MINUTES
AMADOR COUNTY OFFICE OF EDUCATION
BOARD OF TRUSTEES
Wednesday, October 6, 2021
ACOE OPEN SESSION IMMEDIATELY FOLLOWING ACUSD MEETING
MASKS REQUIRED FOR UNVACCINATED INDIVIDUALS WHILE INDOORS

Meeting Location: Amador County Administration Building, 810 Court St, Jackson, CA

NOTE: A copy of the Board agenda and backup materials is available for inspection and review on the Amador County Office of Education Website at www.amadorcoe.org. An audio recording of the Board Meeting is made. If you are in need of a hard copy of the agenda, please email dlasich@acusd.org

Board of Trustees meetings are meetings of the Board in public, as per the Brown Act open meeting law. All five Board Members may not have discussion outside an open meeting. This meeting is their opportunity to have discussion in order to conduct their business. Board Meetings are not meetings for the public to interact informally with the Board. Members of the public may speak formally to the Board by completing a speaker card and giving it to the Board Clerk or Communication Specialist.

If a person or group of persons disrupt the orderly conduct of a meeting, the legislative body has a right to order those persons removed from the meeting. If order still cannot be restored after removal of the individuals disrupting the meeting, members of the legislative body can order the room cleared and continue with the meeting. (Government Code §54957.9; Penal Code §8403; Elections Code §18340; Acosta v. City of Costa Mesa (9th Cir. 2013) 718 F.3d 800; White v. City of Norwalk (9th Cir. 1990) 900F.2d 1421, 1425.)

OUR UNITY OF PURPOSE: We work as a cohesive Governance Team through discussions, actions and decisions that are thoughtful, respectful, and sensitive. We support one another in and away from the Board Room through active listening, vulnerability and honesty. **We make policy decisions that ensure equitable support to increase student achievement and foster social, emotional, and physical well-being for all students.**

OUR MISSION: Enriched by the diversity and deep traditions of our unique community, Amador County Public Schools will prepare, support, and inspire each student to achieve career and college success in a rapidly evolving world through highly engaging teaching, rigorous learning and innovative pathways supported by strong partnerships in a safe, caring and collaborative environment.

1.0 **CALL TO ORDER** 9:00PM

2.0 **BOARD MEMBERS**
[X] Kandi Thompson, Board President
[X] Deborah Pulskamp, Board Clerk
[X] James Marzano
[X] Julia Burns
[X] James Whitaker

3.0 **ROLL TAKEN BY THE SECRETARY TO THE GOVERNING BOARD**

4.0 **ADDITIONS/DELETIONS OR CORRECTIONS TO THE AGENDA**

*The Board may not take action on any item which is not on this agenda, except when (1) an emergency situation exists, (2) there is need to take immediate action and the need for the action came after posting, or (3) the item was posted for a prior meeting within specified time limits. (Government Code §54954.2)*
Board received back up material for agenda item 10.1 from Mr. Snider. No speakers from Labor groups tonight.

5.0 **PLEDGE OF ALLEGIANCE**

6.0 **PRESENTATION AND RECOGNITION**

7.0 **EMPLOYEE ORGANIZATIONS**

7.1 Special Educators of Amador County (SEAC)

7.2 California School Employees Association (CSEA)

8.0 **PUBLIC COMMENTS**

A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Individual speakers shall be allowed three minutes to address the Board on non-agenda items. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the Board president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. **NOTE:** If you wish to address the Board please complete a speaker card and give it to the Board Clerk or Communications Specialist.

There were no public comments.

9.0 **CONSENT AGENDA**

The Board of Trustees received these items under separate cover as an addendum. Public copy available during regular Board meeting and on the district website.

Board Member Marzano moved to approve the consent agenda and Board Member Burns seconded the motion. **The motion passed 5-0.**

9.1 **Minutes**

9.1a Board Meeting: 9-22-21

9.2 **Business** (Mr. Critchfield)

9.2a Warrants issued between 9-17-21 – 9-30-21 $235,078.50

9.3 **Educational Services** (Mr. Snider)

9.3a Memorandum of Understanding (MOU) with Nexus Youth and Family Services for Tobacco Use Prevention Education

9.3b Operational Agreement for Nexus Childhood Abuse Treatment Program (CHAT)

9.3c Operational Agreement between Nexus and Amador County Office of Education for the Unserved / Underserved Child and Youth Advocacy Program (XY)

9.3d Williams Act Quarterly Report for July – September 2021

10.0 **DISCUSSION/ACTION ITEM**

10.1 Elementary and Secondary School Emergency Relief (ESSER III) Expenditure Plan – Discussion / Action (Mr. Snider)
Local Educational Agencies (LEAs) that receive ESSER III funds are required to develop a plan for how they will use ESSER III funds to, at a minimum address students’ academic, social, emotional, and mental health needs, as well as the opportunity gaps that existed before, and were exacerbated by, the COVID-19 pandemic. Finally, LEAs must provide the opportunity for public input and take such input into account. The plan must be adopted by the local governing board or body of the LEA at a public meeting on or before October 29, 2021, and must be submitted to the California Department of Education for review and approval within five days of adoption.

Board Clerk Pulskamp asked for update. Board Member Burns asked about additional positions for the mod-severe program.

Board Member moved to approve and Board Member Burns seconded the motion. The motion passed 5-0.

10.2 Certification of the County Office of Education’s Unaudited Actuals & Financial Report – Discussion/Action (Mr. Critchfield)
Per Education Code 42100, the County shall approve, on a form prescribed by the Superintendent of Public Instruction, an annual statement of all receipts and expenditures of the District for the preceding fiscal year. The report is included under separate cover and includes the Unaudited Actuals for 2020-21 and Adopted Budget for 2021-22.

10.2a ACOE Board’s Actual Summary 20-21
10.2b ACOE Restricted Fund Balance

Mr. Critchfield presented a power point on the county office funding and what changes with special education. He reported contracted speech comes out of the operating expenses and also reported funds are looking good for ACOE. Preschool and ELP comes out of Fund 12 and is self- sustain. Overall, county expenses went down. Dr. Russell asked money to set aside for chrome books in future. The Reserve is 10.5% and is very healthy and that no TRAN was needed for county office.

Board Member Burns asked what the average was in reserve in general and how does it compare to other districts? Board President Thompson asked cap of 12%. Mr. Critchfield commented the county office does not have a cap.

Board Member Whitaker moved to approve and Board Member Marzano seconded the motion. The motion passed 5-0.

10.3 Resolution: ACOE 21/22-008 Native American Heritage Month – (Mr. Snider)
November is Native American Heritage Month, which was designated on August 3, 1990. Since then, Presidents have issued annual proclamations promoting this observance. Amador County Office of Education honors and recognizes the Native American culture, traditions, heritage and contributions of our students, parents and community members, and encourages all schools to commemorate the month of November with appropriate activities and programs.

Mr. Snider presented this resolution and this is a companion item with the district.

Board Member Marzano moved to approve and Board Clerk Pulskamp seconded the motion. The motion passed 5-0.

10.4 Contract Services with West Ed for Review of Special Education Programs and Services (Scope of Work) (Action Required)
This contract is necessary in order to evaluate current programs and systems throughout the ACUSD and ACOE special education programs. West Ed will do a deep dive into programs and
provide specific recommendations to support the review process ACUSD and ACOE are currently under. A presentation by the West Ed staff will be provided to better explain the scope of work needed to meet our long-term needs.

Dr. Russell presented this contract and that the county office is sharing the cost of this with the district. He expressed that West Ed is working for CDE. He commented on an email about disproportionality in 2019-20. He apologize for not bringing to the Board. He talked about the percentage of how we used to determine what students were mild mod or mod severe and how we got to this point and also on mainstreaming students and the amount of time in and out of the classroom and the disproportionality by race.

Board Clerk Pulskamp asked about chronic absenteeism. Dr. Russell spoke about this.

Board President Thompson asked about receiving letter and date on the monitoring in 2020.

Dr. Russell commented, we have submitted everything and we are done.

Board Member Burns asked if a plan was submitted during COVID-19.

Board Member Whitaker moved to approve and Board Member Burns seconded the motion. The motion passed 5-0.

11.0 INFORMATIONAL ONLY
11.1 Personnel
11.1a Personnel Items approved by ACOE Superintendent October 6, 2021

12.0 REPORTS
12.1 Report from Superintendent (Dr. Russell)
Dr. Russell echoed everything that was said about the Business Department. He reported that we are in the process of completing a contract with Amador Arts, Megan O’ Keith to provide an art program for our students.

12.2 Reports and Remarks from Board Members
Whitaker – He did board walks in our schools and it was good to see all the artists.
Burns – Very pleased with Special Education review.
Marzano – no comment
Pulskamp – She really appreciates Amador Arts and pleased we can bring to our county students.
Thompson – She did board walks at JJH and Plymouth and how amazing new buildings look. It was very exciting to see. Also, she is very excited to get the West Ed contract.

