

# TIPTON ELEMENTARY SCHOOL DISTRICT REGULAR BOARD MEETING AGENDA

Tuesday, February 4, 2020  
7:00 p.m. District Conference Room

**1. CALL TO ORDER – FLAG SALUTE**

In compliance with the Americans with Disabilities Act and the Brown Act, if you need special assistance to participate in the meeting, including the receipt of the agenda and documents in the agenda package in an alternate format, please contact the Tipton Elementary School District office at (559) 752-4213. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting (28CFR35.102-35, 104 ADA Title II), and allow for the preparation of documents in appropriate alternate format

**2. PUBLIC INPUT:**

*In order to ensure that Members of the public are provided a meaningful opportunity to address the board on agenda items that are within the Board's jurisdiction, agenda items may be addressed either at the public input portion of the agenda, or at the time the matter is taken up by the board. Board presentations are limited to 3 minutes per person and 15 minutes per topic.*

- 2.1 Community Relations/Citizen Comments
- 2.2 Reports by Employee Units CTA/CSEA
- 2.3 Correspondence  
Review of First Interim Report
- 2.4 Mrs. Landeros - Recognize Spelling Bee Participants

**3. CONSENT CALENDAR: Action items:**

- 3.1 Minutes of the Regular Board Meeting - January 7, 2020
- 3.2 Field Trip, Conference, Fundraiser and Facilities Requests
- 3.3 Updated SARC to Reflect Physical Fitness Data

**4. ADMINISTRATIVE: Action items:**

- 4.1 Comprehensive School Safety Plan 2019-2020  
(A copy of the plan will be available at the board meeting)
- 4.2 Setting the Date of the Budget and LCAP Public Hearing. The proposed date is June 2, 2020
- 4.3 Setting the Date of the Budget and LCAP Approval. The proposed date is June 9, 2020

**5. FINANCE: Action items:**

- 5.1 Vendor Payments
- 5.2 Budget Revisions

**6. INFORMATION: (Verbal Reports & Presentations)**

- 6.1 MOT--FOOD SERVICE—PROJECTS

**7. ANY OTHER BUSINESS:**

- 7.1 Review Quarterly Board Policy December 2019

**8. ADJOURN TO CLOSED SESSION:** The Board will consider and may act upon any of the following items in closed session. Any action taken will be reported publicly at the end of closed session as required by law.

- 8.1** Education Code 35146  
Student transfers, inter District etc.
- 8.2** Government Code Section 54957  
Public Employee Discipline/Dismissal/Release/Complaint
- 8.3** Government Code Section 54957.6  
Conference with Labor Negotiators  
Agency designated representatives: Superintendent Bettencourt  
Employee Organization: Associated Teachers of Tipton, CTA/NEA
- 8.4** Government Code Section 54957  
Public Employee Performance Evaluation  
Title: Superintendent

**9. RECONVENE TO OPEN SESSION**

**10. REPORT OUT FROM CLOSED SESSION**

**11. ADJOURNMENT**

**The Board upon discussion and a vote of agreement, the Board may make any item an action item.**

**Notice: If documents are distributed to Board Members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the District Office located at 370 N. Evans Road, Tipton CA. 93272, telephone 752-4213.**

**Agenda Posted: Thursday, January 30, 2020**

## **2. PUBLIC INPUT:**

### **2.3 Correspondence Review of First Interim Report**

# Tulare County Office of Education

*Committed to Students, Support & Service*

**Tim A. Hire**  
County  
Superintendent  
of Schools

P.O. Box 5091  
Visalia, California  
93278-5091

(559) 733-6300  
tcoe.org

**Administration**  
(559) 733-6301  
fax (559) 627-5219

**Business Services**  
(559) 733-6474  
fax (559) 737-4378

**Human Resources**  
(559) 733-6306  
fax (559) 627-4670

**Instructional Services**  
(559) 302-3633  
fax (559) 739-0310

**Special Services**  
(559) 730-2910  
fax (559) 730-2511

## *Main Locations*

**Administration  
Building & Conference  
Center**  
6200 S. Mooney Blvd.  
Visalia

**Doe Avenue Complex**  
7000 Doe Ave.  
Visalia

**Liberty Center/  
Planetarium &  
Science Center**  
11535 Ave. 264  
Visalia

January 14, 2020

Ms. Stacey Bettencourt, Superintendent  
Tipton School District  
PO Box 787  
Tipton, CA 93272

**SUBJECT: REVIEW OF FIRST PERIOD INTERIM REPORT, 2019-20**

Dear Stacey:

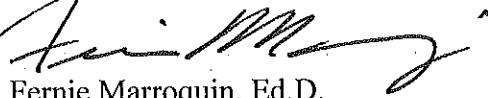
The county office has reviewed the 2019-20 First Period Interim Report of the Tipton School District, and will be able to certify to the California Department of Education that the district has submitted a positive report for the period ending October 31, 2019.

We find that these documents reflect a satisfactory fiscal position and indicate the district will be able to meet its financial obligations during this fiscal year and the two subsequent years as certified by your governing board. We thank you for the timely filing of your Interim Report with our office. The efforts of your staff in the preparation and submission of this report along with the supporting documentation is appreciated.

Please read our attached addendum for further comments and recommendations.

If you have any concerns or questions about this review, our comments or recommendations, please do not hesitate to call at 733-6474.

Sincerely,



Fernie Marroquin, Ed.D.  
Assistant Superintendent, Business Services  
Tulare County Office of Education

FM/es

Encls:

cc: Greg Rice, Board President  
District Business Manager

## **BACKGROUND**

Our review of the district's 2019-20 First Period Interim Report and the comments included are based on information the district had available at the time the Interim Report was prepared. The enacted 2019-20 State Budget reflects continued increases in funding for California Public Education, while maintaining a healthy state Budget reserve for future economic downturns. Roughly \$2 billion in Prop 98 funding has been dedicated to the statutory COLA of 3.26% which still allows the State to make a first-time deposit of \$389 million into the Public School System Stabilization Account on top of a \$4.3 billion contribution to the Prop 2 Rainy Day Budget Reserve.

The Governor maintains the State's commitment to full funding of the Local Control Funding Formula (LCFF) while introducing many of his own new priorities. The State Budget includes an unprecedented \$3.15 billion, non-Prop 98 contribution for debt payments toward CalSTRS and CalPERS liabilities for school employers. The Governor has also directed funding to Special Education in the form of the Special Education Early Intervention Preschool Grant (\$492.7 million) and SELPA base rate adjustment (\$152 million). These items outlined above significantly improve the near term financial position of California school districts.

However, the Department of Finance's 2019-20 Budget Summary cautions that even a moderate recession could cause State revenues to drop by nearly \$70 billion. The Department of Finance recognizes that the State economy continues to grow but there are signs of slowing. A slowing economy combined with risks unique to California including emergency preparedness costs due to wildfires, affordable housing woes, state-wide declining enrollment and an uncertain relationship with the federal government point to the importance of districts exercising fiscal prudence even when times are good.

