:	
City, State, Zip:		Fax:	

Description of Vehicle:	*Lot of five buses*
Two - 2014 or newer 76-pass IC Bus Model RE3911 with AC	
Three - 2014 or newer 31-pass IC Bus model CE2308 with AC	

Engine Type:	<input type="checkbox"/> Gasoline <input checked="" type="checkbox"/> Diesel <input type="checkbox"/> CNG <input type="checkbox"/> Propane
VIN #:	TBD
Number of Passengers:	76 and 31
Estimated Delivery Date:	30 days ARO
Wheelchair Positions:	up to three

Possession State: CA	Unit Price	\$699,899.99
	Document Prep Fee	\$400.00
8.000% Madera ST: CA CO: Mad. ▼	Options	\$0.00
	Sub-Total	\$700,299.99
Note: Sales tax is calculated based on the state in which customer takes possession of vehicle. Sales tax will be charged to customers taking possession in AZ, CA, FL, IN, NM, NV & TX. Note: The State of California charges a Tire Fee of \$ 1.75 per tire plus spare per bus. Insert the dollar amount for this order in the designated line item.	ADA Amount	\$54,780.00
	Taxable Amount	\$645,519.99
	Tax Total	\$51,641.60
	DMV Estimated Fees	\$0.00
	DMV Electronic Filing	\$0.00
	California Tire Fee	\$52.50
	Total Amount Per Unit	\$751,994.09
	Quantity	1
	Contract Total	\$751,994.09
	Customer Deposit	\$0.00
Customer Trade-In	\$0.00	
Total Customer Credits	\$0.00	
	Balance Due	\$751,994.09

Terms: The deposit if indicated above is due with this signed contract. The balance due indicated above is due before vehicle(s) will be released to the Customer. If the vehicle(s) is not accepted by the Customer, the vehicle will be available for sale to other customers. The vehicle(s) will not be titled to the Customer until the contract total indicated above plus any interest charges indicated herein are paid in full. California does not provide for a "cooling off" or other cancellation period for vehicle sales. Therefore, you cannot later cancel this contract without the agreement of the Dealership, or for legal cause.

Buyer's Signature: _____

Date: _____

Creative Bus Sales: _____

Date: _____

Accepted By: _____

Date: _____

Creative Bus Sales, Inc.



Creative Bus Sales

Quote for Madera Unified School District to purchase IC Bus model RE3911

Capacity: Up to 76 passengers

June 18, 2014

	Bid Option	Per	2		
Line	Price Calculations	Reference #	Bus	Buses	
Bid price based on the South County Support Services Agency bid #14005			\$146,801.00		
Additional Approved Options					
1	Change to 320-amp alternator	31	Included		
2	Remove two 39" passenger seat (two @ \$550 each)	33	(\$1,100.00)		
3	Change to aluminum wheels	62	Included		
4	Change to 12R tires	64	Included		
5	Install 150K BTU AC system	70	\$20,500.00		
6	Factory discount		(\$4,222.00)		
Sub-total			\$161,979.00	\$323,958.00	
Add sales tax			0.08	\$12,958.32 *	\$25,916.64 *
Total			\$174,937.32	\$349,874.64	
CA Tire Fee			\$10.50	\$21.00	
Invoice amount			\$174,947.82	\$349,895.64	

Delivery date 90 days ARO 90 days ARO

*** Adjusted for non-taxable special needs equipment**

Wheelchair lift door and lift accessories

Wheelchair lift

Wheelchair stations (four @ \$731)

A/C system

Total non-taxable items \$0.00

Financing sample payments	Money Factor	Payment	Payment
Three annual payments in advance (4.12%)	0.3611703	\$63,185.96	\$126,371.91
Five annual payments in advance (4.19%)	0.225827	\$39,507.94	\$79,015.88
Seven annual payments in advance (4.68%)	0.170821	\$29,884.76	\$59,769.52



Quote for Madera Unified School District to purchase IC Bus model CE2308

Capacity: Up to 31 passengers (variable to three wheelchair station)

June 18, 2014

		Bid Option	Per	3
Line	Price Calculations	Reference #	Bus	Buses
Bid price based on the South County Support Services Agency			\$118,920.00	
Additional Approved Options				
1	Change to I-6 diesel engine	5	Included	
2	Increase wheelbase to 193"	10	\$1,000.00	
3	Change to 320 amp alternator	38	Included	
4	Add 39" passenger seats (2 @ \$550 each)	41	\$1,100.00	
5	Add wheelchair station (1 @ \$920 each)	64	\$920.00	
6	Remove specified AC system	74	(\$4,500.00)	
7	Install 110K BTU AC system	75	\$8,500.00	
8	Change wheels to aluminum		Included	
9	Factory discount		(\$492.67)	
Sub-total			\$125,447.33	\$376,341.99
Add sales tax			0.08 \$8,574.99 *	\$25,724.96 *
Total			\$134,022.32	\$402,066.95
CA Tire Fee			\$10.50	\$31.50
Invoice amount			\$134,032.82	\$402,098.45

Delivery date 30 days ARO 30 days ARO

*** Adjusted for non-taxable special needs equipment**

Wheelchair lift door and lift accessories	\$2,800.00
Wheelchair lift	\$3,100.00
Wheelchair stations (three @ \$920)	\$2,760.00
A/C system	\$9,600.00
Total non-taxable items	\$18,260.00



AGENDA ITEM

MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Request Approval of Agreement between ATKINSON, ANDELSON, LOYA, RUUD & ROMO Law Firm and Madera Unified School District

Responsible Staff: Edward C. González, Superintendent

Agenda Placement: Consent

Background/ rationale:

Madera Unified School District (District) desires to retain and engage the Law Firm to perform legal services on the District's behalf, and the Law Firm is willing to accept said engagement on the terms and conditions retained by this Agreement.

The term of this Agreement will be for one year, starting on September 1, 2014, through October 31, 2015.

Financial impact: To be determined.

Superintendent's recommendation:

The Superintendent recommends that the Board approve the Agreement for Special Services between ATKINSON, ANDELSON, LOYA, RUUD & ROMO Law Firm and Madera Unified School District

Supporting documents attached:

AALRR Agreement.

AGREEMENT FOR SPECIAL SERVICES

I. PARTIES

This Agreement for Special Services (the "Agreement") is made this 1st day of September, 2014, between the law firm of ATKINSON, ANDELSON, LOYA, RUUD & ROMO, a Professional Law Corporation, hereinafter referred to as "Attorney" or the "Law Firm" and MADERA UNIFIED SCHOOL DISTRICT, hereinafter referred to as "District".

II. RECITALS; PURPOSE; MATTERS

The District desires to retain and engage the Law Firm to perform legal services on the District's behalf, and the Law Firm is willing to accept said engagement on the terms and conditions contained in this Agreement. Attorney agrees to provide legal services to the District, including representation in administrative and court proceedings, as requested by the District. The place and time for such services are to be designated by the Superintendent of the District or designee.

III. TERMS AND CONDITIONS

A. The term of this Agreement shall be for one year, commencing September 1, 2014, through August 31, 2015. For the period September 1, 2014, through August 31, 2015, the District hereby agrees to pay the Law Firm in connection with the above-referenced services as authorized at the following hourly rates:

Senior Partners	\$225.00
Partners/Senior Counsel	\$220.00
Senior Associates	\$215.00
Associates	\$210.00
Non-Legal Consultants	\$165.00
Senior Paralegals/Law Clerks	\$150.00
Paralegals/Legal Assistants	\$140.00

The Law Firm shall bill in quarter-hour increments.

B. Agreements for legal fees at other than the hourly rates set forth above may be made by written mutual agreement for special projects or particular scopes of work. In the course of traveling to the District or while providing legal services at the District, it may be necessary for the Law Firm to provide billable services to other clients.