13.0 NEXT MEETING
ACOE Regular Meeting: Wednesday, November 3, 2021, tentatively scheduled to be held at the Amador County Administration Building, 810 Court St., Jackson, CA. ACOE will be immediately following the ACUSD meeting.

14.0 ADJOURNMENT 9:55PM
* The Amador County Office of Education complies with the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent’s Office by calling (209) 257-5330. All efforts will be made for reasonable accommodations.

* Any writings or documents that are provided to the governing board in open session will be made available for public inspection at the meeting or at the Amador County Public Schools District Office located at 217 Rex Avenue, Jackson, CA

The Board may not take action on any item which is not on this agenda, except when (1) an emergency situation exists, (2) there is need to take immediate action and the need for the action came after posting, or (3) the item was posted for a prior meeting within specified time limits.

[Government Code §54954.2]
The Board may not take action on any item which is not on this agenda, except when (1) an emergency situation exists, (2) there is need to take immediate action and the need for the action came after posting, or (3) the item was posted for a prior meeting within specified time limits. [Government Code §54954.2]

during normal business hours. Please note that business hours have changed due to COVID-19. If you are need of a hard copy of the agenda, please email Debra Lasich at dlasich@acusd.org
### Payroll 10/1/2021 - 10/31/2021: 437,778.96

**WARRANTS**

<table>
<thead>
<tr>
<th>Warrant #</th>
<th>Description</th>
<th>District</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>60058885</td>
<td>ABLENET</td>
<td>3</td>
<td>10/1/2021</td>
<td>1,917.95</td>
</tr>
<tr>
<td>60058886</td>
<td>RIVERSIDE INSIGHTS</td>
<td>3</td>
<td>10/1/2021</td>
<td>807.90</td>
</tr>
<tr>
<td>60058887</td>
<td>SIGNAL SERVICE INC</td>
<td>3</td>
<td>10/1/2021</td>
<td>1,452.98</td>
</tr>
<tr>
<td>60058888</td>
<td>SPEECH THERAPY ASSOCIATES</td>
<td>3</td>
<td>10/1/2021</td>
<td>9,900.00</td>
</tr>
<tr>
<td>60058889</td>
<td>SYSCO FOOD SERV.OF CENTRAL</td>
<td>3</td>
<td>10/1/2021</td>
<td>988.76</td>
</tr>
<tr>
<td>60058890</td>
<td>AT&amp;T</td>
<td>3</td>
<td>10/1/2021</td>
<td>1,810.91</td>
</tr>
<tr>
<td>60058891</td>
<td>BURNS, JULIA</td>
<td>3</td>
<td>10/1/2021</td>
<td>430.56</td>
</tr>
<tr>
<td>60058892</td>
<td>FAUTH, SHERI</td>
<td>3</td>
<td>10/1/2021</td>
<td>404.45</td>
</tr>
<tr>
<td>60058893</td>
<td>LISA VALDEZ SHAW</td>
<td>3</td>
<td>10/1/2021</td>
<td>222.21</td>
</tr>
<tr>
<td>60058894</td>
<td>MARZANO, JAMES</td>
<td>3</td>
<td>10/1/2021</td>
<td>430.56</td>
</tr>
<tr>
<td>60058895</td>
<td>PULSKAMP, DEBORAH</td>
<td>3</td>
<td>10/1/2021</td>
<td>430.56</td>
</tr>
<tr>
<td>60058896</td>
<td>SHARPE, AMANDA</td>
<td>3</td>
<td>10/1/2021</td>
<td>47.60</td>
</tr>
<tr>
<td>60058897</td>
<td>BARTLETT, ASHLEY</td>
<td>3</td>
<td>10/1/2021</td>
<td>96.60</td>
</tr>
<tr>
<td>60058898</td>
<td>LAKESHORE LEARNING MATERIA</td>
<td>3</td>
<td>10/1/2021</td>
<td>265.55</td>
</tr>
<tr>
<td>60058899</td>
<td>N2Y</td>
<td>3</td>
<td>10/1/2021</td>
<td>6,698.39</td>
</tr>
<tr>
<td>60058900</td>
<td>NUMOTION</td>
<td>3</td>
<td>10/1/2021</td>
<td>3,940.35</td>
</tr>
<tr>
<td>60058901</td>
<td>AT&amp;T</td>
<td>3</td>
<td>10/1/2021</td>
<td>574.65</td>
</tr>
<tr>
<td>60058902</td>
<td>PACIFIC GAS &amp; ELECTRIC CO</td>
<td>3</td>
<td>10/1/2021</td>
<td>1,664.20</td>
</tr>
<tr>
<td>60058981</td>
<td>CVT-CALIFORNIA’S VALUED TR</td>
<td>3</td>
<td>10/7/2021</td>
<td>70,052.43</td>
</tr>
<tr>
<td>60058982</td>
<td>MARBLESOFT DBA KEYGUARD</td>
<td>3</td>
<td>10/7/2021</td>
<td>386.60</td>
</tr>
<tr>
<td>60058983</td>
<td>PACIFIC GAS &amp; ELECTRIC CO</td>
<td>3</td>
<td>10/7/2021</td>
<td>824.59</td>
</tr>
<tr>
<td>60058984</td>
<td>AMADOR CO USD REVOLVING F</td>
<td>3</td>
<td>10/7/2021</td>
<td>128.00</td>
</tr>
<tr>
<td>60058985</td>
<td>CUSTODIO, DONNA</td>
<td>3</td>
<td>10/7/2021</td>
<td>160.16</td>
</tr>
<tr>
<td>60058986</td>
<td>SYSCO FOOD SERV.OF CENTRAL</td>
<td>3</td>
<td>10/7/2021</td>
<td>1,464.93</td>
</tr>
<tr>
<td>60058987</td>
<td>SYSCO FOOD SERV.OF CENTRAL</td>
<td>3</td>
<td>10/7/2021</td>
<td>1,548.36</td>
</tr>
<tr>
<td>60058988</td>
<td>ACES WASTE SERVICES INC</td>
<td>3</td>
<td>10/7/2021</td>
<td>231.53</td>
</tr>
<tr>
<td>60058989</td>
<td>CITY OF JACKSON</td>
<td>3</td>
<td>10/7/2021</td>
<td>611.79</td>
</tr>
<tr>
<td>60058990</td>
<td>PACIFIC GAS &amp; ELECTRIC CO</td>
<td>3</td>
<td>10/7/2021</td>
<td>308.40</td>
</tr>
<tr>
<td>60058991</td>
<td>VOLCANO TELEPHONE CO</td>
<td>3</td>
<td>10/7/2021</td>
<td>52.58</td>
</tr>
<tr>
<td>60058992</td>
<td>VOLCANO TELEPHONE CO</td>
<td>3</td>
<td>10/7/2021</td>
<td>117.90</td>
</tr>
<tr>
<td>60059065</td>
<td>ENTERPRISE FM TRUST</td>
<td>3</td>
<td>10/15/2021</td>
<td>3,406.02</td>
</tr>
<tr>
<td>60059066</td>
<td>HUNT &amp; SONS INC</td>
<td>3</td>
<td>10/15/2021</td>
<td>367.14</td>
</tr>
<tr>
<td>60059067</td>
<td>KIEKHAEFER, CHRISTINE</td>
<td>3</td>
<td>10/15/2021</td>
<td>100.24</td>
</tr>
<tr>
<td>60059068</td>
<td>PRO-ED INC</td>
<td>3</td>
<td>10/15/2021</td>
<td>1,481.56</td>
</tr>
<tr>
<td>60059069</td>
<td>JASMINE FOOSUM</td>
<td>3</td>
<td>10/15/2021</td>
<td>600.00</td>
</tr>
<tr>
<td>60059070</td>
<td>COUGHDROP, INC</td>
<td>3</td>
<td>10/15/2021</td>
<td>3,675.00</td>
</tr>
<tr>
<td>60059071</td>
<td>OFFICE DEPOT</td>
<td>3</td>
<td>10/15/2021</td>
<td>8,620.00</td>
</tr>
<tr>
<td>60059072</td>
<td>DELL MARKETING LP</td>
<td>3</td>
<td>10/15/2021</td>
<td>1,525.01</td>
</tr>
<tr>
<td>60059073</td>
<td>A.C.O.E/Petty Cash</td>
<td>3</td>
<td>10/15/2021</td>
<td>83.40</td>
</tr>
<tr>
<td>60059074</td>
<td>AT&amp;T</td>
<td>3</td>
<td>10/15/2021</td>
<td>68.04</td>
</tr>
<tr>
<td>60059075</td>
<td>FERRY, NICOLE M</td>
<td>3</td>
<td>10/15/2021</td>
<td>226.80</td>
</tr>
<tr>
<td>Invoice Number</td>
<td>Description</td>
<td>Date</td>
<td>Amount</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------------------</td>
<td>----------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>60059076</td>
<td>GROWING HEALTHY CHILDREN</td>
<td>10/15/21</td>
<td>4,322.50</td>
<td></td>
</tr>
<tr>
<td>60059077</td>
<td>HAYES, ANGELA</td>
<td>10/15/21</td>
<td>106.40</td>
<td></td>
</tr>
<tr>
<td>60059078</td>
<td>KING, CARA</td>
<td>10/15/21</td>
<td>50.40</td>
<td></td>
</tr>
<tr>
<td>60059079</td>
<td>SHARPE, AMANDA</td>
<td>10/15/21</td>
<td>114.24</td>
<td></td>
</tr>
<tr>
<td>60059080</td>
<td>SPEECH THERAPY ASSOCIATES</td>
<td>10/15/21</td>
<td>12,675.00</td>
<td></td>
</tr>
<tr>
<td>60059081</td>
<td>TALX UC EXPRESS</td>
<td>10/15/21</td>
<td>250.00</td>
<td></td>
</tr>
<tr>
<td>60059082</td>
<td>Transitions/Petty Cash</td>
<td>10/15/21</td>
<td>67.32</td>
<td></td>
</tr>
<tr>
<td>60059083</td>
<td>AT&amp;T</td>
<td>10/15/21</td>
<td>23.40</td>
<td></td>
</tr>
<tr>
<td>60059084</td>
<td>CUSTODIO, DONNA</td>
<td>10/15/21</td>
<td>64.68</td>
<td></td>
</tr>
<tr>
<td>60059085</td>
<td>AMADOR CO USD CLEARING ACC</td>
<td>10/15/21</td>
<td>5,602.43</td>
<td></td>
</tr>
<tr>
<td>60059086</td>
<td>ERIC DANIEL ROUEN</td>
<td>10/15/21</td>
<td>180.00</td>
<td></td>
</tr>
<tr>
<td>60059087</td>
<td>FOWLER HEISEL VOGT</td>
<td>10/15/21</td>
<td>3,270.00</td>
<td></td>
</tr>
<tr>
<td>60059088</td>
<td>MOBILE MODULAR MANAGEMENT</td>
<td>10/15/21</td>
<td>2,296.60</td>
<td></td>
</tr>
<tr>
<td>60059089</td>
<td>TUOLUMNE COUNTY JPA</td>
<td>10/15/21</td>
<td>204.00</td>
<td></td>
</tr>
<tr>
<td>60059090</td>
<td>AMADOR CO USD CLEARING ACC</td>
<td>10/15/21</td>
<td>254.18</td>
<td></td>
</tr>
<tr>
<td>60059091</td>
<td>YAN-MAR COMMUNICATIONS</td>
<td>10/15/21</td>
<td>1,083.62</td>
<td></td>
</tr>
<tr>
<td>60059092</td>
<td>SILVER CREEK INDUSTRIES IN</td>
<td>10/15/21</td>
<td>69,076.17</td>
<td></td>
</tr>
<tr>
<td>60059160</td>
<td>ATTAINMENT CO</td>
<td>10/22/21</td>
<td>53.88</td>
<td></td>
</tr>
<tr>
<td>60059161</td>
<td>PEARSON INC</td>
<td>10/22/21</td>
<td>3,320.61</td>
<td></td>
</tr>
<tr>
<td>60059162</td>
<td>GEOCON CONSULTANTS INC</td>
<td>10/22/21</td>
<td>2,720.00</td>
<td></td>
</tr>
<tr>
<td>60059163</td>
<td>AT&amp;T MOBILITY</td>
<td>10/22/21</td>
<td>477.46</td>
<td></td>
</tr>
<tr>
<td>60059164</td>
<td>BARTLETT, ASHLEY</td>
<td>10/22/21</td>
<td>84.00</td>
<td></td>
</tr>
<tr>
<td>60059165</td>
<td>SAN JOAQUIN CO OFFICE OF E</td>
<td>10/22/21</td>
<td>91.00</td>
<td></td>
</tr>
<tr>
<td>60059166</td>
<td>SUNBELT STAFFING LLC</td>
<td>10/22/21</td>
<td>45,337.51</td>
<td></td>
</tr>
<tr>
<td>60059167</td>
<td>AMERICAN RIVER CONSTRUCTIO</td>
<td>10/22/21</td>
<td>140,259.06</td>
<td></td>
</tr>
<tr>
<td>60059168</td>
<td>DE LAGE LANDEN</td>
<td>10/22/21</td>
<td>36.35</td>
<td></td>
</tr>
<tr>
<td>60059169</td>
<td>HUNT &amp; SONS INC</td>
<td>10/22/21</td>
<td>117.59</td>
<td></td>
</tr>
<tr>
<td>60059170</td>
<td>RLK INC</td>
<td>10/22/21</td>
<td>4,088.17</td>
<td></td>
</tr>
<tr>
<td>60059171</td>
<td>RUSSELL, ROBERT</td>
<td>10/22/21</td>
<td>321.13</td>
<td></td>
</tr>
<tr>
<td>60059172</td>
<td>DEWALT, HANNA</td>
<td>10/22/21</td>
<td>315.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>424,987.36</td>
<td></td>
</tr>
</tbody>
</table>