### **Local Control Accountability Plan**

Also of note is the growing emphasis on accountability measures as outlined in each district's Local Control Accountability Plan (LCAP). As 2019-20 represents the second year of full funding under the LCFF model, it is expected that districts are meeting their minimum proportionality requirement (MPP) as calculated under Title 5, California Code of Regulations, Section 15496(a). During 2019-20 it is critical that districts not only budget to meet the MPP requirement, but also respond to the performance data released by the California School Dashboard to develop goals and actions that are meeting the needs of each district's diverse student population. Due to the passage of AB1808 in 2018 the LCAP template for 2019-20 incorporates a new section titled "Budget Overview for Parents" which is intended to help stakeholders better understand funding decisions included in the LCAP. This bill takes an additional step towards increasing transparency over those additional supplemental and concentration dollars generated by unduplicated students.

### **RETIREMENT COSTS**

The Governmental Accounting Standards Board Statement No. 68 (GASB 68) reporting requirements took effect for the 2014-15 financial statements for State and local government employers. Districts now need to recognize their proportionate share of the net pension liability (NPL) for both CalSTRS and CalPERS retirees in their accrual based financial statements (Audit Reports).

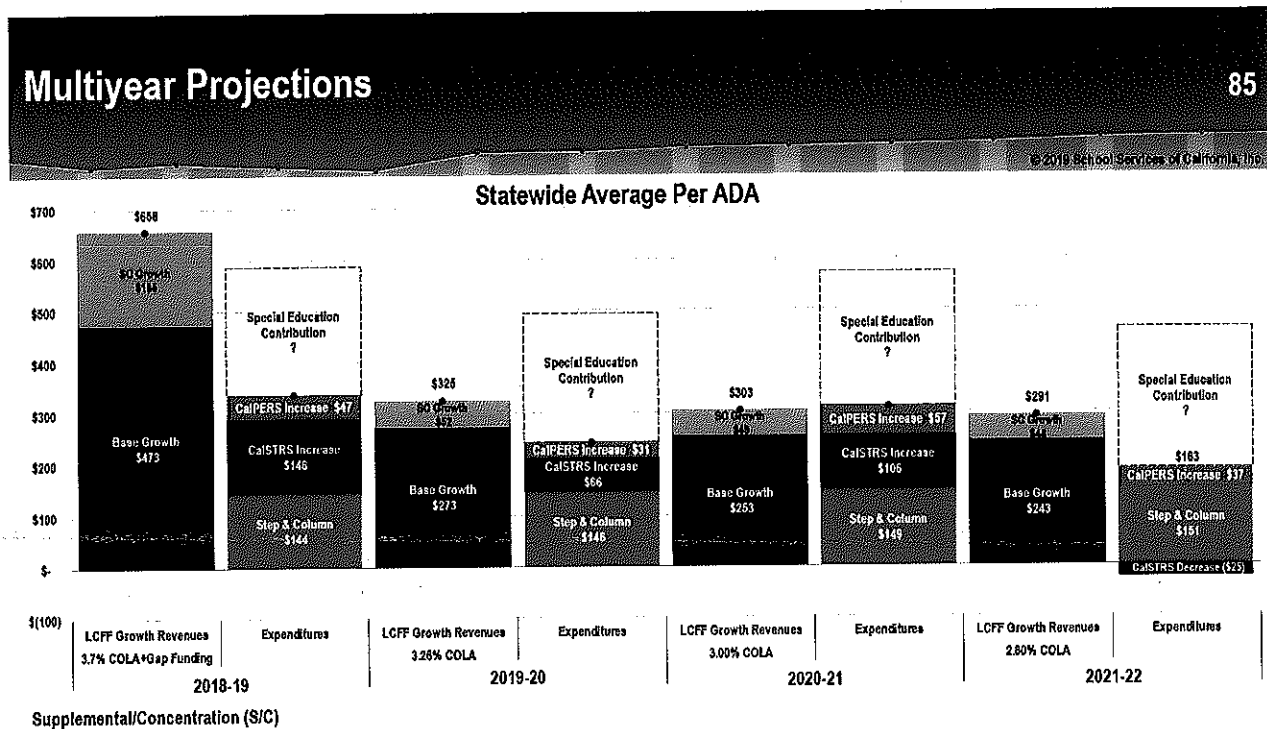
The CalPERS Board adopted changes to the actuarial assumptions that became effective June 30, 2015. The changes result in a projected increase to the employer contribution rates for 2015-16 and for the following five years. The CalPERS Circular Letter 200-012-14 dated March 10, 2014 provided projected rates for 2014-15 through 2020-21 which were subsequently modified as shown below. As previously mentioned, these rates are still subject to change. Both the CalPERS and CalSTRS rates shown for 2019-20 and beyond include the subsidy provided as part of the Governor's Budget Proposal.

CalPERS Actual and Projected Rates						
2015-16 Actual	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Actual	2020-21 Projected	2021-22 Projected
11.847%	13.888%	15.531%	18.062%	19.721%	22.70%	24.60%

Likewise, Assembly Bill 1469 increased the contribution rates that employers, employees and the state pay to support the State Teachers Retirement System. Employer rates will continue to increase until 2020-21. Thereafter, the STRS employer rate is set by the CalSTRS board.

CalSTRS Rates per Education Code Sections 22901.7 and 22950.5							
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22
Employer	10.73%	12.58%	14.43%	16.28%	18.13%	19.1%	18.10%

The following chart was included in the handouts of the School Services Inc., 2019-20 School Finance and Management Conference. It gives perspective on the magnitude of retirement cost increases compared to anticipated LCFF funding increases for the average district.



**RESERVES**

**Reserve Caps** – Our office continues to reinforce the need for reserves over the state minimum reserve requirements. Past experience has clearly demonstrated these minimum levels are not sufficient to protect educational programs from severe disruption in an economic downturn. The typical 3% reserve minimum represents less than two weeks of payroll for nearly all districts. Many LEAs have established reserve policies calling for higher than state minimum reserves, recognizing their duty to maintain fiscal solvency.

In October 2017 the Governor signed Senate Bill 751 which made significant changes to the previous Senate Bill 858 reserve cap requirements. These changes became effective January 1, 2018. The cap now allows for 10% of assigned or unassigned ending balances on a more limited number of district funds. It also exempts districts with fewer than 2,501 average daily attendance from the cap requirement.

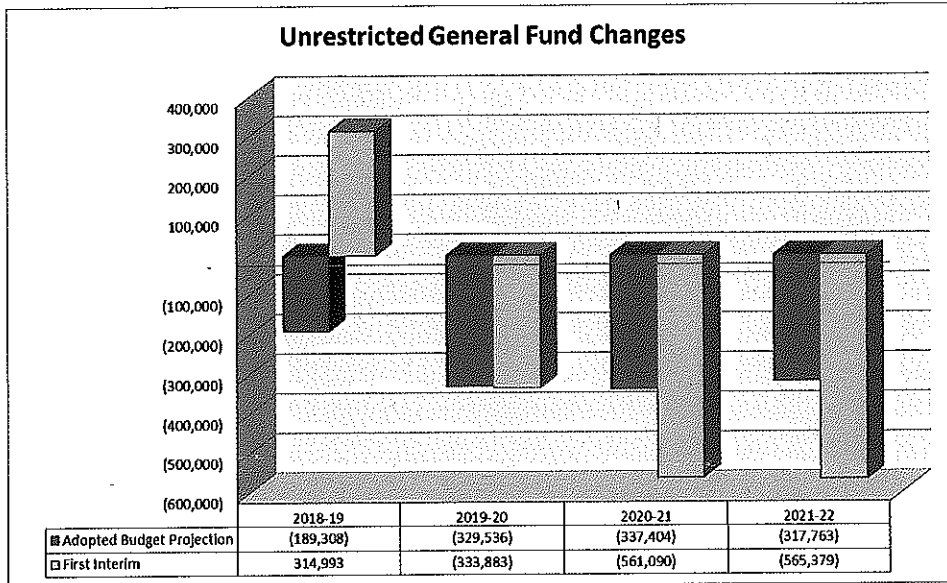
The provisions of SB 751 are not imposed until the year after funds in the Public School System Stabilization Account equals or exceeds 3% of Proposition 98 funding for school districts. The State Superintendent of Public Instruction is required to notify districts and county offices of education when the conditions are met. The \$389 million contribution made as part of the Governor’s 2019-20 budget was short of the \$2.1 billion contribution amount that would have triggered the cap on district reserves in 2020-21.