C. The Law Firm shall not be obligated to advance costs on behalf of the District; however, for purposes of convenience and in order to expedite matters, the Law Firm reserves

the right to advance costs on behalf of the District with the Superintendent or designee's prior approval in the event a particular cost item exceeds \$2,000.00 in amount, and without the prior approval of the District in the event a particular cost item totals \$2,000.00 or less. Typical cost items include, by way of example and not limitation, document preparation and word processing, long distance telephone charges, fax/telecopy charges, copying charges, messenger fees, travel costs, bonds, witness fees, deposition and court reporter fees, transcript costs, expert witness fees, investigative fees, etc. If the Law Firm retains, with authorization from the District, experts or consultants for the benefit of the District, rather than the District contracting directly with any expert or consultant, it is agreed that the District shall pay a five percent (5%) fee ("consultant processing fee") on such expert and consultant costs paid by the Law Firm in order to offset certain costs to the Law Firm resulting from administering and initially paying such expert and consultant fees on behalf of the District.

D. A detailed description of the attorney work performed and the costs advanced by the Law Firm will be prepared on a monthly basis as of the last day of the month and will be mailed to the District on or about the 15th of the following month. Payment of the full amount due, as reflected on the monthly statements, will be due to the Law Firm from the District by the 10th of each month, unless other arrangements are made. In the event there are retainer funds of the District in the Law Firm's Trust account at the time a monthly billing statement is prepared, funds will be transferred from the Law Firm's Trust Account to the Law Firm's General Account to the extent of the balance due on the monthly statement and a credit therefor will be reflected on the monthly statement. Any balance of fees or costs advanced remaining unpaid for a period of 30 days will be subject to a 1% per month service charge.

E. The District agrees to review the Law Firm's monthly statements promptly upon receipt and to notify the Law Firm, in writing, with respect to any disagreement with the monthly statement. Failure to communicate written disagreement with the Law Firm's monthly statement within thirty (30) days of the District's receipt thereof shall be deemed to signify the District's agreement that the monthly billing statement accurately reflects: (a) the legal services performed; and (b) the proper charge for those legal services.

F. The District agrees to fully cooperate with the Law Firm in connection with the Law Firm's representation of the District including, but not limited to, attending mandatory court hearings and other appearances and providing necessary information and documentation to enable the Law Firm to adequately represent the District.

G. The District has the right, at any time, and either with or without good cause, to discharge the Law Firm as the District's attorneys. In the event of such a discharge of the Law Firm by the District, however, any and all unpaid attorneys' fees and costs owing to the Law Firm from the District shall be immediately due and payable.

H. The Law Firm reserves the right to discontinue the performance of legal services on behalf of the District upon the occurrence of any one or more of the following events:

1. Upon order of Court requiring the Law Firm to discontinue the performance of said legal services;

2. Upon a determination by the Law Firm in the exercise of its reasonable and sole discretion, that state or federal legal ethical principles require it to discontinue legal services for the District;

3. Upon the failure of the District to perform any of the District's obligations hereunder with respect to the payment of the Law Firm's fees and costs advanced; or

4. Upon the failure of the District to perform any of the District's obligations hereunder with respect to cooperation with the Law Firm in connection with the Law Firm's representation of the District.

I. In the event that the Law Firm ceases to perform legal services for the District as hereinabove provided, the District agrees that it will promptly pay to the Law Firm any and all unpaid fees or costs advanced, and retrieve all of its files, signing a receipt therefor. Further, the District agrees that, with respect to any litigation where the Law Firm has made an appearance in Court on its behalf, the District will promptly execute an appropriate Substitution of Attorney form.

J. The Law Firm maintains errors and omissions insurance coverage applicable to the services to be rendered.

K. It is understood and agreed that the Law Firm, while engaged in carrying out and complying with any of the terms and conditions of this Agreement, is an independent contractor and is not an employee of the District.

IV. SPECIALIZED LEGAL SERVICES

For specialized litigation and transactional services in the areas of construction, procurement, technology, prevailing wage, real property, CEQA, mitigation negotiations, school finance, bankruptcy, copyright, trademark, non-profit organizations, and appellate law, the District agrees to pay the Law Firm an hourly rate higher than the above-stated rates, subject to the prior approval of the District. The District shall be informed of such specialized services and rates prior to any billings by the Law Firm.

V. SERVICES PERFORMED BY LAW FIRM-PROVIDED NON-LEGAL CONSULTANTS

The Law Firm has an affiliation with non-legal education consultants who are available to assist the District in areas including, but not limited to, personnel/business office audits, human resources/collective bargaining consultation, public/employee relations surveys and communications, budget analysis/support services, instructional coaching/counseling at school improvement sites, leadership coaching, board/superintendent relations and best practices, and interim management placement. Although the Law Firm has a financial interest in the work performed by these consultants, the Law Firm is not suggesting or recommending the District utilize consultant services but, rather, offers their services as an accommodation to the District at its sole discretion.

VI. CONSENT TO LAW FIRM COMMUNICATION

As part of our commitment to client service, the Law Firm will send the District periodic alerts on case developments and legislative changes, and notices of Breakfast Briefings, conferences, and other training opportunities designed to help the District with daily legal concerns. The Law Firm will send those and other additional service notices to the District via regular mail and/or electronic mail at the email address which you designate or the email used in your daily communications with us. These email notices are a convenient way to keep the District administrators apprised of important legal changes. By execution of this Agreement, the District and designated contact(s) consent to receive such communications by electronic mail subject to the right of unsubscribe at any time.

VII. ARBITRATION

The parties agree that all disputes which arise between the District and the Law Firm, whether financial or otherwise regarding the attorney-client relationship, shall be resolved by binding arbitration. The parties agree to waive their right to a jury trial and to an appeal.

VIII. DURATION

This Agreement shall be effective September 1, 2014, through August 31, 2015, and thereafter shall continue from month-to-month at the then current hourly rate set forth herein until modified in writing by mutual agreement or terminated by either party upon thirty (30) days' written notice.

IX. EXECUTION DATE

This Agreement is entered into this 1st day of September, 2014.

“Law Firm”

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

Dated: _____

By: _____
STEVEN J. ANDELSON

“District”

MADERA UNIFIED SCHOOL DISTRICT

Dated: _____

By: _____



AGENDA ITEM
MADERA UNIFIED SCHOOL DISTRICT

Date: August 26, 2014

Subject: Approval of Commercial Warrant List

Responsible Staff: Teri Bradshaw, Director of Fiscal Services

Agenda Placement: New Business

Background/ rationale:

Commercial warrants are processed weekly and subsequently sent to the Board for ratification. The commercial warrants processed are within the current Board Approved budget allocations.

Financial impact:

Financial impact of commercial warrants processed from 07/30/14 through 08/06/14:

	CURRENT YEAR 7/30/2014	CURRENT YEAR 8/6/2014		
FOR ALL FUNDS:	\$290,439.45	\$198,826.55	\$0.00	\$0.00
CANCELLED WARRANTS:	-\$346.00	\$0.00	\$0.00	
TOTAL:	\$290,093.45	\$198,826.55	\$0.00	\$0.00
FOR ALL FUNDS:	\$0.00	\$0.00		
CANCELLED WARRANTS:	\$0.00			
TOTAL:	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL	\$488,920.00			

Superintendent's recommendation:

Superintendent recommends approval of the Commercial Warrant List.