If there are any questions regarding any of the payments, please contact
Jared Critchfield @ 257-5375 or Nancy Kohlman @ 257-5333
AGENDA ITEM #:  9.1          Motion: ______________________
Second: ____________________
Vote: ______________________

SUBJECT:
California School Board Association (CSBA) Recommended Board Policy Updates – Discussion/Action

BACKGROUND INFORMATION:
Multiple board policy updates are done each year. The description summarizes the changes made to the policy.

BP 4131 – Staff Development (BP revised)
Policy updated to incorporate concepts of student well-being and social-emotional development and learning as it relates to professional development, to clarify that the development of the staff development program includes creating, reviewing and amending the program, to reflect the State Board of Education’s California Digital Learning Integration and Standards Guidance regarding staff development in the use of technologies, to reference new law (AB 130, 2021) regarding requirements for districts offering technology-based instruction pursuant to an independent study program, and to expand the list of characteristics that are included in diverse student populations as related to staff development in meeting the needs of such students. Policy also updated to enhance staff development regarding school climate to include acceptance, civility, and positive behavioral interventions and supports, and staff development regarding student’s mental and physical health to include social-emotional learning and trauma-informed practices.

BP 6120 – Response to Instruction and Intervention (BP revised)
Policy updated to emphasize the importance of learning and behavioral outcomes and progress monitoring as it relates to response to instruction and intervention (Rt12), reference multi-tiered system of supports (MTSS) and the integration of Rt12 into such frameworks, expand the list of individuals that may be included in designing the district’s Rt12 system, add the examination of student social-emotional well-being as one of the bases for design, provide detail regarding strategies and interventions including ten core components of the Rt12 model identified by the California Department of Education, and that Rt12 may be utilized as one component when considering the referral of a student for evaluation for special education of other services.

BP 6146.1 – High School Graduation Requirements (BP revised)
Regulation updated to include material regarding the provision of information about graduation requirements and credit recovery opportunities to students, parents/guardians, and the public, and to reflect requirements regarding the provision of notice to eligible students about the availability of exemptions from local graduation requirements when applicable.

BP 6164.5 – Student Success Teams (BP revised)
Policy updated to reference that the student success team (SST) process is not required by law and that the policy reflects best practices, clarify those who are encouraged to collaborate in SST’s include social and emotional difficulties when evaluating the strengths and needs of students and establishing interventions, emphasize the importance of each student maximizing their potential, specify who may refer students to SST’s, add types of materials for collection, analysis and review by the SST, provide for the development of a plan to support the student and adjustments to such plan, reflect that the SST process shall not delay or deny a referral for evaluation for eligibility for special education, reference MTSS and the integration of SST’s with such supports, and add staff development which may be provided to strengthen the effectiveness of SST’s.

**BP 4141/4241 – Collective Bargaining Agreement (BP revised)**
Revised policy reflects court decision holding that a provision in a collective bargaining agreement that directly conflicts with the Education Code cannot be enforced. Policy also adds language clarifying that, whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail.

**BP 4158/4258/4358 – Employee Security (BP revised)**
Policy updated to reflect law authorizing a district to petition on behalf of an employee, for a gun violence restraining order prohibiting a person from owning, purchasing, possessing, or receiving a firearm. Policy also reflects law requiring a district to provide reasonable accommodations, upon request, to an employee who is a victim of domestic violence, sexual assault, or stalking. Policy adds a requirement of law to inform administrators and counselors, along with teachers, regarding certain crimes and offenses committed by students.