**Full Accrual Financial Position** - As audit reports have begun to recognize long-term pension obligations under GASB 68, districts find their annual audit report may reflect a negative unrestricted balance on their Statement of Net Position. Beginning with fiscal year 2017-18, district audit reports will also reflect the full impact of long-term commitments for Other Post-Employment Benefits (Retiree health plans) under GASB 75. This will further reduce a district’s unrestricted net position. This will likely result in public concern over the fiscal management of the school district and higher costs associated with long-term financing. Below is a comparison of the district’s 2018-19 unaudited actual available reserves (modified accrual basis of accounting) compared to the 2018-19 audited unrestricted net position, which includes the full accrual impact of GASB 68 and GASB 75.

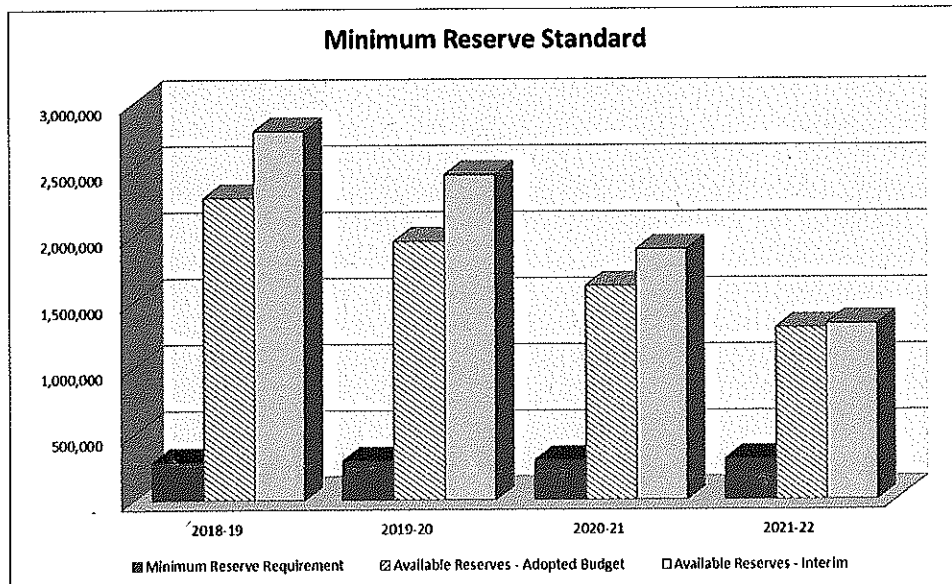
Unaudited Actuals Available Reserves	Audit Report Unrestricted Net Position	Difference
\$2,789,189	-\$2,884,343	-\$5,673,532

**LOCAL CONTROL FUNDING FORMULA PROJECTIONS**

Below is a comparison of the district’s adopted budget and the current interim’s anticipated change in the unrestricted general fund balance. The differences primarily represent an updated beginning balance for the year, changes in state LCFF estimates and changes in district provided ADA estimates.



The next graph presents the district's 2019-20 First Interim reserve status compared with the original adopted budget and state minimum reserve requirement.



#### COMMENTS AND RECOMMENDATIONS

This section of our letter lists comments and recommendations we consider appropriate as a result of our review and current state budget projections.

- ◆ ***The district is projecting significant deficit spending over the current and subsequent two fiscal years. This trend in declining balances must be addressed by the district to maintain district solvency. Below is a summary of the district's deficit spending pattern and available reserves calculation:***



	2019-20	2020-21	2021-22
Projected general fund deficit spending	(352,315)	(640,184)	(661,103)
Available Reserves \$	2,455,306	1,894,216	1,328,837
Available Reserves %	32.59%	25.01%	17.13%

- *The district has prior year accruals including deferred revenue and accounts payable that have not been reversed. We recommend the district review these accruals and reverse balances that are no longer unearned or payable.*
- *There are no additional comments or recommendations.*

**3. CONSENT CALENDAR: Action items:**

- 3.1** Minutes of the Regular Board Meeting - January 7, 2020

# Tipton Elementary School District Minutes

## REGULAR BOARD MEETING

Tuesday, January 7, 2020

7:00 p.m. District Conference Room

1. **CALL TO ORDER- FLAG SALUTE**

*Board President, Greg Rice, called the meeting to order at 7:00 pm and led the flag salute. Board Members present: Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice. Guests: Maryann Henry, Cherie Solian and Desiree Heinks.*

2. **PUBLIC INPUT:**

2.1 Community Relations/Citizen Comments

2.2 Reports by Employee Units CTA/CSEA

*No Comments*

3. **CONSENT CALENDAR: Action items:**

3.1 Minutes of Regular Board Meeting for December 17, 2019

3.2 School Accountability Report Card 2018-2019

*It was reported to the Board that the SARC was missing the Physical Fitness data due to it not being released by the CDE. In order to meet the 2/1/2020 publishing deadline it was provided to the Board without the Physical Fitness data. Updated SARCs will be posted as soon as the data is published by the CDE.*

3.3 Discard Library Books

*Motion to approve the Consent Calendar was made by Fernando Cunha and second by John Cardoza.*

*Vote Yea 5/ No 0/ Abstain 0/ Absent 0*

*Yea - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice*

*No – 0*

*Abstain – 0*

*Absent – 0*

4. **ADMINISTRATIVE: Action items:**

4.1 Tipton Elementary School District Wellness Plan

*Motion to approve the Tipton Elementary School District Wellness Plan was made by John Cardoza and second by Shelley Heeger.*

*Vote Yea 5/ No 0/ Abstain 0/ Absent 0*

*Yea - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice*

*No – 0*

*Abstain – 0*

*Absent – 0*

4.2 Temporary Athletic Team Coach Certification for 2019-2020

*Motion to approve Temporary Athletic Team Coach Certification for 2019-2020 was made by Fernando Cunha and second by Shelley Heeger.*

*Vote Yea 5/ No 0/ Abstain 0/ Absent 0*

*Yea - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice*

*No – 0*

*Abstain – 0*

*Absent – 0*

**5. FINANCE: Action items:**

**5.1 Vendor Payments**

*Motion to approve Vendor Payments was made by Iva Sousa and second by Fernando Cunha.*

*Vote Yea 5/ No 0/ Abstain 0/ Absent 0*

*Yea - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice*

*No – 0*

*Abstain – 0*

*Absent – 0*

**5.2 Audit Report for Year Ended June 30, 2019**

*Motion to approve Audit Report for Year Ended June 30, 2019 was made by Shelley Heeger and second John Cardoza.*