Supporting documents attached:

- Payment Orders for Checks Processed on:
 - 07/30/14
 - 08/06/14

**COMMERCIAL PAYMENT ORDER
TO THE
COUNTY SUPERINTENDENT OF SCHOOLS
AND
COUNTY AUDITOR OF MADERA COUNTY, CALIFORNIA**

SUBMITTED BY: MADERA UNIFIED SCHOOL DISTRICT

CHECK DATE: 7/30/2014

BOARD DATE: 8/26/2014

Current Liabilities

REGISTER NUMBERS IN REQUEST:

R: 41, 42, 44, 45, 48, 49, 50

R: _____

R: _____

TOTAL REQUESTS BY FUND FOR PAYMENT:

TOTALS BY FUNDS:

<u>83500</u>	<u>01 GENERAL FUND</u>	<u>41</u>	-	\$	33,239.74	-	
		<u>42</u>	-	\$	471.66	-	
		<u>44</u>	-	\$	82,685.92	-	
		<u>45</u>	-	\$	545.73	-	
		<u>48</u>	-	\$	139,843.90	-	
		<u>49</u>	-	\$	2,039.61	-	
		<u>50</u>	-	\$	20,462.52	-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	
	Cancelled Warrant 645288		-	\$	(220.00)	-	\$ 279,069.08
<u>83510</u>	<u>11 ADULT ED</u>		-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	\$ -
<u>83550</u>	<u>12 CHILD DEVELOPMENT</u>	<u>48</u>	-	\$	660.30	-	
		<u>50</u>	-	\$	1,033.68	-	
			-			-	\$ 1,693.98
<u>83540</u>	<u>13 CAFETERIA</u>	<u>50</u>	-	\$	220.29	-	
			-			-	
	Cancelled Warrant 655337		-	\$	(126.00)	-	\$ 94.29
<u>83560</u>	<u>14 DEFERRED MAINT.</u>		-			-	\$ -
			-			-	
<u>83680</u>	<u>15 PUPIL TRANS. EQUIP.</u>		-			-	\$ -
			-			-	
<u>83590</u>	<u>17 STONE SCHOLARSHIP TRUST</u>		-			-	\$ -
			-			-	
<u>83530</u>	<u>25 DEVELOPER FEES</u>		-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	
			-			-	\$ -

**COMMERCIAL PAYMENT ORDER
TO THE
COUNTY SUPERINTENDENT OF SCHOOLS
AND
COUNTY AUDITOR OF MADERA COUNTY, CALIFORNIA**

<u>83630</u>	<u>26 PRISON MITIGATION</u>	-	-			
		-	-		\$	-
<u>83620</u>	<u>30 STATE SCHOOL BLDG.</u>	-	-			
	<u>LEASE PURCHASE</u>	-	-		\$	-
<u>83600</u>	<u>31 REFURBISHMENT</u>	-	-			
		-	-		\$	-
<u>83670</u>	<u>32 ROOF REPLACEMENT</u>	-	-			
		-	-		\$	-
<u>83730</u>	<u>35 SCHOOL FACILITIES</u>	-	-			
		-	-		\$	-
<u>83610</u>	<u>40 SPECIAL RESERVE</u>	<u>41</u>	-	\$ 9,236.10	-	
		-	-		\$	9,236.10
<u>83660</u>	<u>41 BUILDING FUND</u>	-	-			
		-	-		\$	-
<u>83690</u>	<u>42 AG FARM BLDG. FUND</u>	-	-			
		-	-		\$	-
<u>83650</u>	<u>43 C.O.P. PROCEEDS</u>	-	-			
	<u>SPECIAL RESERVE</u>	-	-		\$	-
<u>83710</u>	<u>49 REDEVELOPMENT</u>	-	-			
	<u>SPECIAL RESERVE</u>	-	-		\$	-
<u>88510</u>	<u>53 STATE SCHOOL LOAN</u>	-	-			
	<u>REPAY</u>	-	-		\$	-
<u>88610</u>	<u>54 LEASE PURCHASE</u>	-	-			
		-	-		\$	-
<u>83640</u>	<u>56 C.O.P. DEBT SERVICE</u>	-	-			
		-	-		\$	-
<u>83580</u>	<u>67 INSURANCE RESERVE</u>	-	-			
		-	-		\$	-
<u>83570</u>	<u>73 TRUST FUND</u>	-	-			
		-	-		\$	-
<u>83520</u>	<u>74 ATHLETIC FUND</u>	-	-			
		-	-		\$	-

GRAND TOTAL: \$ 290,093.45

BY ORDER OF THE GOVERNING BOARD THE COUNTY SUPERINTENDENT OF SCHOOLS & THE AUDITOR OF MADERA COUNTY ARE HEREBY AUTHORIZED TO TRANSFER THE ABOVE LISTED FUNDS TO THE SCHOOLS COMMERCIAL REVOLVING FUND (E.C. 21110). THEY ARE FURTHER AUTHORIZED TO DRAW WARRANT CHECKS TO THE CLAIMANTS OF SAID SCHOOL DISTRICT AS PER ATTACHED LISTING.

APPROVED BY:

DATE:

TERI BRADSHAW, DIRECTOR OF FISCAL SVCS

PAYMENT ORDER PREPARED BY: Carolyn M. Zaragosa (ACCOUNTS PAYABLE)

*****FOR COUNTY SCHOOLS USE ONLY*****

AUDITED BY:

DATE:

WARRANT NUMBERS

FROM:

TO:

Commercial Warrant Listing
For Warrants Dated 07/30/2014 to 07/30/2014

Check/Warr#	Register #	Payee #	Payee Name		Amount
PO #	Account #		Description		
658354	R41	024752	GENERAL BUILDERS SUPPLY CO.		
140022	01-0000-000-0000-0000-9509-0000-0				238.54
140031	01-0000-000-0000-0000-9509-0000-0				205.93
140070	01-8150-000-0000-0000-9509-0000-0				1,057.20
140139	01-0000-000-0000-0000-9509-0000-0				3.88
140140	01-0000-000-0000-0000-9509-0000-0				119.98
140215	01-0000-000-0000-0000-9509-0000-0				16.50
140269	01-7230-000-0000-0000-9509-0000-0				302.31
140414	01-0000-000-0000-0000-9509-0000-0				47.73
140593	01-0000-000-0000-0000-9509-0000-0				96.59
140600	01-0000-000-0000-0000-9509-0000-0				39.94
140690	01-0000-000-0000-0000-9509-0000-0				113.56
140956	01-0000-000-0000-0000-9509-0000-0				304.86
141085	01-0000-000-0000-0000-9509-0000-0				194.26
141663	01-0000-000-0000-0000-9509-0000-0				4.36
142879	01-0000-000-0000-0000-9509-0000-0				204.34
144096	01-0010-000-0000-0000-9509-0000-0				393.82
			Warrant Total		\$3,343.80
658355	R41	025024-1	GEORGE'S AUTO SUPPLY, INC		
140270	01-7230-000-0000-0000-9509-0000-0				309.71
			Warrant Total		\$309.71
658356	R41	910280	HOLIDAY'S AUTO SPECIALTIES, INC.		
140274	01-7230-000-0000-0000-9509-0000-0				38.88
140274	01-7230-000-0000-0000-9509-0000-0				694.71
			Warrant Total		\$733.59
658357	R41	995890	IMAGE 2000		
140039	01-0000-000-0000-0000-9509-0000-0				153.22
140236	01-0000-000-0000-0000-9509-0000-0				142.13
140701	01-0000-000-0000-0000-9509-0000-0				128.02
140759	01-0000-000-0000-0000-9509-0000-0				1,779.12
140978	01-0000-000-0000-0000-9509-0000-0				86.69
143885	01-0000-000-0000-0000-9509-0000-0				1,500.00
			Warrant Total		\$3,789.18
658358	R41	998250-1	ME-N-ED'S PIZZERIA		
141285	01-4124-000-0000-0000-9509-0000-0	877			167.24
141285	01-4124-000-0000-0000-9509-0000-0	534			252.02
141288	01-4124-000-0000-0000-9509-0000-0	320			30.62
			Warrant Total		\$449.88
658359	R41	090021	LEE'S SERVICE		
143219	01-7230-000-0000-0000-9509-0000-0				216.00
			Warrant Total		\$216.00

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Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658360	R41	999000	IMAGE 2000		
140059	01-0000-000-0000-0000-9509-0000-0				300.00
140606	01-0000-000-0000-0000-9509-0000-0				606.82
140891	01-0000-000-0000-0000-9509-0000-0				70.56
142066	01-0170-000-0000-0000-9509-0000-0				1.08
142069	01-0170-000-0000-0000-9509-0000-0				1.08
143191	01-0000-000-0000-0000-9509-0000-0				1,140.94
			Warrant Total		\$2,120.48
658361	R41	037265	MADERA GLASS & AUTO BODY SHOP		
144180	01-0000-000-0000-0000-9509-0000-0				1,974.00
144180	01-0000-000-0000-0000-9509-0000-0				2,025.00
			Warrant Total		\$3,999.00
658362	R41	900900	N V B EQUIPMENT		
140282	01-7230-000-0000-0000-9509-0000-0				3,649.78
			Warrant Total		\$3,649.78
658363	R41	090898-1	PAPE' KENWORTH		
140288	01-7230-000-0000-0000-9509-0000-0				2,472.36
			Warrant Total		\$2,472.36
658364	R41	090981-1	O'REILLY AUTOMOTIVE, INC		
140286	01-7230-000-0000-0000-9509-0000-0				474.58
140286	01-7230-000-0000-0000-9509-0000-0				1,017.47
			Warrant Total		\$1,492.05
658365	R41	091927	Internal Med Assoc. of Madera		
140564	01-0000-000-0000-0000-9509-0000-0				150.00
140564	01-0000-000-0000-0000-9509-0000-0				150.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
140564	01-0000-000-0000-0000-9509-0000-0				205.00
			Warrant Total		\$4,195.00