**BP 3511.1 – Integrated Waste Management (BP revised)**
Policy updated to reflect current requirements for recycling waste which are based on specified thresholds of waste generation and are detailed in the accompanying administrative regulation, add district goal to develop strategies for recycling organic waste, and more directly link waste management to education goals.

**BP 3516.5 – Emergency Schedules (BP revised)**
Policy updated to reflect new law (AB 130, 2021) requiring districts applying to the Superintendent of Public Instruction to obtain apportionment credit for days and minutes lost due to emergency closure after September 1, 2021 to certify in an affidavit that the district has a plan for offering independent study within 10 days of school closure to impacted students. Policy also updated to reflect requirement that the plan for independent study address the establishment, within a reasonable time. Of independent study master agreements and require the reopening in person once allowable under direction from the city or county health officer.

**BP 7211 – Developer Fees (BP revised)**
Policy updated to include material formerly in the AR pertaining to responsibilities of the board with respect to levying developer fees, such as conducting a fee justification study, holding a public hearing, and adopting a board resolution. Policy also clarifies the applicability of Government Code 65997, which became operative due to the failure of state bond measure Proposition 13 in March 2020 and gives districts the flexibility to deny or refuse a legislative act involving the planning use, or development of real property, other than requiring a fee in excess of the fee imposed by law. Policy addresses factors that must be included in the fee justification study based on recent court decision.

**FISCAL IMPLICATIONS:**
N/A
RECOMMENDATION:
The Superintendent recommends that the Board approve the Board Policy updates.

PRESENTED BY:
Sean Snider, Assistant Superintendent, Educational Services
Dave Vicari, Assistant Superintendent, Human Resources & Labor Relations
Jared Critchfield, Assistant Superintendent, Business Services
STAFF DEVELOPMENT

The Governing Board believes that, in order to maximize student learning, achievement, and well-being, certificated staff members must be continuously learning and improving relevant skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills, and become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning.

(cf. 6111 - School Calendar)

The Superintendent or designee shall involve teachers, site and district administrators, and others, as appropriate, when creating, reviewing, and amending in the development of the district's staff development program. The Superintendent or designee shall ensure that the district's staff development program is aligned with district priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0420 - School Plans/Site Councils)
(cf. 0460 - Local Control and Accountability Plan)

STAFF DEVELOPMENT (continued)

The district's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and district academic standards

(cf. 6011 - Academic Standards)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)
(cf. 6142.2 - World/Foreign Language Instruction)
(cf. 6142.3 - Civic Education)
(cf. 6142.5 - Environmental Education)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6142.7 - Physical Education and Activity)
2. Use of effective, subject-specific teaching methods, strategies, and skills

3. Use of technologies to enhance instruction and learning, including face-to-face, remote, or hybrid instruction

STAFF DEVELOPMENT (continued)

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55 of various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk students

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education
7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, acceptance, tolerance, and civility and discipline, including conflict resolution, and hatred prevention, and positive behavioral interventions and supports.

(cf. 1313 - Civility)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)

BP 4131(d)

STAFF DEVELOPMENT (continued)

(cf. 5145.9 - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6162.5 - Student Assessment)

10. Knowledge of topics related to student mental and physical health, safety, and welfare, which may include social-emotional learning and trauma-informed practices

(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.63 - Steroids)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5141.5 - Mental Health)
(cf. 5141.52 - Suicide Prevention)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

11. Knowledge of topics related to employee health, safety, and security
The Superintendent or designee shall, in conjunction with teachers, interns, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

Professional learning opportunities offered by the district shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The district's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

BP 4131(f)
STAFF DEVELOPMENT (continued)

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the district's priorities for student achievement and well-being.

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE
200 Educational equity
218 Lesbian, gay, bisexual, transgender, queer, and questioning student resources
220 Prohibition of discrimination
44032 Travel expense payment
44259.5 Standards for teacher preparation
44277 Professional growth programs for individual teachers
44300 Emergency permits
44325-44328 District interns
44450-44468 University internship program
44570-44578 Inservice training, secondary education
44830.3 District interns
45028 Salary schedule and exceptions
48980 Notification of parents/guardians; schedule of minimum days
51745-51749.6 Independent study
52060-52077 Local control and accountability plan
56240-56245 Staff development; service to persons with disabilities
99200-99204 99206 Subject matter projects
GOVERNMENT CODE
3543.2 Scope of representation of employee organization
11135 Discrimination
PENAL CODE
422.55 Hate crime
CODE OF REGULATIONS, TITLE 5
13025-13044 Professional development and program improvement
80021 Short-term staff permit
80021.1 Provisional internship permit
80023-80026.6 Emergency permits
UNITED STATES CODE, TITLE 20
1681-1688 Discrimination based on sex or blindness, Title IX
6601-6692 6702 Preparing, Training, and Recruiting High Quality Teachers and Principals

Legal Reference continued: (see next page)

BP 4131(g)
STAFF DEVELOPMENT (continued)

Legal Reference: (continued)

UNITED STATES CODE TITLE 29
794 Rehabilitation Act of 1973, Section 504
UNITED STATES CODE TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
12101-12213 Americans with Disabilities Act
PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Order Dec. No. 804, 14 PERC P21-085

Management Resources:

CSBA PUBLICATIONS
Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California Digital Learning Integration and Standards Guidance, June 2021
Social and Emotional Learning in California, A Guide to Resources, October 2018
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
California Standards for the Teaching Profession (CSTP), 2009
WEB SITES
CSBA: http://www.csba.org
California Department of Education, Professional Learning: http://www.cde.ca.gov/pd
California Department of Education, Supporting LGBTQ+ Students: https://www.cde.ca.gov/pd/ee/supportlgbtq.asp
California Subject Matter Projects: http://csmp.ucop.edu
Collaborative for Academic, Social, and Emotional Learning: https://casel.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov
Public Employment Relations Board: https://perb.ca.gov

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved
RESPONSE TO INSTRUCTION AND INTERVENTION

The Governing Board desires to improve learning and behavioral outcomes for all students by providing a high-quality, data-driven educational program that meets the learning and behavioral needs of each student and helps reduce disparities in achievement among subgroups of students. Students who are not making academic progress pursuant to district measures of performance and/or are struggling behaviorally shall receive intensive instruction and intervention supports designed to meet their individual learning needs, with progress monitored.

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

The Superintendent or designee shall convene a team—of that may include, as appropriate, staff with knowledge of curriculum and instruction, student services, special education, and instructional and behavioral support, certificated personnel, other district staff, and parents/guardians— to assist in designing the district's Response to Instruction and Intervention (RtI²) system, based on an examination of indicators of district and schoolwide student achievement and social-emotional well-being.

The district's RtI² system shall include instructional strategies and interventions with demonstrated effectiveness and shall be aligned with the district curriculum and assessments. The Superintendent or designee may conduct ongoing screening to determine student needs, analyze data, identify
interventions for students not making adequate academic progress, monitor the effectiveness of the interventions, and adjust interventions according to efficacy.

(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6142.92 - Mathematics Instruction)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6190 - Evaluation of the Instructional Program)

The district's RtI² system shall include research-based, standards-based, culturally relevant instruction for students in the general education program; universal screening and continuous classroom monitoring to determine students' needs and to identify those students who are not making progress; criteria for determining the types and levels of interventions to be provided; and subsequent monitoring of student progress to determine the effectiveness of the intervention and to make changes as needed.

BP 6120(c)

RESPONSE TO INSTRUCTION AND INTERVENTION (continued)

Additionally, the districts RtI² system shall provide for:

1. High-quality classroom instruction

2. High expectations

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)

3. Assessments and data collection

4. Problem-solving systems approach

5. Research-based interventions

6. Positive behavioral support

7. Fidelity of program implementation

8. Staff development and collaboration, which may include training in the use of assessments, data analysis, research-based instructional practices and strategies and emphasize a collaborative approach of professional learning communities among teachers within and across grade spans

(cf. 4131 - Staff Development)
9. Parent/guardian and family involvement, including collaboration and engagement

The Superintendent or designee shall ensure that parents/guardians are involved at all stages of the instructional, intervention, and progress monitoring process. Parents/guardians shall be kept informed of their child's progress and provided information regarding the services that have and will be provided, the strategies being used to increase the student's rate of learning, the supports provided to improve behavioral difficulties, and information about the performance data that has and will be collected.

BP 6120(d)

RESPONSE TO INSTRUCTION AND INTERVENTION  (continued)

10. Consideration of further evaluation utilizing RtI² data

When data from the RtI² system indicate that a student may have a specific learning disability, the system may be utilized as one component when considering student may be referred the referral of a student for evaluation for special education or other services.

BP 6120(e)
Staff shall ensure that parents/guardians are involved at all stages of the instructional and intervention process. Parents/guardians shall be kept informed of their child's progress and provided with information regarding the services that will be provided, the strategies being used to increase the student's rate of learning, and information about the performance data that will be collected.