*Vote Yea 5/ No 0/ Abstain 0/ Absent 0*

*Yea - Iva Sousa, Shelley Heeger, Fernando Cunha, John Cardoza and Greg Rice*

*No – 0*

*Abstain – 0*

*Absent – 0*

**6. INFORMATION: (Verbal Reports & Presentations)**

**6.1 MOT--FOOD SERVICE—PROJECTS**

*Mrs. Stacey Bettencourt gave the Board an update on the school garden. Two slabs of concrete were poured, the shade structure was built and the shed was moved and repainted. Mr. Martin is still working on laying pipe and getting the planter boxes ready. The green house will be built during spring break.*

*Ms. Maryann Henry reported that the school district had additional monies to spend in the cafeteria. She was granted a 3 year period to spend \$130,000.*

**6.2 P-1 Attendance Report**

*Ms. Henry shared that at P1 the ADA was at 522.*

**6.3 California Dashboard**

*Ms. Desiree Heinks updated the Board on the California Dashboard.*

**6.4 Healthy Kids Survey Results**

*Dr. Cherie Solian shared an overview of results from the Healthy Kids Survey that was given*

to students in 5<sup>th</sup> and 7<sup>th</sup> grade.

7. **Any Other Business:**

8. **Adjourn to Closed Session: 8:07 pm**

9. **Reconvene to Open Session 9:27 pm**

10. **Report out from Closed Session**

8.1. Government Code 54957

Public Employee Discipline/Dismissal/ Release/ Resignation

*Discussion only*

11. **ADJOURNMENT: 9:28 pm**

**Minutes approved February 4, 2020**

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Greg Rice, President

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Iva Sousa, Clerk

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Stacey Bettencourt, Secretary

**3. CONSENT CALENDAR: Action items:**

**3.2** Field Trip, Conference, Fundraiser and Facilities Requests

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Mrs. Rocha GRADE 6th

CLASSES ATTENDING 5 students from 6th

DATE OF TRIP 2/26/2020 NUMBER OF PUPILS 5 ADULTS 1

DESTINATION Wyndham Visalia

BUS TO LEAVE SCHOOL AT 8:25 RETURN AT 3:30  
*Requesting Van*

## BUS ROUTING AND STOPS

Tipton to Wyndham 198 - Airport Drive

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST: \_\_\_\_\_

COST \$ \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Leecia Rocha

TRIP AUTHORIZED BY SCHOOL BOARD YES  NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Steve Bull



Up to 26 Tulare County schools will challenge each other's knowledge on tobacco/marijuana and compete for the county title of

"Challenge Bowl 2020 Champs"

- When:** February 26, 2020 - 9:00 a.m. - 3:00 p.m.
- Where:** Wyndham Visalia - 9000 Airport Dr.
- Who:** Teams must consist of 5 - 6th grade students
- Team Sign-In:** 8:30 a.m. - TEAMS MUST BE READY AT 9:00 AM TO PARTICIPATE

Registration Deadline January 29, 2020

For more information, please call Tulare County Office of Education, CHOICES Program:

Alisha Montoya  
 Phone: (559) 651-0155  
 Email: [alisham@tcoe.org](mailto:alisham@tcoe.org)

Gene Mendes  
 Phone: (559) 651-0155  
 Email: [genem@tcoe.org](mailto:genem@tcoe.org)



BACK

SUBMIT

Never submit passwords through Google Forms.



# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Mrs. Nuckols GRADE 8<sup>th</sup>

CLASSES ATTENDING 8<sup>th</sup>

DATE OF TRIP 2/7/20 NUMBER OF PUPILS 45 ADULTS 1

DESTINATION Mission Oak H.S. Basketball Game

BUS TO LEAVE SCHOOL AT 4:30pm RETURN AT 8:30-9:00

BUS ROUTING AND STOPS

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_  
\_\_\_\_\_

TRIP RELEVENCY: 8<sup>th</sup> Grade "Teacher" School Night

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

\_\_\_\_\_  
\_\_\_\_\_

COST \$ GAS/Bus Driver

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Michelle Nuckols

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Shirley Bull

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Lampe GRADE 6-8 (mixed)

CLASSES ATTENDING Drama Class

DATE OF TRIP 2/6/20 NUMBER OF PUPILS 26 ADULTS 2

DESTINATION Tulare Union High School - Auditorium

BUS TO LEAVE SCHOOL AT 9pm RETURN AT 10pm

## BUS ROUTING AND STOPS

Leave Tipton School go directly to Tu Auditorium and back home to Tipton.

USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \$ coming from Drama account

TRIP RELEVENCY: Taking Drama students to see a musical being put on by Mission Oak HS Drama - hoping to spark some interest for high school.

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

MO Drama teacher giving us 1/2 off price tickets!

COST \$ 140.00 tickets / Approx. \$135.00 for bus TOTAL: \$275.00

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Jugha

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT May Bull

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert GRADE k-8

CLASSES ATTENDING Poetry + Prose

DATE OF TRIP 3/18/20 NUMBER OF PUPILS TBA ADULTS 1

DESTINATION TCOE

BUS TO LEAVE SCHOOL AT 9:30 RETURN AT 1:30

### BUS ROUTING AND STOPS

stop at park for lunch

USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

COST \$ 0

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES  NO \_\_\_\_\_ HOW MANY TBA

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES  NO \_\_\_\_\_ HOW MANY 1

SIGNATURE OF TEACHER IN CHARGE Douglas Gilbert

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Stacy Bell

# Field Trip Approval Form

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert GRADE 5

CLASSES ATTENDING 2 - 5th grade students

DATE OF TRIP 3/08/2020 NUMBER OF PUPILS 2 ADULTS 1

DESTINATION Agri Center

BUS TO LEAVE SCHOOL AT \_\_\_\_\_ RETURN AT \_\_\_\_\_

BUS ROUTING AND STOPS Just need a car @ 8:00 a.m

USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

COST \$ 0

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Dorothy Gilbert

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT \_\_\_\_\_

# Field Trip Approval Form

Stacey

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert GRADE (6-8)

CLASSES ATTENDING Lip Sync

DATE OF TRIP 3/27/2020 NUMBER OF PUPILS TBA ADULTS 1 or 2

DESTINATION Visalia Convention Center

BUS TO LEAVE SCHOOL AT 4:45 PM RETURN AT 9:45 PM.

BUS ROUTING AND STOPS

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USE THE BACK OF THIS PAPER IF ROUTING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST:

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COST \$ 0 \$10<sup>00</sup> per group

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES \_\_\_\_\_ NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Debbie Gilbert

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Stacy PUAH

**FRIDAY  
NIGHT**

*Live* SM

*Middle School Lip Sync Battle*



*We Have A Vision - To Be Alcohol, Tobacco and Drug Free!*

March 27, 2020

VISALIA CONVENTION CENTER

5:30 p.m. – 9:00 p.m.