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Check/Warr#	Register #	Payee #	Payee Name		Amount
PO #	Account #		Description		
658366	R41	092002-1	PRUDENTIAL OVERALL SUPPLY		
140291	01-7230-000-0000-0000-9509-0000-0				208.00
			Warrant Total		\$208.00
658367	R41	092119	Link 3 Integration, Inc		
144068	01-0000-000-0000-0000-9509-0000-0				863.00
144068	01-0000-000-0000-0000-9509-0000-0				1,275.00
144070	01-0000-000-0000-0000-9509-0000-0				1,464.00
144070	01-0000-000-0000-0000-9509-0000-0				1,488.00
			Warrant Total		\$5,090.00
658368	R41	092151-1	HAJOCA CORP.		
140674	01-8150-000-0000-0000-9509-0000-0				59.39
140674	01-8150-000-0000-0000-9509-0000-0				408.40
140674	01-8150-000-0000-0000-9509-0000-0				703.12
			Warrant Total		\$1,170.91
658369	R41	092460-2	GAMETIME		
144037	40-0000-000-0000-0000-9509-0000-0				9,236.10
			Warrant Total		\$9,236.10
658370	R42	026321-1	GRADUATE SERVICES, LTD		
	01-6500-000-0000-0000-9509-0000-0				41.49
			Warrant Total		\$41.49
658371	R42	995890	IMAGE 2000		
	01-0000-000-0000-0000-9509-0000-0				155.37
			Warrant Total		\$155.37
658372	R42	075208	MADERA UNIFIED PETTY CASH ACCT		
	01-0000-000-0000-0000-9509-0000-0				0.02
	01-0000-000-0000-0000-9509-0000-0				0.35
	01-0000-000-0000-0000-9509-0000-0				0.35
	01-0000-000-0000-0000-9509-0000-0				4.90
	01-0000-000-0000-0000-9509-0000-0				6.46
	01-0000-000-0000-0000-9509-0000-0				13.00
	01-0000-000-0000-0000-9509-0000-0				49.00
	01-9170-000-0000-0000-9509-0000-0				200.72
			Warrant Total		\$274.80
658373	R43	090702	Rodriguez, Santino		
150591	01-0000-490-1355-1000-5801-2320-0				2,000.00
			Warrant Total		\$2,000.00
658374	R43	092119	Link 3 Integration, Inc		
150656	01-0000-450-0000-8200-5800-0000-0				15,281.00
			Warrant Total		\$15,281.00
658375	R43	092283	Pietz, Adam		
150554	01-0000-490-1355-1000-5801-2320-0				1,000.00
			Warrant Total		\$1,000.00

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Check/Warr#	Register #	Payee #	Payee Name		
PO #	Account #		Description		Amount
658376	R43	092494	Highlands Energy Solutions		
150117	01-6230-260-0000-8500-6200-0000-0				6,021.60
			Warrant Total		\$6,021.60
658377	R44	013706	CITY OF MADERA		
140013	01-0000-000-0000-0000-9509-0000-0		mtn vista main&utilities		8,785.50
140014	01-0010-000-0000-0000-9509-0000-0		police services		33,132.25
			Warrant Total		\$41,917.75
658378	R44	037780-1	CAL VALLEY PRINTING		
140221	01-0000-000-0000-0000-9509-0000-0				144.34
140221	01-0000-000-0000-0000-9509-0000-0				555.66
144204	01-9170-000-0000-0000-9509-0000-0				393.66
144204	01-9170-000-0000-0000-9509-0000-0				569.16
			Warrant Total		\$1,662.82
658379	R44	920064	FOOD 4 LESS		
140808	01-4124-000-0000-0000-9509-0000-0				19.52
140809	01-4124-000-0000-0000-9509-0000-0				217.50
140809	01-6010-000-0000-0000-9509-0000-0				283.43
140813	01-6010-000-0000-0000-9509-0000-0				308.78
140814	01-4124-000-0000-0000-9509-0000-0				230.75
140816	01-4124-000-0000-0000-9509-0000-0				388.84
140817	01-6010-000-0000-0000-9509-0000-0				385.20
140818	01-6010-000-0000-0000-9509-0000-0				208.20
140819	01-4124-000-0000-0000-9509-0000-0				56.88
140819	01-6010-000-0000-0000-9509-0000-0				297.05
140820	01-6010-000-0000-0000-9509-0000-0				463.30
140821	01-6010-000-0000-0000-9509-0000-0				58.73
140822	01-6010-000-0000-0000-9509-0000-0				848.37
140823	01-6010-000-0000-0000-9509-0000-0				208.51
140824	01-6010-000-0000-0000-9509-0000-0				847.97
140825	01-6010-000-0000-0000-9509-0000-0				286.25
140826	01-4124-000-0000-0000-9509-0000-0				662.33
140828	01-4124-000-0000-0000-9509-0000-0				468.94
140829	01-4124-000-0000-0000-9509-0000-0				236.73
140830	01-4124-000-0000-0000-9509-0000-0				816.99
140895	01-6010-000-0000-0000-9509-0000-0				194.10
140896	01-6010-000-0000-0000-9509-0000-0				583.76
142422	01-6010-000-0000-0000-9509-0000-0				1,158.22
142624	01-4124-000-0000-0000-9509-0000-0				110.01
			Warrant Total		\$9,340.36
658380	R44	941530	ATKINSON, ANDELSON, LOYA,		
141669	01-0000-000-0000-0000-9509-0000-0				52.50
141669	01-0000-000-0000-0000-9509-0000-0				945.00
141669	01-0000-000-0000-0000-9509-0000-0				12,392.81
141669	01-0510-000-0000-0000-9509-0000-0				3,811.90
			Warrant Total		\$17,202.21

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Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658381	R44	965440	BARROWS		
140188	01-0000-000-0000-0000-9509-0000-0				250.00
140188	01-0000-000-0000-0000-9509-0000-0				375.00
140565	01-0000-000-0000-0000-9509-0000-0				475.00
140565	01-0000-000-0000-0000-9509-0000-0				1,650.00
140565	01-0000-000-0000-0000-9509-0000-0				2,700.00
140565	01-0000-000-0000-0000-9509-0000-0				2,750.00
			Warrant Total		\$8,200.00
658382	R44	090052-1	FASTENAL COMPANY		
140267	01-7230-000-0000-0000-9509-0000-0				353.84
			Warrant Total		\$353.84
658383	R44	091395	Franzen-Hill Corporation		
142319	01-7230-000-0000-0000-9509-0000-0				802.92
			Warrant Total		\$802.92
658384	R44	091431-1	DIGITAL MOUNTAIN		
142060	01-0510-000-0000-0000-9509-0000-0				1,010.00
			Warrant Total		\$1,010.00
658385	R44	091703	Dear, Richard		
140661	01-0000-000-0000-0000-9509-0000-0				85.00
			Warrant Total		\$85.00
658386	R44	092487	Car Beauty Products		
144075	01-0000-000-0000-0000-9509-0000-0				249.79
144075	01-0000-000-0000-0000-9509-0000-0				769.93
			Warrant Total		\$1,019.72
658387	R44	092503-1	Advanced Emission Control Solution,LP		
144202	01-0000-000-0000-0000-9509-0000-0				1,091.30
			Warrant Total		\$1,091.30
658388	R45	009528	CAL VALLEY PRINTING		
	01-0000-000-0000-0000-9509-0000-0				368.55
	01-0045-000-0000-0000-9509-0000-0				63.18
			Warrant Total		\$431.73
658389	R45	953030-1	CONCENTRA MEDICAL CENTER		
	01-7230-000-0000-0000-9509-0000-0		contreras,beatrice		57.00
	01-7230-000-0000-0000-9509-0000-0		lacy,shawndra		57.00
			Warrant Total		\$114.00
658390	R46	914980	AMERICAN COMPACTOR EQUIPMENT		
150215	01-0000-450-0000-8200-5650-0000-0				5,400.00
			Warrant Total		\$5,400.00
658391	R46	090206	PG&E		
150243	01-0000-280-0000-3600-4345-6930-0				21.05
150243	01-0000-280-0000-3600-4345-6930-0				881.82
			Warrant Total		\$902.87