(cf. 5020 – Parent Rights and Responsibilities)
(cf. 6020 – Parent Involvement)

Legal Reference:

EDUCATION CODE
56329 Assessment, written notice to parent
56333-56338 Eligibility for specific learning disabilities
56500-56509 Procedural safeguards
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act, especially:
1416 Monitoring, technical assistance, and enforcement
CODE OF FEDERAL REGULATIONS, TITLE 34
300.301-300.11 Evaluations, reevaluations, and additional procedures for identifying children with specific learning disabilities
300.307 Specific learning disabilities
300.309 Determining the existence of specific learning disabilities
300.311 Specific documentation for eligibility determination
COURT DECISIONS
M.M. v. Lafayette School District (9th Cir. 2014) 767 F.3d 842

Management Resources:

CSBA PUBLICATIONS
Best Practices in Special Education, Governance Brief, May 2019
CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE
Response to Instruction and Intervention, 2008
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Disproportionality Calculation Methodologies
NATIONAL COUNCIL ON DISABILITY PUBLICATIONS
IDEA Series: Every Student Succeeds Act and Students with Disabilities, February 2018
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

Management Resources: (see next page)
RESPONSE TO INSTRUCTION AND INTERVENTION  (continued)

Management Resources: (continued)

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
National Council on Disability: https://ncd.gov

(7/09) 9/21

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved
HIGH SCHOOL GRADUATION REQUIREMENTS

The Governing Board desires to prepare all students to successfully complete the high school course of study and obtain a diploma that represents their educational achievement and increases their opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)
(cf. 5147 - Dropout Prevention)
(cf. 6011 - Academic Standards)
(cf. 6143 - Courses of Study)
(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

To obtain a high school diploma, students shall complete the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Three courses in English  (Education Code 51225.3)
   (cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics  (Education Code 51225.3)

   Students shall complete at least one mathematics course that meets the state academic content standards for Algebra I or Mathematics I. Students may complete such coursework prior to grade 9 provided that they also complete two mathematics courses in grades 9-12. (Education Code 51224.5)

   At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I or Mathematics I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I or Mathematics I requirement, but shall not exempt a student from the requirement to complete two mathematics courses in grades 9-12. (Education Code 51224.5)

BP 6146.1(b)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)
Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission, which may be counted toward additional graduation requirements in mathematics. (Education Code 51225.3, 51225.35)

(cf. 6142.92 - Mathematics Instruction)
(cf. 6152.1 - Placement in Mathematics Courses)

3. Two courses in science, including biological and physical sciences  (Education Code 51225.3)

(cf. 6142.93 - Science Instruction)

4. Three courses in social studies, including United States history and geography; world history, culture, and geography; a one-semester course in American government and civics; and a one-semester course in economics  (Education Code 51225.3)

(cf. 6142.3 - Civic Education)
(cf. 6142.94 - History-Social Science Instruction)

5. One course in visual or performing arts, world language, or career technical education (CTE). For purposes of this requirement, a course in American Sign Language shall be deemed a course in world language. (Education Code 51225.3)

BP 6146.1(c)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

To be counted towards meeting graduation requirements, a CTE course shall be aligned to the CTE model curriculum standards and framework adopted by the State Board of Education. (Education Code 51225.3)

(cf. 6142.2 - World Language Instruction)
(cf. 6142.6 - Visual and Performing Arts Education)
(cf. 6178 - Career Technical Education)
(cf. 6178.2 - Regional Occupational Center/Program)

6. Two courses in physical education, unless the student has been otherwise exempted pursuant to other sections of the Education Code  (Education Code 51225.3)

(cf. 6142.7 - Physical Education and Activity)
Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

Exemptions from District-Adopted Graduation Requirements

District students are required to complete graduation course requirements specified above, including the requirements imposed by Education Code 51225.3 and those adopted by the Board. However, a foster youth, homeless student, former juvenile court school student, child of a military family, or migrant student who transfers into the district or between district schools any time after completing the second year of high school, or a newly arrived immigrant student who is in the third or fourth year of high school and is participating in a newcomer program, shall be exempted from any graduation requirements adopted by the Board that are in addition to statewide course requirements. This exemption shall not apply if the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of the fourth year of high school.

Within 30 days of the transfer into a school or of the commencement of participation in a newcomer program, as applicable, the Superintendent or designee shall notify any eligible student of the availability of the exemption and whether the student qualifies for it. (Education Code 51225.1)
If during the 2020-21 school year a student was in the third or fourth year of high school and is not on track to graduate in four years, the district shall exempt the student from any local graduation requirements adopted by the Board that are in addition to statewide course requirements specified in Education Code 51225.3. (Education Code 51225)

Additional Opportunities to Complete Required Coursework

The Superintendent or designee shall provide a student who was enrolled in the third or fourth year of high school during the 2020-21 school year and is not on track to graduate in the 2020-21 or 2021-22 school years the opportunity to complete the statewide coursework required for graduation, which may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework. (Education Code 51225)

BP 6146.1(f)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Retroactive Diplomas

Any student who completed grade 12 in the 2003-04 through 2014-15 school year and met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 51413)

In addition, the district may retroactively grant high school diplomas to former students who:

(Education Code 48204.4, 51430, 51440)

1. Departed California against their will while in grade 12 and did not receive a diploma because the departure interrupted their education, provided that they were in good academic standing at the time of the departure

Persons may be considered to have departed California against their will if they were in custody of a government agency and were transferred to another state, were subject to a lawful order from a court or government agency that authorized their removal from California, were subject to a lawful order and were permitted to depart California before being removed from California pursuant to the lawful order, were removed or were permitted to depart voluntarily pursuant to the federal Immigration and Nationality Act, or departed due to other circumstances determined by the district that are consistent with the purposes of Education Code 48204.4.
In determining whether to award a diploma under these circumstances, the Superintendent or designee shall consider any coursework that may have been completed outside of the United States or through online or virtual courses.

2. Were interned by order of the federal government during World War II or are honorably discharged veterans of World War II, the Korean War, or the Vietnam War, provided that they were enrolled in a district school immediately preceding the internment or military service and did not receive a diploma because their education was interrupted due to the internment or military service in those wars.

Deceased former students who satisfy these conditions may be granted a retroactive diploma to be received by their next of kin.

3. Are veterans who entered the military service of the United States while in grade 12 and who had satisfactorily completed the first half of the work required for grade 12 in a district school.

BP 6146.1(g)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

4. Were in their senior year of high school during the 2019-20 school year, were in good academic standing and on track to graduate at the end of the 2019-20 school year as of March 1, 2020, and were unable to complete the statewide graduation requirements as a result of the COVID-19 crisis.

Honorary Diplomas

The Board may grant an honorary high school diploma to: (Education Code 51225.5)

1. An international exchange student who has not completed the course of study ordinarily required for graduation and who is returning to the student's home country following the completion of one academic school year in the district.

(cf. 6145.6 - International Exchange)

2. A student who is terminally ill

The honorary diploma shall be clearly distinguishable from the regular diploma of graduation awarded by the district. (Education Code 51225.5)

Legal Reference: (see next page)

BP 6146.1(h)
HIGH SCHOOL GRADUATION REQUIREMENTS  (continued)

Legal Reference:

EDUCATION CODE
47612  Enrollment in charter school
48200  Compulsory attendance
48204.4  Parents/guardians departing California against their will
48412  Certificate of proficiency
48430  Continuation education schools and classes
4845.5  Acceptance of coursework
48980  Required notification at beginning of term
49701  Interstate Compact on Educational Opportunity for Military Children
51224  Skills and knowledge required for adult life
51224.5  Algebra instruction
51225  2020-21 exemption from graduation requirements
51225.1  Exemption from district graduation requirements
51225.2  Student in foster care defined; acceptance of coursework, credits, retaking of course
51225.3  High school graduation
51225.35  Mathematics course requirements; computer science
51225.36  Instruction in sexual harassment and violence; districts that require health education for graduation
51225.5  Honorary diplomas
51225.6  Compression-only cardiopulmonary resuscitation
51228  Graduation requirements
51230  Credit for community emergency response training
51240-51246  Exemptions from requirements
51250-51251  Assistance to military dependents
51410-51413  Diplomas
51420-51427  High school equivalency certificates
51430  Retroactive high school diplomas
51440  Retroactive high school diplomas
51450-51455  Golden State Seal Merit Diploma
51745  Independent study restrictions
56390-56392  Recognition for educational achievement, special education
66204  Certification of high school courses as meeting university admissions criteria
67386  Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5
1600-1651  Graduation of students from grade 12 and credit toward graduation
4600-4670  Uniform complaint procedures

COURT DECISIONS

Management Resources:

WEB SITES
CSBA:  http://www.csba.org
University of California, List of Approved a-g Courses:
http://www.universityofcalifornia.edu/admissions/freshman/requirements
https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved
CSBA Sample
Board Policy

Instruction

BP 6164.5(a)

STUDENT SUCCESS TEAMS

The Governing Board encourages the collaboration of parents/guardians, certificated and classified staff teachers, resource personnel, administrators, and/or the students, as appropriate, in evaluating the strengths and needs of students having academic, attendance, social, emotional, or behavioral difficulties and in identifying strategies and programs that may assist such the students in maximizing their potential. The Superintendent or designee shall establish student success teams (SST) as needed to address individual students’ needs.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5147 - Dropout Prevention)
(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)

The Superintendent or designee shall establish and maintain a process for initiating the referrals of students to the SST’s student success team, which may include referral by district staff, parents/guardians, and/or agency representatives. The Superintendent or designee may also establish and maintain a process for responding to SST referrals, which may include a determination by the district as to whether an SST shall be convened for an individual student.