6-8<sup>th</sup> Grades

# THREE CATAGORIES

**Lip Sync \* Dance \* Novelty (Combination of Dance, Lip Sync or Talent)**

**For More information contact:**

Gene Mendes at [genem@tcoe.org](mailto:genem@tcoe.org)

Cindy Macias at [cindy.macias@tcoe.org](mailto:cindy.macias@tcoe.org)

Alisha Montoya at [alisham@tcoe.org](mailto:alisham@tcoe.org)

Or Call 651-0155

Updated  
**Field Trip Approval Form**

Stacey

(MUST BE SUBMITTED ONE MONTH PRIOR TO FIELD TRIP)

TEACHER(S) Gilbert, Valencia, Morton GRADE 5

CLASSES ATTENDING all 5th grade

DATE OF TRIP 3/26/2020 NUMBER OF PUPILS 73 ADULTS 17

DESTINATION Hanford Train Station <sup>↑ may change</sup>

BUS TO LEAVE SCHOOL AT 4:00AM RETURN AT \_\_\_\_\_

BUS ROUTING AND STOPS Pick up from train at 8:21

See Attached Schedule

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

USE THE BACK OF THIS PAPER IF ROUTNING NEEDS MORE SPACE

PRELIMINARY STEPS: \_\_\_\_\_  
\_\_\_\_\_

TRIP RELEVENCY: \_\_\_\_\_  
\_\_\_\_\_

OTHER INFORMATION/STAFF CHAPARONE REQUEST:  
\_\_\_\_\_  
\_\_\_\_\_

COST \$ \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR STUDENTS: YES  NO  <sup>see Attached</sup> HOW MANY \_\_\_\_\_

CAFETERIA LUNCHES NEEDED FOR ADULTS: YES  NO  HOW MANY \_\_\_\_\_

SIGNATURE OF TEACHER IN CHARGE Debbie Quebert

TRIP AUTHORIZED BY SCHOOL BOARD YES \_\_\_\_\_ NO \_\_\_\_\_

SIGNATURE OF SUPERINTENDENT Stacey Buller

## **Sacramento Itinerary- March 26, 2020**

**3:45- Meet at Tipton School**

**4:00- Bus leaves Tipton School for train station**

**5:34-Train leaves for Stockton- take bus to Sacramento**

**9:50- Arrive in Sacramento**

**9:50-11:30-Tour Sacramento Capital Building- self guided tour**

**11:30-12:15-Lunch/ group picture**

**12:15-12:45-Walk to Old Towne Sacramento**

**1:00-2:30-Train Museum**

**2:30-3:00-Shop/Browse Old Towne Sacramento with  
Chaperone**

**3:00-Meet back at park**

**3:00-3:45- Eat dinner**

**3:45 - Walk to Amtrak together.**

**4:26-Train leaves-**

**8:21- Arrive in Hanford-Dinner on train**

**9:00-(Approximately) Bus returns to Tipton**

**If you need us throughout the day, please call Mrs. Gilbert:  
559-471-9178**



5<sup>th</sup> grade Sacramento trip

March 26, 2020

17 adults

73 kids

90 of each

Breakfast bar

3 snacks

2 small waters

1 juice

Lunch needs to have sandwich, chips, veggies, and anything else you want to add

Put snacks and breakfast bar together in clear baggie

Put liquids together in clear baggie

Keep adult lunches separate from kid's lunches

Timed 1/21/20

Name of Club: 8<sup>th</sup> Grade (Class of 2020)

**Request for Fundraiser Approval and Revenue Projection**

School Year: 2019-2020

Date form submitted: 1/21/20 Submitted by: Michelle Nuckols

**PROPOSED ACTIVITY:**

Name of activity or type of fundraiser: Candy Sales for 8<sup>th</sup> Grade Trip

Location of activity: Tipton Elementary

Facilities needed: \_\_\_\_\_

Items to be sold: Sour Punch Twists (210 count)

Date of activity: Feb 3 - March 9, 2020

Time of activity: From \_\_\_\_\_ a.m./p.m. To: \_\_\_\_\_ a.m./p.m.

Item/Ticket selling price: \$ .25 each

Cash Box required? Yes  No

Number of items purchased for sale: 210 pieces @ \$ .25 each = \$ 52<sup>50</sup> per container

ASB purchase order required? Yes  No

How much income is anticipated? \$ 2465.58 how much expense is anticipated? \$ 579<sup>42</sup>

How will profit be used? All profits will go towards student's 8<sup>th</sup> grade trip.

Fundraiser Contact Person: Michelle Nuckols

Phone Number: 7524213/3590126

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

**Approved by:**

Principal/Superintendent: Stacy Bull

Business Manager/ASB Administrator: Margie Denny

Reason for disapproval, if applicable: \_\_\_\_\_

$$\begin{array}{r}
 58 \text{ containers} \times 9^{99} = 3,045^{00} \\
 - 579^{42} \\
 \hline
 2465.58 \text{ profit}
 \end{array}$$

$$58 \times 9^{99} = 579^{42}$$

Tipton Elementary School District

Name of Club: ASES After School Program

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/20/2020 Submitted by: Mrs. Jenny

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Valentine Grams

Location of activity: ASES office & Old cafeteria

Facilities needed: old cafeteria

Items to be sold: \$1 taki grams

Date of activity: 1/27/2020

Time of activity: From 10:50 a.m./p.m. To: 3:30 a.m.  p.m.

Item/Ticket selling price: \$ 1.00, .50¢, \$3.00

Cash Box required?  Yes No

Number of items purchased for sale: 150 @ \$ 1.00 each = \$ 150.00

ASB purchase order required?  Yes No

How much income is anticipated? \$ 300.00 how much expense is anticipated? \$ 150.00

How will profit be used? Mother-son dance in May, 4.0 & Perfect attendance rewards

Fundraiser Contact Person: Mrs. Jenny

Phone Number: 804-66636

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: [Signature]  
Business Manager/ASB Administrator: \_\_\_\_\_

Reason for disapproval, if applicable: \_\_\_\_\_

Tipton Elementary School District

Name of Club: ASES Afterschool Program

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/21/2020 Submitted by: Mrs. Jenny

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Father-Daughter V-Day Dance

Location of activity: Old cafeteria

Facilities needed: ↑ ↑

Items to be sold: Entrance tickets

Date of activity: 2/13/2020

Time of activity: From 4:00 a.m./p.m. To: 6:00 a.m./p.m.

Item/Ticket selling price: \$ 10.00

Cash Box required?  Yes  No

Number of items purchased for sale: \_\_\_\_\_ @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 200.00 how much expense is anticipated? \$ 100.00

How will profit be used? End of the year trip

Fundraiser Contact Person: Mrs. Jenny

Phone Number: 804-46636

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by: [Signature]  
Principal/Superintendent: \_\_\_\_\_

Business Manager/ASB Administrator: \_\_\_\_\_

Reason for disapproval, if applicable: \_\_\_\_\_

Tipton Elementary School District

Name of Club: Cheer

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/24/20

Submitted by: Hurtado

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Valentine Grams

Location of activity: Student Court

Facilities needed: \_\_\_\_\_

Items to be sold: Valentine Candy

Date of activity: 2/3 - 2/12/2020

Time of activity: From 10 a.m./p.m. To: 10:20 a.m./p.m.