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Check/Warr#	Register #	Payee #	Payee Name		
PO #	Account #		Description		Amount
658392	R46	091942-1	E3 FIRE SOLUTIONS		
150290	01-8150-450-0000-8110-5800-0000-0				695.00
150290	01-8150-450-0000-8110-5800-0000-0				700.00
150290	01-8150-450-0000-8110-5800-0000-0				710.00
150290	01-8150-450-0000-8110-5800-0000-0				750.00
150290	01-8150-450-0000-8110-5800-0000-0				1,010.00
			Warrant Total		\$3,865.00
658393	R46	092493-1	FRESNO COUNTY OFFICE OF EDUCATION		
150325	01-0015-260-0000-2420-5885-6240-0		cyber high		38,461.00
			Warrant Total		\$38,461.00
658394	R46	092504	Better Flooring Inc.		
150064	14-0010-460-0000-8500-6200-0000-0		monroe		34,890.70
			Warrant Total		\$34,890.70
658395	R47	012248	CVT-CALIFORNIA S VALUED TRUST		
	01-0000-000-0000-0000-9514-0000-0				1,925,721.83
	01-0000-000-0000-0000-9518-0000-0				181,799.97
			Warrant Total		\$2,107,521.80
658396	R47	013706	CITY OF MADERA		
	01-0000-260-0000-8200-5530-5600-0				1,093.28
	01-0000-290-0000-8200-5530-0000-0				4,926.74
	01-0000-300-0000-8200-5530-0000-0				1,903.32
	01-0000-350-0000-8200-5530-0000-0				113.98
	01-0000-390-0000-8200-5530-0000-0				11,772.08
	01-0000-400-0000-8200-5530-0000-0				4,576.63
	01-0000-420-0000-8200-5530-0000-0				1,682.50
	01-0000-440-0000-8200-5530-0000-0				2,130.15
	01-0000-450-0000-8200-5530-0000-0				171.07
	01-0000-455-0000-8200-5530-0000-0				872.01
	01-0000-460-0000-8200-5530-0000-0				2,450.52
	01-0000-470-0000-8200-5530-0000-0				4,732.93
	01-0000-490-0000-8200-5530-0000-0				983.88
	01-0000-520-0000-8200-5530-0000-0				1,815.94
	01-0000-560-0000-8200-5530-0000-0				574.33
	01-0000-560-0000-8200-5530-0000-0				1,873.37
	01-0000-580-0000-8200-5530-0000-0				2,112.58
	01-0000-600-0000-8200-5530-0000-0				192.30
	01-0000-620-0000-8200-5530-0000-0				187.15
	01-0000-630-0000-8200-5530-0000-0				771.64
	01-0000-650-0000-8200-5530-0000-0				7.65
	01-7230-280-0000-8200-5530-6930-0				208.23
	01-7230-280-0000-8200-5530-6940-0				208.23
	11-0010-260-4110-8200-5530-0000-0				113.98
			Warrant Total		\$45,474.49

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Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658397	R47	046275-1	PG&E		
		01-0000-260-0000-8200-5520-5600-0			40.70
		01-0000-290-0000-8200-5520-0000-0			1,485.20
		01-0000-300-0000-8200-5520-0000-0			38.61
		01-0000-310-0000-8200-5520-0000-0			4,142.45
		01-0000-320-0000-8200-5520-0000-0			1,406.13
		01-0000-350-0000-8200-5520-0000-0			194.58
		01-0000-360-0000-8200-5520-0000-0			3,263.06
		01-0000-380-0000-8200-5520-0000-0			2,346.04
		01-0000-390-0000-8200-5520-0000-0			10,204.07
		01-0000-400-0000-8200-5520-0000-0			17,656.06
		01-0000-420-0000-8200-5520-0000-0			2,190.63
		01-0000-440-0000-8200-5520-0000-0			1,151.64
		01-0000-450-0000-8200-5520-0000-0			1,949.87
		01-0000-455-0000-8200-5520-0000-0			2,189.94
		01-0000-460-0000-8200-5520-0000-0			2,699.29
		01-0000-470-0000-8200-5520-0000-0			68.56
		01-0000-490-0000-8200-5520-0000-0			564.46
		01-0000-495-0000-8200-5520-0000-0			132.50
		01-0000-520-0000-8200-5520-0000-0			38.82
		01-0000-560-0000-8200-5520-0000-0			5,104.09
		01-0000-570-0000-8200-5520-0000-0			1,710.73
		01-0000-580-0000-8200-5520-0000-0			3,940.59
		01-0000-600-0000-8200-5520-0000-0			7,275.17
		01-0000-620-0000-8200-5520-0000-0			4,492.60
		01-0000-630-0000-8200-5520-0000-0			4,212.79
		01-0000-650-0000-8200-5520-0000-0			4,315.83
		01-0000-670-0000-8200-5520-0000-0			7,751.01
		01-7230-280-0000-3600-4345-6930-0		trans. maint.garage	2,868.00
		01-7230-280-0000-8200-5520-6930-0			43.76
		01-7230-280-0000-8200-5520-6940-0			10.94
		11-0010-260-4110-8200-5520-0000-0			1.14
		11-0010-260-4110-8200-5520-0000-0			194.58
		12-9226-260-0001-8200-5520-7910-0			83.01
		13-5310-260-0000-8200-5520-0000-0			50.81
			Warrant Total		\$93,817.66
658398	R48	023704-1	FRESNO PACIFIC UNIVERSITY		
144224		01-0900-000-0000-0000-9509-0000-0			750.00
144224		01-0900-000-0000-0000-9509-0000-0			1,125.00
144225		01-0900-000-0000-0000-9509-0000-0			1,125.00
144225		01-7400-000-0000-0000-9509-0000-0			1,500.00
144226		01-0900-000-0000-0000-9509-0000-0			375.00
144226		01-0900-000-0000-0000-9509-0000-0			375.00
144227		01-0900-000-0000-0000-9509-0000-0			375.00
144228		01-0900-000-0000-0000-9509-0000-0			375.00
			Warrant Total		\$6,000.00

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PO #	Account #		Description		
658399	R48	890447-2	SCHOLASTIC MAGAZINES		
142983	01-0910-000-0000-0000-9509-0000-0				811.80
143141	01-3010-000-0000-0000-9509-0000-4				395.12
143179	01-0910-000-0000-0000-9509-0000-0				627.00
			Warrant Total		\$1,833.92
658400	R48	970120-1	SCHOOL SPECIALTY INC.		
143319	01-1100-000-0000-0000-9509-0000-0				1,403.14
143320	01-1100-000-0000-0000-9509-0000-0				851.56
143322	01-1100-000-0000-0000-9509-0000-0				851.56
143323	01-1100-000-0000-0000-9509-0000-0				3,193.34
143324	01-1100-000-0000-0000-9509-0000-0				1,857.25
143327	01-1100-000-0000-0000-9509-0000-0				928.63
143333	01-1100-000-0000-0000-9509-0000-0				1,403.14
143502	01-1100-000-0000-0000-9509-0000-0				7,015.68
			Warrant Total		\$17,504.30
658401	R48	971740	CALIFORNIA STATE UNIVERSITY		
144223	01-3010-000-0000-0000-9509-0000-4				79,500.00
			Warrant Total		\$79,500.00
658402	R48	988060	DANNIS WOLIVER KELLY		
144229	01-0000-000-0000-0000-9509-0000-0				2,000.00
			Warrant Total		\$2,000.00
658403	R48	087128-1	WAL MART COMMUNITY		
140773	12-6105-000-0000-0000-9509-0000-0				104.86
140773	12-6105-000-0000-0000-9509-0000-0				104.87
140774	12-9226-000-0000-0000-9509-0000-0				450.57
140908	01-0000-000-0000-0000-9509-0000-0				22.59
140916	01-0010-000-0000-0000-9509-0000-0				499.58
141246	01-0605-000-0000-0000-9509-0000-0				169.65
			Warrant Total		\$1,352.12
658404	R48	090035-1	VALLEY POWER SYSTEMS NORTH		
140304	01-7230-000-0000-0000-9509-0000-0				1,299.32
			Warrant Total		\$1,299.32
658405	R48	090072-1	UNISOURCE WORLDWIDE INC		
144135	01-0000-000-0000-0000-9509-0000-0				807.04
			Warrant Total		\$807.04
658406	R48	893320	THE BREAKTHROUGH COACH		
142205	01-0000-000-0000-0000-9509-0000-0				625.00
			Warrant Total		\$625.00
658407	R48	092212-1	WECO SUPPLY CO		
141541	01-0000-000-0000-0000-9509-0000-0				21.60
141541	01-0000-000-0000-0000-9509-0000-0				40.50
			Warrant Total		\$62.10