Each SST may collect and analyze relevant student data, as appropriate. The SST may also review the student’s educational history, work samples, strengths and areas for growth, and identify available resources and strategies.

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5125 - Student Records)
(cf. 5141.6 - School Health Services)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - State Academic Achievement Tests)
(cf. 6164.2 - Guidance/Counseling Services)

BP 6164.5(b)

STUDENT SUCCESS TEAMS (continued)

Each SST student success team shall develop a plan to support the student which incorporates intervention strategies to assist the student. Such strategies may include changes in program placement or instructional methods, recommendation of supplemental educational services, parent
involvement strategies, social, emotional and/or behavioral interventions, discipline, referrals to other agencies or resources, and/or other appropriate interventions.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 5123 - Promotion/Acceleration/Retention)
(cf. 5141.3 - Health Examinations)
(cf. 5141.5 - Mental Health)
(cf. 5141.6 - School Health Services)
(cf. 5144 - Discipline)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6020 - Parent Involvement)
(cf. 6120 - Response to Instruction and Intervention)
(cf. 6158 - Independent Study)
(cf. 6159 - Individualized Education Program)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6171 - Title I Programs)
(cf. 6172 - Gifted and Talented Student Program)
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6176 - Weekend/Saturday Classes)
(cf. 6177 - Summer Learning Programs
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6179 - Supplemental Instruction)
(cf. 6181 - Alternative Schools/Programs of Choice)
(cf. 6183 - Home and Hospital Instruction)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

The SST student success team shall monitor the student's progress, evaluate the extent to which the recommended strategies have been implemented, make adjustments to the plan, and develop additional interventions as needed.

BP 6164.5(c)

STUDENT SUCCESS TEAMS (continued)

The SST process shall not delay or deny a referral for evaluation for eligibility for special education, as may be required under state or federal law.

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
The Superintendent or designee may integrate SSTs into the district's multi-tiered system of support, including identification of students who need additional support, the level(s) of support, appropriate interventions, monitoring of progress, and whether the goal of intervention has been met.

(cf. 0460 - Local Control and Accountability Plan)

To strengthen the effectiveness of SSTs, the Superintendent or designee may provide staff development in the identification of students who may need additional support, implementation of measurable and targeted interventions, and monitoring of progress and goal attainment.

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

Legal Reference: (see next page)

BP 6164.5(d)

STUDENT SUCCESS TEAMS (continued)

Legal Reference:

EDUCATION CODE
8800-8807 Healthy Start support services for children
48260-48273 Truancy
48400-48454 Continuation education
49600-49604 Educational counseling
51745-51749.6 Independent study programs
52600-52077 Local control and accountability plan
54400-54425 Programs for disadvantaged children
54440-54445 Migrant children
56300-56305 Identification and referral

WELFARE AND INSTITUTIONS CODE
4343-4352.5 Primary interventions program, mental health
18986.40-18986.46 Interagency children's services

Management Resources:

CSBA PUBLICATIONS
Best Practices in Special Education, Governance Brief, May 2019

CDE PUBLICATIONS
Student Success Teams: Supporting Teachers in General Education, 1997

CALIFORNIA DROPOUT PREVENTION NETWORK PUBLICATIONS
SST - Student Success Teams, 2000

U.S DEPARTMENT OF EDUCATION PUBLICATIONS
Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA): Memorandum 11-07, January 2011

WEB SITES
California Department of Education, multi-tiered systems of support: http://www.cde.ca.gov/ci/cr/ri
http://www.cde.ca.gov/spbranch/ssp
California Dropout Prevention Network: http://www.edualliance.org/cdpn
National Dropout Prevention Center: http://www.dropoutprevention.org
U.S Department of Education, Office of Special Education Programs: https://www2.ed.gov/about/offices/list/osers/osep

(9/90 3/04) 9/21

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved
The Governing Board recognizes that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The Board is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

Following adoption of the collective bargaining agreement, the Superintendent or designee shall review related Board policies and recommend to the Board any action needed to maintain consistency with the agreement. Whenever a Board policy conflicts with a provision in the collective bargaining agreement, the agreement shall be binding for those employees covered by the terms of the agreement. Whenever a law conflicts with a provision in the collective bargaining agreement, the law will prevail as to those employees for whom the law applies.

Upon request by the Public Employment Relations Board, the Superintendent or designee shall provide, within 15 days of the request, a copy of the written agreement and any amendments. (8 CCR 32120)

Legal Reference:

EDUCATION CODE
35035 Additional powers and duties of superintendent, transfer authority
35036 Voluntary transfers
35160 Authority of governing boards
35160.1 Broad authority of school districts
45220-45320 Merit system, classified employees
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act
CODE OF REGULATIONS, TITLE 8
31001-32997 Regulations of employee relations boards
COURT DECISIONS
United Teachers of Los Angeles v. Los Angeles Unified School District (2012) 54 Cal. 4th 504
Management Resources:

**WEB SITES**
- CSBA: [http://www.csba.org](http://www.csba.org)
- California Public Employee Relations: [http://cper.berkeley.edu](http://cper.berkeley.edu)
- Center for Collaborative Solutions: [http://www.ccscenter.org](http://www.ccscenter.org)
- Public Employment Relations Board: [http://www.perb.ca.gov](http://www.perb.ca.gov)
- State Mediation and Conciliation Service (SMCS): [http://www.dir.ca.gov/csmcs/smcs.html](http://www.dir.ca.gov/csmcs/smcs.html)

(10/95 3/07) 6/21

**Policy Reference UPDATE Service**
Copyright 2021 by [California School Boards Association](mailto:), West Sacramento, California 95691
All rights reserved.
The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 5131.4 - Student Disturbances)

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

(cf. 3515.2 - Disruptions)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

BP 4158(b)
4258
4358

EMPLOYEE SECURITY (continued)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

(cf. 4161.2/4261.2/4361.2 - Personal Leaves)
The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of his/her duties. (Education Code 48904, 48905)

(cf. 3320 - Claims and Actions Against the District)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

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

In accordance with law, the Superintendent or designee also shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

BP 4158(c)
4258
4358

EMPLOYEE SECURITY (continued)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

(cf. 5141 - Health Care and Emergencies)

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.
Reporting of Injurious Objects

The Board requires employees to take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. Employees shall use their own best judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Legal Reference:
EDESUCATION CODE
32210-32212 Willful disturbance, public schools or meetings
32225-32226 Communication devices
35208 Liability insurance
35213 Reimbursement for loss, destruction or damage of school property
44014 Report of assault by pupil against school employee
44807 Duty concerning conduct of students
48201 Transfer of student records
48900-48926 Suspension or expulsion
49079 Notification to teacher; student who has engaged in acts re: grounds suspension or expulsion
49330-49335 Injurious objects
CIVIL CODE
51.7 Freedom from violence or intimidation
CODE OF CIVIL PROCEDURE
527.8 Workplace violence safety
GOVERNMENT CODE
995-996.4 Defense of public employees
3543.2 Scope of representation
12926 Definitions
LABOR CODE
230-230.2 Leave for victims of domestic violence, sexual assault, or specified felonies

PENAL CODE
71 Threatening public officers and employees and school officials
240-246.3 Assault and battery, especially:
241.3 Assault against school bus drivers

Legal Reference continued: (see next page)

EMPLOYEE SECURITY (continued)

Legal Reference: (continued)

PENAL CODE (continued)
241.6 Assault on school employee including board member
243.3 Battery against school bus drivers
243.6 Battery against school employee including board member
245.5 Assault with deadly weapon against school employee including board member
290 Registration of sex offenders
601 Trespass by person making credible threat
626-626.11 School crimes
646.9 Stalking
18150 Gun violence restraining orders
18170 Gun violence restraining order issued after notice and hearing
22810 Purchase, possession, and use of tear gas

WELFARE AND INSTITUTIONS CODE
827 Juvenile court proceedings; reports; confidentiality
828.1 District police or security department, disclosure of juvenile records

COURT DECISIONS

Management Resources:

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Safe Schools and Violence Prevention Office: http://www.cde.ca.gov/ls/ss

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved.
CSBA Sample
Board Policy

Business and Noninstructional Operations  BP 3511.1(a)

INTEGRATED WASTE MANAGEMENT

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

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

The district's integrated waste management program shall include strategies designed to promote waste management practices of source reduction, recycling, and composting to help the district reduce and recycle solid and hazardous organic waste generation, properly dispose of potentially hazardous materials, improve efficiency in the use of natural resources, and minimize the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

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

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

BP 3511.1(b)

INTEGRATED WASTE MANAGEMENT (continued)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)
The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program, including applying for available grants or other cost-reduction incentives.