Item/Ticket selling price: \$ 1<sup>00</sup> and .50

Cash Box required? Yes  No

Number of items purchased for sale: 240 @ \$ .50 each = \$ 120  
70 @ 1<sup>00</sup> = \$ 70

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 190 how much expense is anticipated? \$ 114

How will profit be used? To pay for cheer competition

Fundraiser Contact Person: Jessica Hurtado

Phone Number: \_\_\_\_\_

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: Cherie Solis

Business Manager/ASB Administrator: Margaret Henry

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

Tipton Elementary School District

Name of Club: Cheer

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/24/20

Submitted by: Hurtado

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Movie Night (afterschool)

Location of activity: Multipurpose room or old cafeteria

Facilities needed: "

Items to be sold: tickets (entrance fee), popcorn, juice, red vines

Date of activity: 3/25/2020

Time of activity: From 4:00 a.m./p.m. To: 6:00 a.m./p.m.

Item/Ticket selling price: \$ 2.00 per person (+ .50 for snacks)

Cash Box required?  Yes  No

Number of items purchased for sale: unknown @ \$ at this time each = \$     

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 150 how much expense is anticipated? \$ 40

How will profit be used? To fund cheer competition

Fundraiser Contact Person: Jessica Hurtado

Phone Number: \_\_\_\_\_

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: Cherie Solis

Business Manager/ASB Administrator: Maryas Henry

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

Tipton Elementary School District

Name of Club: Cheer

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/24/20

Submitted by: Hurtado

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Concession stand

Location of activity: Student Court

Facilities needed: \_\_\_\_\_

Items to be sold: Store bought baked goods, chips, juice, candy

Date of activity: 3/4/2020

Time of activity: From 1:30 a.m./p.m.

To: 2:00 a.m./p.m.

Item/Ticket selling price: \$ 0.50 - \$1.00

Cash Box required?  Yes  No

Number of items purchased for sale: 300 @ \$ 1.00 each = \$ 300

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 300 how much expense is anticipated? \$ 0  Items to be donated

How will profit be used? To fund cheer competition

Fundraiser Contact Person: Jessica Hurtado

Phone Number: \_\_\_\_\_

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: Cherie Salvi

Business Manager/ASB Administrator: Maryann Henry

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

Tipton Elementary School District

Name of Club: Cheer

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/24/20

Submitted by: Hurtado

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Dance K-4th

Location of activity: Multipurpose Room or Old Cafeteria

Facilities needed: 11

Items to be sold: Entry fee

Date of activity: \_\_\_\_\_

Time of activity: From 3:30 a.m./p.m.

To: 5:30 a.m./p.m.

Item/Ticket selling price: \$ 1.00

Cash Box required?  Yes  No

Number of items purchased for sale: \_\_\_\_\_ @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 50.00 how much expense is anticipated? \$ 50.00

How will profit be used? To pay for cheer competition fee

Fundraiser Contact Person: Hurtado / Gilbert

Phone Number: \_\_\_\_\_

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by:

Principal/Superintendent: Chene Solis

Business Manager/ASB Administrator: Margaret Deming

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.



Tipton Elementary School District

Name of Club: Student Council

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 2/28/2020 Submitted by: Debbie Gilbert

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Dance

Location of activity: MPR

Facilities needed: MPR

Items to be sold: water nachos

Date of activity: 2/7/2020

Time of activity: From 6 a.m./p.m. To: 8:30 a.m./p.m.

Item/Ticket selling price: \$ 3.00

Cash Box required?  Yes  No

Number of items purchased for sale: donated @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required?  Yes  No

How much income is anticipated? \$ 500 how much expense is anticipated? \$ ~~0~~ 285<sup>00</sup>

How will profit be used? student activities

Fundraiser Contact Person: Debbie Gilbert

Phone Number: 752-4213

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by: [Signature]

Principal/Superintendent: \_\_\_\_\_

Business Manager/ASB Administrator: \_\_\_\_\_

Reason for disapproval, if applicable: \_\_\_\_\_

Note: Fundraising Event Profit form is due two weeks after close of activity/fundraiser.

Tipton Elementary School District

Name of Club: 5th Grade

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/28/2020 Submitted by: Debbie Gilbert

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: Candy Bar Sale

Location of activity: outside of school

Facilities needed: \_\_\_\_\_

Items to be sold: candy bar

Date of activity: 2/3/2020

Time of activity: From \_\_\_\_\_ a.m./p.m. To: \_\_\_\_\_ a.m./p.m.

Item/Ticket selling price: \$ 1

Cash Box required? Yes  No

Number of items purchased for sale: \_\_\_\_\_ @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required? Yes  No

How much income is anticipated? \$ 6000 how much expense is anticipated? \$ 3700

How will profit be used? pay for Sacramento

Fundraiser Contact Person: Debbie Gilbert

Phone Number: 752-4213

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by: [Signature]  
Principal/Superintendent: \_\_\_\_\_

Business Manager/ASB Administrator: \_\_\_\_\_

Reason for disapproval, if applicable: \_\_\_\_\_

Tipton Elementary School District

Name of Club: Student Body

Request for Fundraiser Approval and Revenue Projection

School Year: 2019-2020

Date form submitted: 1/29/2020 Submitted by: Debbie Gilbert

PROPOSED ACTIVITY:

Name of activity or type of fundraiser: T-shirt sale

Location of activity: \_\_\_\_\_

Facilities needed: none

Items to be sold: T-shirts -extra

Date of activity: \_\_\_\_\_

Time of activity: From — a.m./p.m. To: — a.m. /p.m.

Item/Ticket selling price: \$ 10

Cash Box required? Yes  No

Number of items purchased for sale: \_\_\_\_\_ @ \$ \_\_\_\_\_ each = \$ \_\_\_\_\_

ASB purchase order required? Yes  No

How much income is anticipated? \$ \_\_\_\_\_ how much expense is anticipated? \$ \_\_\_\_\_

How will profit be used? student activities

Fundraiser Contact Person: Debbie Gilbert

Phone Number: 752-4213

Submit Form to Principal/Superintendent (Principal/Superintendent forward form to Business Office)

Approved by: [Signature]  
Principal/Superintendent: \_\_\_\_\_

Business Manager/ASB Administrator: \_\_\_\_\_

Reason for disapproval, if applicable: \_\_\_\_\_

**3. CONSENT CALENDAR: Action items:**

3.3 Updated SARC to Reflect Physical Fitness Data



# Tipton Elementary School

370 North Evans Rd • Tipton, CA 93272 • (559) 752-4213 • Grades K-8

Cherie Solian, Principal  
csolian@tipton.k12.ca.us  
www.tiptonschool.org

## 2018-19 School Accountability Report Card Published During the 2019-20 School Year



### Tipton Elementary School District

370 North Evans Rd  
Tipton, CA 93272  
(559) 752-4213  
www.tiptonschool.org

#### District Governing Board

Greg Rice

Iva Sousa

John Cardoza

Shelley Heeger

Fernando Cunha

#### District Administration

##### **Superintendent**

Stacey Bettencourt

##### **Superintendent**

Cherie Solian Ed.D

##### **Principal**

Maryann Henry

##### **Business Manager**

Fausto Martin

##### **MOT Supervisor**

Connie Sanchez

##### **Cafeteria Manager**

### School Description

#### Principal's Message

Tipton Elementary School District is the main hub of the community. The school is a safe, caring place for students. The grounds and buildings reflect the pride of ownership of both the students and staff. Technology has been an emphasis for several years — two fully equipped computer labs, 6 iPads in each K-2 classroom, one class set of Chromebooks for 2nd grade to share and in all 3rd through 8th grade classrooms we have implemented a 1 to 1 Chromebook initiative. Our teachers each have a laptop and printer setup in their classrooms.