Commercial Warrant Listing
For Warrants Dated 07/30/2014 to 07/30/2014

Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658408	R48	092445	SHI		
143656	01-0000-000-0000-0000-9509-0000-0				12,303.88
143656	01-9010-000-0000-0000-9509-0000-0				8,126.12
143656	01-9010-000-0000-0000-9509-0000-0				9,090.40
				Warrant Total	\$29,520.40
658409	R49	108	ARLEEN M ALVES		
	01-0000-000-0000-0000-9509-0000-0				11.20
				Warrant Total	\$11.20
658410	R49	1977	JOANNE M. GLANTZ		
	01-0000-000-0000-0000-9509-0000-0				78.96
				Warrant Total	\$78.96
658411	R49	2255	RICHARD J HARMON		
	01-0000-000-0000-0000-9509-0000-0				275.00
				Warrant Total	\$275.00
658412	R49	8075	BISMARCK OMAR JERONIMO		
	01-0910-000-0000-0000-9509-0000-0				18.00
	01-3010-000-0000-0000-9509-0000-4				22.00
				Warrant Total	\$40.00
658413	R49	3377	STEPHANIE ANN MCPHERSON		
	01-9170-000-0000-0000-9509-0000-0				24.73
				Warrant Total	\$24.73
658414	R49	9127	EWING L HATFIELD		
	01-7230-000-0000-0000-9509-0000-0				735.37
				Warrant Total	\$735.37
658415	R49	2957	TODD LILE		
	01-0900-000-0000-0000-9509-0000-0				262.08
				Warrant Total	\$262.08
658416	R49	10128	ISMAEL MUNOZ		
	01-0910-000-0000-0000-9509-0000-0				130.39
	01-3010-000-0000-0000-9509-0000-3				159.37
				Warrant Total	\$289.76
658417	R49	10214	FRANK JAVIER GUILLEN		
	01-0000-000-0000-0000-9509-0000-0				85.96
				Warrant Total	\$85.96
658418	R49	10266	DAVID ISAAC SOLORIO		
	01-0000-000-0000-0000-9509-0000-0				28.17
				Warrant Total	\$28.17
658419	R49	10402	MICHAEL ANTHONY MUELLER		
	01-0000-000-0000-0000-9509-0000-0				100.80
				Warrant Total	\$100.80
658420	R49	10536	STEPHANIE JANELL LOPEZ		
	01-5640-000-0000-0000-9509-0000-2				107.58
				Warrant Total	\$107.58

Commercial Warrant Listing
For Warrants Dated 07/30/2014 to 07/30/2014

Check/Warr#	Register #	Payee #	Payee Name		Amount
PO #	Account #		Description		
658421	R50	982001-1	VERIZON WIRELESS		
		01-0000-000-0000-0000-9509-0000-0			37.87
		01-0000-000-0000-0000-9509-0000-0			38.01
		01-0000-000-0000-0000-9509-0000-0			38.01
		01-0000-000-0000-0000-9509-0000-0			76.02
		01-0000-000-0000-0000-9509-0000-0			123.41
		01-0010-000-0000-0000-9509-0000-0			399.54
			Warrant Total		\$712.86
658422	R50	998460-1	UNITED RENTALS NORTHWEST, INC.		
		01-1100-000-0000-0000-9509-0000-0			447.96
			Warrant Total		\$447.96
658423	R50	899500	U.S. BANK		
		01-0000-000-0000-0000-9509-0000-0	JUN14		-41.48
		01-0000-000-0000-0000-9509-0000-0	JUN14		6.00
		01-0000-000-0000-0000-9509-0000-0	JUN14		6.78
		01-0000-000-0000-0000-9509-0000-0	JUN14		15.10
		01-0000-000-0000-0000-9509-0000-0	JUN14		44.63
		01-0000-000-0000-0000-9509-0000-0	JUN14		60.00
		01-0000-000-0000-0000-9509-0000-0	JUN14		72.00
		01-0000-000-0000-0000-9509-0000-0	JUN14		92.00
		01-0000-000-0000-0000-9509-0000-0	JUN14		93.37
		01-0000-000-0000-0000-9509-0000-0	JUN14		107.30
		01-0000-000-0000-0000-9509-0000-0	JUN14		119.90
		01-0000-000-0000-0000-9509-0000-0	JUN14		133.03
		01-0000-000-0000-0000-9509-0000-0	JUN14		137.53
		01-0000-000-0000-0000-9509-0000-0	JUN14		247.73
		01-0000-000-0000-0000-9509-0000-0	JUN14		285.71
		01-0000-000-0000-0000-9509-0000-0	JUN14		327.60
		01-0000-000-0000-0000-9509-0000-0	JUN14		617.23
		01-0000-000-0000-0000-9509-0000-0	JUN14		1,857.48
		01-0010-000-0000-0000-9509-0000-0	JUN14		24.06
		01-0010-000-0000-0000-9509-0000-0	JUN14		432.48
		01-0010-000-0000-0000-9509-0000-0	JUN14		502.04
		01-0595-000-0000-0000-9509-0000-0	JUN14		94.91
		01-3550-000-0000-0000-9509-0000-0	JUN14		1,024.12
		01-6500-000-0000-0000-9509-0000-0	JUN14		508.02
		01-8150-000-0000-0000-9509-0000-0	JUN14		118.76
		01-8150-000-0000-0000-9509-0000-0	JUN14		671.31
		01-9170-000-0000-0000-9509-0000-0	JUN14		19.26
		01-9170-000-0000-0000-9509-0000-0	JUN14		89.95
		12-6105-000-0000-0000-9509-0000-0	JUN14		9.80
		12-6105-000-0000-0000-9509-0000-0	JUN14		10.00
		12-6105-000-0000-0000-9509-0000-0	JUN14		106.56
		12-9226-000-0000-0000-9509-0000-0	JUN14		70.00
		12-9226-000-0000-0000-9509-0000-0	JUN14		837.32
		13-5310-000-0000-0000-9509-0000-0	JUN14		220.29
			Warrant Total		\$8,920.79