To the extent that funding permits, the Superintendent or designee shall provide appropriate educational and training opportunities to students and staff regarding the benefits and methods of conserving natural resources and protecting the environment, the manner in which integrated waste management strategies impact such efforts.

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

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

Legal Reference: (continued)

BP 3511.1(c)

INTEGRATED WASTE MANAGEMENT (continued)

Legal Reference:

EDUCATION CODE
8700-8707 Environmental education
17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards
17072.35 New construction grants; use for designs and materials for high performance schools
32370-32376 Recycling paper
33541 Environmental education
PUBLIC RESOURCES CODE
25410-25421 25422 Energy conservation assistance
40050-40063 Waste management; Integrated waste management
41780-41786 Waste diversion
42620-42622 Source reduction and recycling programs
42630-42647 School site source reduction and recycling
42649-42649.7 Recycling of commercial solid waste
42649.8-42649.87 Recycling of organic waste
CODE OF REGULATIONS, TITLE 14
17225.12 Commercial solid waste

Management Resources:
CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY PUBLICATIONS
Frequently Asked Questions
Recycling and Organics Recycling Guide for Schools Poster
Where to Put It: Recycling, Composting, and Trash Bin Signage
WEB SITES
CSBA: http://www.csba.org
California Department of Resources Recycling and Recovery:
California Division of State Architect: http://www.dgs.ca.gov/dsa
California Energy Commission: http://www.energy.ca.gov
California Environmental Protection Agency: http://www.calepa.ca.gov
U.S. Environmental Protection Agency: http://www.epa.gov

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved.
EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Governing Board authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5142 - Safety)
(cf. 6112 - School Day)

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction (SPI) the necessary forms and/or affidavits for obtaining approval of apportionment credit for the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

(cf. 3580 - District Records)
(cf. 6111 - School Calendar)

For school closures due to emergency events occurring after September 1, 2021, the Superintendent or designee shall develop a plan for offering independent study within 10 days of school closure to any student impacted by the emergency condition. The plan shall also address the establishment, within a reasonable time, of independent study master agreements as specified in BP 6158 – Independent Study. The plan shall require reopening in person as soon as possible once allowable under the direction from the city or county health officer. The Superintendent or designee shall certify that the district has a plan for independent study in the affidavit submitted to the SPI pursuant to Education Code 46392. (Education Code 46393)
The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice in advance of any resulting changes in the school calendar or school day schedule.

Legal Reference: (see next page)
DEVELOPER FEES

In order to finance the construction or reconstruction of school facilities needed to accommodate students coming from new development, the Governing Board may establish, levy, and collect developer fees on residential, commercial, and industrial construction within the district, subject to restrictions specified by law and administrative regulation.

BP 7211(b)

DEVELOPER FEES (continued)

Level 1 Funding Fees: Residential, Commercial and Industrial Construction

Before taking action to establish, increase, or impose Level 1 developer fees, the Governing Board shall conduct a fee justification study which: (Government Code 66001)

1. Identifies the purpose of the fee and the use to which the fee will be put
2. Determines a reasonable relationship between the fee's use and the type of development project for which the fee is imposed
3. Determines a reasonable relationship between the need for the public facility and the type of development project for which the fee is imposed
4. Determines a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributed to the development for which the fee is imposed

Before levying developer fees or prior to increasing an existing fee, the Board shall schedule and hold a public hearing. The Superintendent or designee shall mail notice of the time and place of the meeting at which a public hearing shall occur, including a general explanation of the matter to be considered and a statement that the required data are available, at least 14 days prior to the meeting to any interested party who has requested such information. Any written request for mailed notices shall be valid for one year from the date on which it is filed.
DEVELOPER FEES  (continued)

unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The district may charge a fee reasonably related to the cost of providing these materials.  (Government Code 66016)

Information on the anticipated amount of fees, other available funds and funding sources, and the estimated cost of planning, land acquisition, and school construction shall be made available to the public at least 10 days before the hearing.  (Government Code 66016)

At the hearing, the Board shall adopt a resolution for the levying of the developer fees.  (Government Code 66016)

The resolution shall set forth:

1. The purpose of the fee, the use to which the fee is to be put, and the public improvement(s) that the fee will be used to finance  (Government Code 66001, 66006)

2. The Board's findings of reasonable relationship which justify the fees pursuant to Government Code 66001

3. If the district requires payment of the fee at a time earlier than the date of final inspection or the issuance of a certificate of occupancy, the district's determination of either of the following conditions which allow collection of the fees at the time when building permits are issued:  (Government Code 66007)
   a. That the fees are to reimburse the district for previous expenditures
   b. That the fees shall be collected for public improvements or facilities for which an account has been established, funds have been appropriated, and the district has adopted a proposed construction schedule or plan

In the case of any commercial or industrial development, the Board shall make findings on either an individual project basis or on the basis of categories of commercial or industrial development. Those categories may include, but are not limited to, the following uses: office, retail, transportation, communications and utilities, light industrial, heavy industrial, research and development, and warehouse. The Board shall also conduct a study to determine the impact of the increased number of employees anticipated to result from the commercial or industrial development upon the cost of providing school facilities within the district.  (Education Code 17621)
DEVELOPER FEES (continued)

Level 2 Funding Fees: Residential Construction

In order to impose Level 2 residential construction fees within the limits of Government Code 65995.5, the Board shall, in addition to fulfilling the requirements above for Level 1 fees, undertake the following: (Government Code 65995.5)

1. Make a timely application to the State Allocation Board (SAB) for new construction funding for which it is eligible and be determined to be eligible by SAB

2. Conduct and adopt a school facility needs analysis pursuant to Government Code 65995.6


At least 45 days prior to completion of the school facility needs analysis, the Board shall notify and provide copies of the analysis to the planning commission or agency of the city or county with land use jurisdiction within the district. Upon request of either party, the Board and city or county shall meet within 15 days following notification. (Government Code 65352.2)

(cf. 7131 - Relations with Local Agencies)

The Board shall adopt the school facility needs analysis by resolution at a public hearing. (Government Code 65995.6)

DEVELOPER FEES (continued)

This analysis may not be adopted until the analysis, in its final form, has been made available to the public for a period of not less than 30 days. Prior to its adoption, the public shall have the opportunity to review and comment on the analysis and the Board shall respond to written comments it receives regarding the analysis. (Government Code 65995.6)

Not less than 30 days prior to the hearing, notice of the time and place of the hearing, including the location and procedure for viewing or requesting a copy of the proposed analysis, shall be published in at least one newspaper of general circulation within the jurisdiction of the district. If there is no paper of general circulation, the notice shall be posted in at least three conspicuous
places within the district's jurisdiction not less than 30 days prior to the hearing. (Government Code 65995.6)

In addition, the Superintendent or designee shall mail a copy of the needs analysis not less than 30 days prior to the hearing to any person who has made a written request if the written request was made 45 days prior to the hearing. The district may charge a fee reasonably related to the cost of providing these materials. (Government Code 65995.6)

During the period of public review, the analysis shall be provided to the local agency responsible for land use planning for its review and comment. (Government Code 65995.6)

The school facility needs analysis may be revised at any time. The revision is subject to the same conditions and requirements applicable to the adoption of the analysis. The existing school building capacity shall be recalculated as part of any revision to the needs analysis. (Government Code 65995.6)

The fees authorized by Government Code 65995.6 and Government Code 65995.7 shall be adopted by resolution as part of the adoption or revision of the school facilities needs analysis. The fees shall take effect immediately upon adoption of the resolution and may not be effective for more than one year. (Government Code 65995.6)

**Level 3 Funding Fees: Residential Construction**

BP 7211(f)

DEVELOPER FEES (continued)

When Level 3 fees are authorized by law and the district qualifies for Level 2 funding fees pursuant to Government Code 65995.5, the Board may assess a fee on residential construction pursuant to the requirements of Government Code 65995.7.