Tipton Elementary School's staff has always been committed to providing each student with learning opportunities. Students are held to high expectations and the staff work toward providing an instructional program that is aligned to the California State Standards in English language arts and mathematics. Each teacher is fully credentialed and each possesses the training and certification to work with second-language students.

Tipton Elementary School's philosophy of education is to provide a continuation of essential learning. It is our ultimate goal to provide each student with basic facts and experiences. These will aid our youth in becoming self-sufficient individuals mentally, physically, socially, and morally so that they can meet the demands of a rapidly changing society. It is essential to instill in each student the importance of individual worth and to create a positive self-image through personal development in initiative, resourcefulness, and responsibility.

Students and staff have made steady progress this year in addressing the needs of students. The staff has continued to emphasize teaching the standards that will enable students to make adequate progress on the CAASPP assessment.

#### Vision Statement

Tipton Elementary's vision is to provide quality instruction that integrates character development and academic achievement for all students.

#### Mission Statement

At Tipton Elementary, we are developing a culture of high expectations, academic excellence, and self-efficacy. Character education is of vital importance to the process. We want our students to have the knowledge, skills, and morality to lead our society into the future. It is our responsibility to guide them through this process.

## About the SARC

By February 1 of each year, every school in California is required by state law to publish a School Accountability Report Card (SARC). The SARC contains information about the condition and performance of each California public school. Under the Local Control Funding Formula (LCFF) all local educational agencies (LEAs) are required to prepare a Local Control and Accountability Plan (LCAP), which describes how they intend to meet annual school-specific goals for all pupils, with specific activities to address state and local priorities. Additionally, data reported in an LCAP is to be consistent with data reported in the SARC.

- For more information about SARC requirements, see the California Department of Education (CDE) SARC web page at <https://www.cde.ca.gov/ta/ac/sa/>.
- For more information about the LCFF or LCAP, see the CDE LCFF web page at <https://www.cde.ca.gov/fg/aa/lc/>.
- For additional information about the school, parents/guardians and community members should contact the school principal or the district office.

### 2018-19 Student Enrollment by Grade Level

Grade Level	Number of Students
Kindergarten	72
Grade 1	56
Grade 2	55
Grade 3	62
Grade 4	70
Grade 5	54
Grade 6	44
Grade 7	74
Grade 8	62
<b>Total Enrollment</b>	<b>549</b>

### 2018-19 Student Enrollment by Group

Group	Percent of Total Enrollment
Black or African American	0.5
Asian	0.4
Hispanic or Latino	91.6
White	2.9
Socioeconomically Disadvantaged	89.8
English Learners	66.3
Students with Disabilities	3.3
Foster Youth	1.3

## A. Conditions of Learning

### State Priority: Basic

The SARC provides the following information relevant to the State priority: Basic (Priority 1):

- Degree to which teachers are appropriately assigned and fully credentialed in the subject area and for the pupils they are teaching;
- Pupils have access to standards-aligned instructional materials; and
- School facilities are maintained in good repair

Teacher Credentials for Tipton Elementary	17-18	18-19	19-20
With Full Credential	28	26	26
Without Full Credential	0	1	1
Teaching Outside Subject Area of Competence	0	0	0

Teacher Credentials for Tipton Elementary	17-18	18-19	19-20
With Full Credential	♦	♦	26
Without Full Credential	♦	♦	1
Teaching Outside Subject Area of Competence	♦	♦	0

### Teacher Misassignments and Vacant Teacher Positions at Tipton Elementary School

Indicator	17-18	18-19	19-20
Teachers of English Learners	0	0	0
Total Teacher Misassignments*	0	0	0
Vacant Teacher Positions	0	0	0

\* Note: "Misassignments" refers to the number of positions filled by teachers who lack legal authorization to teach that grade level, subject area, student group, etc.

\*Total Teacher Misassignments includes the number of Misassignments of Teachers of English Learners.

**Quality, Currency, Availability of Textbooks and Instructional Materials (School Year 2019-20)**

The Tipton Elementary School District has purchased Standards-aligned textbooks and instructional materials in the core curriculum areas of reading/language arts, math, science, history/ social science, health, and science laboratory equipment. The District can verify each student has access to his or her own copy of Standards-aligned textbooks and instructional materials for use in the classroom and at home.

**Textbooks and Instructional Materials**

**Year and month in which data were collected: 09/2019**

Core Curriculum Area	Textbooks and Instructional Materials/Year of Adoption
<p><b>Reading/Language Arts</b></p>	<p>Houghton Mifflin Harcourt, Journeys CA Grade (TK-5) 2019 Adoption</p> <p>McGraw Hill, Study Sync (Grade 6-8) 2019 Adoption</p> <p><b>The textbooks listed are from most recent adoption:</b> Yes <b>Percent of students lacking their own assigned textbook:</b> 0%</p>
<p><b>Mathematics</b></p>	<p>GO Math! Houghton Mifflin Harcourt (K-8) Adopted 2014</p> <p><b>The textbooks listed are from most recent adoption:</b> Yes <b>Percent of students lacking their own assigned textbook:</b> 0%</p>
<p><b>Science</b></p>	<p>Harcourt (K-5) Adopted 2007</p> <p>Glencoe/McGraw-Hill (6-8) Adopted 2007</p> <p><b>The textbooks listed are from most recent adoption:</b> Yes <b>Percent of students lacking their own assigned textbook:</b> 0%</p>
<p><b>History-Social Science</b></p>	<p>Studies Weekly, California Studies Weekly Grade (K-5) 2019 Adoption</p> <p>Discovery Education, Discovery Education Social Science Techbook (6-8) Adopted 2018</p> <p><b>The textbooks listed are from most recent adoption:</b> Yes <b>Percent of students lacking their own assigned textbook:</b> 0%</p>

Note: Cells with N/A values do not require data.

### School Facility Conditions and Planned Improvements (Most Recent Year)

Tipton Elementary School was originally built in 1874. The current school site was built in 1959. In November of 2014 the community of Tipton approved a general obligation bond for site modernization, health, safety, and energy efficiency improvements, modernization of outdated classrooms, restrooms, and school facilities, and construction of a multipurpose room for school and community use. Construction of the multipurpose room was completed in August of 2018.

The remainder of the 19.2-acre campus is well maintained. The school's athletic facilities include a track, soccer fields, and basketball courts that are open to the public after school hours. Every building on campus is alarmed for security after school hours.

Covert cameras are in place to film all movements during and after school hours. The only gate that remains open during the school day is the front gate, leading to the office.

The District takes pride in the cleanliness and adequacy of the school grounds, building, and restroom, including any maintenance needed to ensure quick and prompt repairs. The overall emphasis of the District is to maintain appropriate facilities for our students.