Report Date: 07/30/2014

Commercial Warrant Listing
For Warrants Dated 07/30/2014 to 07/30/2014

Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658424	R50	899500	U.S. BANK		
	01-0000-000-0000-0000-9509-0000-0			JUN14	67.34
	01-0000-000-0000-0000-9509-0000-0			JUN14	141.63
	01-0000-000-0000-0000-9509-0000-0			JUN14	264.98
	01-0000-000-0000-0000-9509-0000-0			JUN14	283.16
	01-0000-000-0000-0000-9509-0000-0			JUN14	508.55
	01-0000-000-0000-0000-9509-0000-0			JUN14	665.85
	01-0000-000-0000-0000-9509-0000-0			JUN14	1,229.00
	01-0000-000-0000-0000-9509-0000-0			JUN14	2,240.00
	01-0000-000-0000-0000-9509-0000-0			JUN14	3,595.11
	01-0010-000-0000-0000-9509-0000-0			JUN14	191.94
	01-3725-000-0000-0000-9509-0000-3			JUN14	48.03
	01-3725-000-0000-0000-9509-0000-3			JUN14	433.69
	01-3725-000-0000-0000-9509-0000-4			JUN14	240.00
	01-9170-000-0000-0000-9509-0000-0			JUN14	140.38
				Warrant Total	\$10,049.66
658425	R50	092071	Stromasys SA		
	01-0000-000-0000-0000-9509-0000-0				1,585.22
				Warrant Total	\$1,585.22
658426	R51	092472	v.2 Consulting, Inc.		
150653	01-0000-260-0000-7700-5200-5050-0				1,575.00
150653	01-0000-260-1110-2420-5200-5050-0				1,575.00
				Warrant Total	\$3,150.00
658427	R51	092475	Americas Best Value Inn & Suites - Milpitas		
150654	01-0000-260-0000-7700-5200-5050-0				260.70
150654	01-0000-260-1110-2420-5200-5050-0				260.70
				Warrant Total	\$521.40
District Totals				74 Warrants for	\$2,648,746.97

Fund Totals	Amount
01 - General Fund	\$2,602,262.38
11 - Adult Education	\$309.70
12 - Child Development	\$1,776.99
13 - Cafeteria	\$271.10
14 - Deferred Maintenance	\$34,890.70
40 - Special Reserve - Cap Outlay	\$9,236.10
Total	\$2,648,746.97

SUBMITTED BY: MADERA UNIFIED SCHOOL DISTRICT

BOARD DATE: 8/26/2014

R:

[illegible]

**COMMERCIAL PAYMENT ORDER
TO THE
COUNTY SUPERINTENDENT OF SCHOOLS
AND
COUNTY AUDITOR OF MADERA COUNTY, CALIFORNIA**

83630	26 PRISON MITIGATION	-	-		\$	-
83620	30 STATE SCHOOL BLDG. LEASE PURCHASE	-	-		\$	-
83600	31 REFURBISHMENT	-	-		\$	-
83670	32 ROOF REPLACEMENT	-	-		\$	-
83730	35 SCHOOL FACILITIES	60	-	\$ 5,040.00	\$	5,040.00
83610	40 SPECIAL RESERVE	-	-		\$	-
83660	41 BUILDING FUND	-	-		\$	-
83690	42 AG FARM BLDG. FUND	-	-		\$	-
83650	43 C.O.P. PROCEEDS SPECIAL RESERVE	-	-		\$	-
83710	49 REDEVELOPMENT SPECIAL RESERVE	-	-		\$	-
88510	53 STATE SCHOOL LOAN REPAY	-	-		\$	-
88610	54 LEASE PURCHASE	-	-		\$	-
83640	56 C.O.P. DEBT SERVICE	-	-		\$	-
83580	67 INSURANCE RESERVE	-	-		\$	-
83570	73 TRUST FUND	-	-		\$	-
83520	74 ATHLETIC FUND	-	-		\$	-
GRAND TOTAL:					\$	198,826.55

BY ORDER OF THE GOVERNING BOARD THE COUNTY SUPERINTENDENT OF SCHOOLS & THE AUDITOR OF MADERA COUNTY ARE HEREBY AUTHORIZED TO TRANSFER THE ABOVE LISTED FUNDS TO THE SCHOOLS COMMERCIAL REVOLVING FUND (E.C. 21110). THEY ARE FURTHER AUTHORIZED TO DRAW WARRANT CHECKS TO THE CLAIMANTS OF SAID SCHOOL DISTRICT AS PER ATTACHED LISTING.

APPROVED BY:

DATE:

TERI BRADSHAW, DIRECTOR OF FISCAL SVCS

PAYMENT ORDER PREPARED BY: _____ Melanie Serros (ACCOUNTS PAYABLE)

*****FOR COUNTY SCHOOLS USE ONLY*****

AUDITED BY:

DATE:

WARRANT NUMBERS FROM: _____ TO: _____

Fiscal Year: 2015

Madera Unified School District

Page 1 of 5

Report Date: 08/05/2014

Commercial Warrant Listing
For Warrants Dated 08/05/2014 to 08/05/2014

Check/Warr#	Register #	Payee #	Payee Name		Amount
PO #	Account #		Description		
658677	R52	092494	Highlands Energy Solutions		
150117	01-6230-260-0000-8500-6200-0000-0				5,501.80
			Warrant Total		\$5,501.80
658678	R53	023261	FRESNO COUNTY OFFICE OF ED.		
150115	01-3010-390-1200-1000-5200-4250-5				500.00
150642	01-7400-390-1200-1000-5200-0000-0				500.00
150644	01-7400-390-1200-1000-5200-0000-0				651.00
			Warrant Total		\$1,651.00
658679	R53	055658	SHERWIN WILLIAMS PAINT CO.		
150375	01-8150-450-0000-8110-4300-0000-0				251.21
			Warrant Total		\$251.21
658680	R53	062585-1	UNISOURCE WORLDWIDE, INC.		
150344	01-0000-260-0000-7550-4300-5700-0				237.17
			Warrant Total		\$237.17
658681	R53	063568	VALLEY AIR CONDITIONING & REPAIR		
150366	01-8150-450-0000-8110-5800-0000-0				4,200.00
150366	01-8150-450-0000-8110-5800-0000-0				5,250.00
			Warrant Total		\$9,450.00
658682	R53	064030	VALLEY IRON INC.		
150101	01-8150-450-0000-8110-4300-0000-0				1,013.86
			Warrant Total		\$1,013.86
658683	R53	064857	VINCENT COMMUNICATIONS INC.		
150193	01-0000-450-0000-8200-4300-0000-0				101.73
150193	01-0000-450-0000-8200-5640-0000-0				60.00
			Warrant Total		\$161.73
658684	R53	913230-1	TOTAL FILTRATION SERVICES, INC		
150078	01-8150-450-0000-8110-4300-0000-0				280.58
			Warrant Total		\$280.58
658685	R53	920312	MADERA COUNTY OFFICE OF ED.		
150574	01-3010-540-3200-1000-5200-4250-5				100.00
150605	01-3010-600-1200-1000-5200-4250-5				100.00
			Warrant Total		\$200.00
658686	R53	948490-2	3M		
150465	01-0000-400-1300-2420-5800-0000-0				777.00
150580	01-0000-490-1300-2700-5650-0000-0				1,125.00
			Warrant Total		\$1,902.00
658687	R53	997900-2	TULARE COUNTY OFFICE OF ED		
150545	01-0000-260-1110-2140-5200-6220-0				125.00
			Warrant Total		\$125.00
658688	R53	087124-1	ULINE		
150582	01-0000-260-0000-7200-4300-3010-0				334.30
			Warrant Total		\$334.30