Pursuant to Government Code 65995.7, the notice and hearing requirements, resolution requirement, and term of effectiveness for Level 3 funding fees shall be the same as the requirements for Level 2 funding fees as specified above. (Government Code 65995.7)

**Appeals Process for Protests by Developers**

The Superintendent or designee shall establish an appeals process for the handling of protests by developers. (Education Code 17621)

**Use of Fees**
The Board shall review the above information provided by the Superintendent or designee pursuant to Government Code 66006 regarding each account or fund into which developer fees have been deposited, at the first regularly scheduled public Board meeting which occurs 15 days after the information is made available to the public. Fifteen-day prior notice of this meeting shall be mailed to any parties filing a written request pursuant to Government Code 66006. (Government Code 66006)

In addition to discharging its public disclosure duties regarding the levying of developer fees, the Board shall, for the fifth fiscal year after the first deposit into the account or fund and every five years thereafter, make all of the following findings with respect to the portion of the account or fund that remains unexpended, whether committed or uncommitted:  (Government Code 66001)

1. Identify the purpose to which the fee is to be put

2. Demonstrate a reasonable relationship between the fee and the purpose for which it is charged

BP 7211(g)

DEVELOPER FEES (continued)

3. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements originally identified

4. Designate the approximate dates on which the funding referred to in item #3 is expected to be deposited into the appropriate account or fund

Legal Reference:

EDUCATION CODE
17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998
17582 District deferred maintenance fund
17620-17626 Levies against development projects by school districts
101122 Schedule for allocation of proceeds from sale of bonds

GOVERNMENT CODE
6061 One time notice
6066 Two weeks' notice
6532.2 Level 2 funding notification requirement
65864-65869.5 Development agreements
65995-65998 Payment of fees against a development project
66000-66008 Fees for development projects
66016-66018.5 Development project fees
66019 Development project fees Procedures for adopting various fees
66020-66025 Protests, legal actions, and audits

CODE OF REGULATIONS, TITLE 2
1859-1859.108 School facility program

COURT DECISIONS
Dolan v. City of Tigard (1994) 114 S.Ct. 2309

Management Resources:
WEB SITES
Department of General Services, Office of Public School Construction: http://www.opsc.dgs.ca.gov
https://www.dgs.ca.gov/OPSC

(2/99) 6/21

Policy Reference UPDATE Service
Copyright 2021 by California School Boards Association, West Sacramento, California 95691
All rights reserved.
DATE: November 3, 2021

AGENDA ITEM #: 9.2

SUBJECT:
Public Hearing: Resolution ACOE 21/22-007 - GANN Limit

BACKGROUND INFORMATION:
Amador County Office of Education must establish GANN Limit for the 2020-21 fiscal year and a projected GANN Limit for the 2021-22 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law.

FISCAL IMPLICATIONS:
None

RECOMMENDATION:
Superintendent Russell recommends approval of Resolution ACOE 21/22-007.

PRESENTED BY:
Jared Critchfield, Assistant Superintendent, Business Services
DATE: November 3, 2021

AGENDA ITEM #: 9.3

SUBJECT:
Resolution ACOE 21/22-007 GANN Limit

BACKGROUND INFORMATION:
Amador County Office of Education must establish GANN Limit for the 2020-21 fiscal year and a projected GANN Limit for the 2021-22 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law.

FISCAL IMPLICATIONS:
None

RECOMMENDATION:
Superintendent Russell recommends approval of Resolution ACOE 21/22-007.

PRESENTED BY:
Jared Critchfield, Assistant Superintendent, Business Services
It’s Time to Calculate Your Gann Limit

Established in 1979 with the passage of Proposition 4, the Gann Limit is intended to constrain the growth in state and local government spending by linking year-to-year changes in expenditures to changes in inflation (represented by per capita personal income) and population (represented by the average daily attendance [ADA] for schools). While largely pro forma due to historically faster increases in the limits when compared to government expenses, there are new Gann Limit requirements that local educational agencies (LEAs) must comply with this year and in the future.

But let’s first start with the basics. Education Code Section (EC §) 1629 and EC § 42132 requires county boards of education and school district governing boards, respectively, to adopt—at a regular or special meeting—a resolution identifying the estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Counties must adopt this resolution by October 15, while school districts must do so by September 15.

The Gann Limit is calculated by multiplying the prior-year limit by the percentage change in ADA and per capita personal income. Through this calculation, the revenues of nearly every LEA is close to, if not exactly at its Gann Limit. If, however, an LEA should find itself over its Gann Limit for any reason, that LEA is required to increase its appropriations limit to the amount equal to its proceeds of taxes, which reduces the state’s Gann Limit by an equal dollar amount (see Government Code Section 7902.1).

The ability of LEAs to use the state’s appropriations limit when its revenues exceed its local Gann Limit has been a longstanding authority, but the inverse—the ability of the state to recoup unused local Gann Limit “room”—has not. Beginning in the 2021–22 fiscal year and each fiscal year thereafter, if an LEA’s Gann Limit exceeds its revenue from taxes (both local revenues and state aid), then the LEA must decrease its limit to equal its proceeds of taxes, which increases the state’s Gann Limit by an equal dollar amount.

Recent changes also include provisions to retroactively decrease local appropriations limits to equal LEAs’ proceeds of taxes for the 2019–20 and 2020–21 fiscal years. For these years, the California Department of Education notified affected LEAs on August 5, 2021, of decreases to their limits along with instructions about how to capture the decrease in the Standardized Account Code Structure (SACS) software. For more information about the changes to local Gann Limit requirements, including frequently asked questions, click here.
The SACS Form Gann has been updated to report and capture any increases or decreases in an LEA’s appropriations limit, including for county offices of education. The software includes the statewide factor for per capita personal income change, and once you have uploaded the data from your financial software and entered prior-year and current-year estimated ADA in SACS Form A, the SACS software will calculate the percentage change in ADA for you and use the combination of these factors to provide you with the change in your LEA’s Gann Limit.

The next step is to determine how much of your LEA’s local resources are subject to that limit. It is important to understand that not all revenue sources count against your LEA’s Gann Limit. Gann Limits only constrain the appropriations from state and local tax sources. Consequently, federal aid and nontaxable income—such as revenues from cafeteria sales, adult education fees, and foundations—is excluded. Once again, the SACS software does the hard work for you as the Form GANN within the SACS software is prepopulated based on the data imported from your financial software.

To summarize, the State Constitution requires school agencies to perform Gann Limit calculations, but it is also important for them to complete these calculations to identify how much state aid counts toward the school agency’s Gann Limit, so that the State of California knows how much state aid counts toward its own Gann Limit.

The SACS software and instructions for the 2021–22 fiscal year is available [here](https://www.sscal.com/publications/fiscal-reports/its-time-calculate-your-gann-limit-1).
WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann limit for the 2020-21 fiscal year and a projected Gann Limit for the 2021-22 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2020-21 and 2021-22 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2020-21 and 2021-22 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this county.
## ACOE Classified Substitute Salary Rates
### Effective: November 1, 2021

<table>
<thead>
<tr>
<th>Position</th>
<th>Range</th>
<th>Substitute Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Assistant II</td>
<td>44</td>
<td>19.41</td>
</tr>
<tr>
<td>Brailer/Transcriber</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Court School Instructional Assistant</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Custodian</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Extended Learning Instructional Assistant</td>
<td>28</td>
<td>15.92</td>
</tr>
<tr>
<td>Extended Learning Instructor</td>
<td>39</td>
<td>18.65</td>
</tr>
<tr>
<td>Instructional Aide</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Job Coach Workability</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Maintenance Worker I</td>
<td>36</td>
<td>17.93</td>
</tr>
<tr>
<td>Medically Fragile Aide/Health Aide w/o Certificate</td>
<td>42</td>
<td>19.03</td>
</tr>
<tr>
<td>Office Clerk</td>
<td>28</td>
<td>15.92</td>
</tr>
<tr>
<td>Preschool Instructional Assistant</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Preschool Teacher</td>
<td>52</td>
<td>20.19</td>
</tr>
<tr>
<td>Secretary I (Admin. Asst. I)</td>
<td>42</td>
<td>19.03</td>
</tr>
<tr>
<td>Secretary II (Admin. Asst. III)</td>
<td>52</td>
<td>20.19</td>
</tr>
<tr>
<td>Signer/Interpreter for Hearing Impaired/Deaf</td>
<td>29</td>
<td>16.24</td>
</tr>
<tr>
<td>Signer/Interpreter Deaf/Hard of Hearing (requires new State Issued Certificate)</td>
<td>45</td>
<td>19.79</td>
</tr>
<tr>
<td>Speech-Language Assistant</td>
<td>45</td>
<td>19.79</td>
</tr>
<tr>
<td>Vocational Education Tech</td>
<td>36</td>
<td>17.93</td>
</tr>
<tr>
<td>Workability Coordinator</td>
<td>44</td>
<td>19.41</td>
</tr>
<tr>
<td>Workability Education Tech</td>
<td>36</td>
<td>17.93</td>
</tr>
</tbody>
</table>