Fiscal Year: 2015

Madera Unified School District

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Report Date: 08/05/2014

Commercial Warrant Listing
For Warrants Dated 08/05/2014 to 08/05/2014

Check/Warr#	Register #	Payee #	Payee Name		Amount
PO #	Account #		Description		
658689	R53	090042	ROSENBALM ROCKERY		
150230	01-0000-450-0000-8220-4300-0000-0				127.44
150230	01-0000-450-0000-8220-4300-0000-0				1,350.00
150230	01-0000-450-0000-8220-4300-0000-0				1,800.00
			Warrant Total		\$3,277.44
658690	R53	090057	WILCO SUPPLY		
150079	01-8150-450-0000-8110-4300-0000-0				120.44
150079	01-8150-450-0000-8110-4300-0000-0				120.99
150079	01-8150-450-0000-8110-4300-0000-0				304.98
150079	01-8150-450-0000-8110-4300-0000-0				1,993.27
			Warrant Total		\$2,539.68
658691	R53	090068-1	UNIVERSAL SPECIALITIES INC		
150077	01-8150-450-0000-8110-4300-0000-0				62.54
150077	01-8150-450-0000-8110-4300-0000-0				202.79
			Warrant Total		\$265.33
658692	R53	090076	TARGET SPECIALTY PRODUCTS		
150227	01-0000-450-0000-8220-4300-0000-0				125.65
150227	01-0000-450-0000-8220-4300-0000-0				476.77
150227	01-0000-450-0000-8220-4300-0000-0				703.51
			Warrant Total		\$1,305.93
658693	R53	901630	WESTERN BAND ASSOCIATION		
150664	01-0000-400-1355-1000-5808-2320-0				1,300.00
			Warrant Total		\$1,300.00
658694	R53	892870-1	SCHEDULE STAR		
150683	01-0000-490-1315-4200-4320-0000-0				350.00
			Warrant Total		\$350.00
658695	R53	994120-1	SOUTHWEST SCHOOL & OFFICE SUPPLY		
150488	01-0000-000-0000-0000-9320-0000-0				1,596.07
			Warrant Total		\$1,596.07
658696	R53	091112-1	RAY MORGAN COMPANY		
150348	01-0000-260-0000-7550-4300-5700-0				2,383.99
			Warrant Total		\$2,383.99
658697	R53	091148-1	RUSSELL SIGLER INC.		
150081	01-8150-450-0000-8110-4300-0000-0				395.18
150081	01-8150-450-0000-8110-4300-0000-0				743.91
			Warrant Total		\$1,139.09
658698	R53	091709	Kagan Publishing		
150442	01-0000-470-1200-1000-5200-0000-0				482.76
150442	01-0000-470-1200-1000-5200-0000-0				2,025.00
150638	01-3010-520-1200-1000-5200-4200-5				2,700.00
			Warrant Total		\$5,207.76

Commercial Warrant Listing
For Warrants Dated 08/05/2014 to 08/05/2014

Check/Warr# PO #	Register # Account #	Payee #	Payee Name	Description	Amount
658699	R53	091761	SteamRite Carpet and Upholstery Cleaning		
150758	01-8150-450-0000-8110-5800-0000-0				855.00
150758	01-8150-450-0000-8110-5800-0000-0				1,115.00
150758	01-8150-450-0000-8110-5800-0000-0				1,140.00
150758	01-8150-450-0000-8110-5800-0000-0				3,080.00
			Warrant Total		\$6,190.00
658700	R53	092299-1	CSU TRUSTEES		
150418	01-0000-400-1300-1000-5200-0000-0			08/05/14-CLOVIS	450.00
150767	01-0000-490-1300-1000-5200-0000-0				750.00
150767	01-0000-490-5770-1120-5200-0000-0				75.00
			Warrant Total		\$1,275.00
658701	R53	092513	Smith, Gary		
150430	01-0000-490-1355-1000-5801-2320-0				1,000.00
			Warrant Total		\$1,000.00
658702	R53	092518	R. J. Berry Jr Inc.		
150492	14-0010-455-0000-8500-6170-0000-0				110,240.00
			Warrant Total		\$110,240.00
658703	R53	092532	Van, Kathy		
150762	25-9125-260-0000-0000-8681-0000-0				4,477.52
150763	25-9125-260-0000-0000-8681-0000-0				2,898.36
			Warrant Total		\$7,375.88
658704	R54	905910	CHEVRON AND TEXACO		
	01-0000-400-1315-4200-4344-0000-0				327.98
	01-7230-280-0000-3600-4344-6930-0				345.31
	01-7230-280-0000-3600-4344-6930-0				676.25
			Warrant Total		\$1,349.54
658705	R55	9196	JOSE ANTONIO MUNOZ		
	01-0000-560-1200-1000-5200-0000-0				604.00
			Warrant Total		\$604.00
658706	R56	060697	TECO PRODUCTS COMPANY		
140737	01-0025-000-0000-0000-9509-0000-0				18.58
140737	01-0025-000-0000-0000-9509-0000-0				137.98
140737	01-0025-000-0000-0000-9509-0000-0				153.92
			Warrant Total		\$310.48
658707	R56	090827	SMART & FINAL		
140989	01-3725-000-0000-0000-9509-0000-3				34.50
140989	01-3725-000-0000-0000-9509-0000-3				189.45
			Warrant Total		\$223.95
658708	R57	058210-1	STATE BOARD OF EQUALIZATION		
	01-0000-000-0000-0000-9509-0000-0				11,987.00
			Warrant Total		\$11,987.00
658709	R58	5446	LINDA WALL		
	01-0000-000-0000-0000-9509-0000-0				86.80
			Warrant Total		\$86.80

Commercial Warrant Listing
For Warrants Dated 08/05/2014 to 08/05/2014

Check/Warr#	Register #	Payee #	Payee Name	Description	Amount
PO #	Account #				
658710	R58	5690	CAROLYN MUNOZ ZARAGOSA		
			01-0000-000-0000-0000-9509-0000-0		67.92
			Warrant Total		\$67.92
658711	R58	9878	ORLANDO EDOARDO BELLOMO		
			01-0000-000-0000-0000-9509-0000-0		50.40
			Warrant Total		\$50.40
658712	R59	091868	Drumrights Office Supplies		
150274			01-0000-260-0000-7530-4300-5800-0		-8.00
150274			01-0000-260-0000-7530-4300-5800-0		883.21
150274			01-1100-260-1215-4200-4310-0000-0		-20.03
150274			01-1100-260-1215-4200-4310-0000-0		2,212.60
			Warrant Total		\$3,067.78
658713	R59	092202	Department of Industrial Relations		
150732			01-8150-450-0000-8110-5880-0000-0		225.00
150732			01-8150-450-0000-8110-5880-0000-0		225.00
			Warrant Total		\$450.00
658714	R59	092533-1	CSPCA		
150764			01-0000-260-0000-7400-5800-5260-0		1,021.00
			Warrant Total		\$1,021.00
658715	R60	037780-1	CAL VALLEY PRINTING		
144035			01-0000-000-0000-0000-9509-0000-0		210.60
			Warrant Total		\$210.60
658716	R60	971140	BLAIR, CHURCH & FLYNN		
143986			35-9270-000-0000-0000-9509-0000-0		2,520.00
143986			35-9270-000-0000-0000-9509-0000-0		2,520.00
			Warrant Total		\$5,040.00
658717	R60	998620-1	DELL MARKETING L.P.		
143967			01-0000-000-0000-0000-9509-0000-0		1,809.98
143967			01-0000-000-0000-0000-9509-0000-0		2,796.31
144136			01-0000-000-0000-0000-9509-0000-0		51.83
			Warrant Total		\$4,658.12
658718	R60	090013	DRUGTECH TOXICOLOGY SERVICE		
140264			01-7230-000-0000-0000-9509-0000-0		300.00
			Warrant Total		\$300.00
658719	R60	091420-1	AIRGAS USA LLC		
140106			01-0000-000-0000-0000-9509-0000-0		172.07
140106			01-0000-000-0000-0000-9509-0000-0		234.40
			Warrant Total		\$406.47
658720	R60	091512	DPF Filter Sales & Cleaning		
143988			01-0000-000-0000-0000-9509-0000-0		375.00
143988			01-0000-000-0000-0000-9509-0000-0		375.00
			Warrant Total		\$750.00

Commercial Warrant Listing
For Warrants Dated 08/05/2014 to 08/05/2014

Check/Warr# PO #	Register # Account #	Payee #	Payee Name	Description	Amount
658721 144217	R60 01-0000-000-0000-0000-9509-0000-0	092254	Allways Towing		375.00
				Warrant Total	\$375.00
658722 144233	R60 01-0000-000-0000-0000-9509-0000-0	092533-1	CSPCA		1,021.00
				Warrant Total	\$1,021.00
658723	R61 01-0000-260-1110-1000-3902-5600-0	092535	Rosie Urbano		113.54
				Warrant Total	\$113.54
658724	R61 01-0000-260-1110-2420-3902-5600-0	092536	Blanca C. Heredia		178.13
				Warrant Total	\$178.13
District Totals				48 Warrants for	\$198,826.55

Fund Totals	Amount
01 - General Fund	\$76,170.67
14 - Deferred Maintenance	\$110,240.00
25 - Capital Fac/Developer Fees	\$7,375.88
35 - County School Facilities Fund	\$5,040.00
Total	\$198,826.55