### School Facility Good Repair Status (Most Recent Year)

Year and month in which data were collected: 10/22/19

System Inspected	Repair Status	Repair Needed and Action Taken or Planned
<b>Systems:</b> Gas Leaks, Mechanical/HVAC, Sewer	Good	
<b>Interior:</b> Interior Surfaces	Poor	Stained ceiling tiles and light bulbs need to be replaced. Repairs to be made by December 2019.
<b>Cleanliness:</b> Overall Cleanliness, Pest/ Vermin Infestation	Good	
<b>Electrical:</b> Electrical	Good	
<b>Restrooms/Fountains:</b> Restrooms, Sinks/ Fountains	Good	Water level needs adjustment so that water doesn't spray out. Fix dripping water from sink. Repairs will be made by December 2019.
<b>Safety:</b> Fire Safety, Hazardous Materials	Good	
<b>Structural:</b> Structural Damage, Roofs	Good	
<b>External:</b> Playground/School Grounds, Windows/ Doors/Gates/Fences	Good	Tighten door opener cover on one door. Repairs to be made by December 2019.
<b>Overall Rating</b>	<b>Good</b>	



## B. Pupil Outcomes

### State Priority: Pupil Achievement

The SARC provides the following information relevant to the State priority: Pupil Achievement (Priority 4):

- **Statewide assessments** (i.e., California Assessment of Student Performance and Progress [CAASPP] System, which includes the Smarter Balanced Summative Assessments for students in the general education population and the California Alternate Assessments [CAAs] for English language arts/literacy [ELA] and mathematics given in grades three through eight and grade eleven. Only eligible students may participate in the administration of the CAAs. CAAs items are aligned with alternate achievement standards, which are linked with the Common Core State Standards [CCSS] for students with the most significant cognitive disabilities); and
- The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study

### CAASPP Test Results in ELA and Mathematics for All Students

#### Grades Three through Eight and Grade Eleven

##### Percentage of Students Meeting or Exceeding the State Standard

Subject	School 17-18	School 18-19	District 17-18	District 18-19	State 17-18	State 18-19
ELA	38	41	38	41	50	50
Math	27	32	27	32	38	39

Note: Percentages are not calculated when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: ELA and mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3–Alternate) on the CAAs divided by the total number of students who participated in both assessments.

### School Year 2018-19 CAASPP Assessment Results - English Language Arts (ELA)

#### Disaggregated by Student Groups, Grades Three through Eight and Eleven

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Met or Exceeded
All Students	365	361	98.90	41.27
Male	186	183	98.39	38.25
Female	179	178	99.44	44.38
Black or African American	--	--	--	--
Asian	--	--	--	--
Hispanic or Latino	349	345	98.85	40.29
White	12	12	100.00	66.67
Socioeconomically Disadvantaged	332	328	98.80	39.02
English Learners	287	283	98.61	35.69
Students with Disabilities	18	18	100.00	11.11
Students Receiving Migrant Education Services	27	26	96.30	19.23
Foster Youth	--	--	--	--

Note: ELA test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3–Alternate) on the CAAs divided by the total number of students who participated in both assessments.

### CAASPP Test Results in Science for All Students

#### Grades Five, Eight, and Ten

##### Percentage of Students Meeting or Exceeding the State Standard

Subject	School 17-18	School 18-19	District 17-18	District 18-19	State 17-18	State 18-19
Science	N/A	N/A	N/A	N/A	N/A	N/A

Note: Cells with N/A values do not require data.

Note: This is a placeholder for the California Science Test (CAST) which was administered operationally during the 2018-19 school year. However, these data are not available for inclusion in the 2018-19 SARC posting due February 1, 2020. These data will be included in the 2019-20 SARC posting due February 1, 2021.

### State Priority: Other Pupil Outcomes

The SARC provides the following information relevant to the State priority: Other Pupil Outcomes (Priority 8):

- Pupil outcomes in the subject area of physical education

### 2018-19 Percent of Students Meeting Fitness Standards

Grade Level	4 of 6	5 of 6	6 of 6
5	26.8	16.1	30.4
7	19.2	21.9	20.5

Note: Percentages are not calculated and double dashes (--) appear in the table when the number of students tested is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

**School Year 2018-19 CAASPP Assessment Results - Mathematics  
Disaggregated by Student Groups, Grades Three through Eight and Eleven**

Student Group	Total Enrollment	Number Tested	Percent Tested	Percent Met or Exceeded
All Students	365	364	99.73	32.42
Male	186	186	100.00	34.41
Female	179	178	99.44	30.34
Black or African American	--	--	--	--
Asian	--	--	--	--
Hispanic or Latino	349	348	99.71	32.47
White	12	12	100.00	41.67
Socioeconomically Disadvantaged	332	331	99.70	31.12
English Learners	287	286	99.65	30.77
Students with Disabilities	18	18	100.00	11.11
Students Receiving Migrant Education Services	27	27	100.00	22.22
Foster Youth	--	--	--	--

Note: Mathematics test results include the Smarter Balanced Summative Assessment and the CAA. The "Percent Met or Exceeded" is calculated by taking the total number of students who met or exceeded the standard on the Smarter Balanced Summative Assessment plus the total number of students who met the standard (i.e., achieved Level 3--Alternate) on the CAAs divided by the total number of students who participated in both assessments.

Note: Double dashes (--) appear in the table when the number of students is ten or less, either because the number of students in this category is too small for statistical accuracy or to protect student privacy.

Note: The number of students tested includes all students who participated in the test whether they received a score or not; however, the number of students tested is not the number that was used to calculate the achievement level percentages. The achievement level percentages are calculated using only students who received scores.

**C. Engagement**

**State Priority: Parental Involvement**

The SARC provides the following information relevant to the State priority: Parental Involvement (Priority 3):

- Efforts the school district makes to seek parent input in making decisions for the school district and each school site

**Opportunities for Parental Involvement (School Year 2019-20)**

All families are encouraged to become informed and actively involved. We invite everyone to attend and participate in our School Site Council, English Learner Advisory Committee, PSO, Back-to-School Night, Kindergarten Orientations, Open House, informational meetings, and student performances throughout the year. We encourage parents to volunteer in classrooms, the library, or chaperone field trips. Teachers also have parent nights discussing a wide variety of topics that will assist parents and their children. TESD works in conjunction with the local high school through administrator and teacher articulation meetings held four times a year. Our district hosts high school orientation and registration opportunities for our matriculating families. We connect students to the high school district through a variety activities including attending sporting events and assemblies, as well as visiting high school classrooms to preview future educational opportunities that may be available to them.

The Parent Staff Organization (PSO) operates during the school year to provide help and support for various programs at the school. The school Fall Festival is the main fundraiser for the PSO. Funds earned this school year are used to help with class parties, field trips, and other co-curricular activities.

For more information on how to become involved at the school, please contact Principal Cherie Solian at (559) 752-4213.

**State Priority: School Climate**

The SARC provides the following information relevant to the State priority: School Climate (Priority 6):

- Pupil suspension rates;
- Pupil expulsion rates; and
- Other local measures on the sense of safety.

### School Safety Plan

Our School Safety Plan was revised and updated in Fall of 2019 and will be taken to the Board for approval by February 2020. The team consists of the Superintendent, Principal, Resource Teacher, Supervisor of Maintenance, operations and transportation, other staff members and parents. The school also connects with local law enforcement and the local Fire Department in order to provide input and guidance on the school safety plan. The Safety Plan will provide explicit directions for every emergency situation that could occur on campus. Parents interested in obtaining a complete copy of the plan may request one from the Principal, Cherie Solian.

Suspensions and Expulsions for the School	2016-17	2017-18	2018-19
Suspensions Rate	4.1	1.4	1.5
Expulsions Rate	0.0	0.0	0.2

Suspensions and Expulsions for the District	2016-17	2017-18	2018-19
Suspensions Rate	4.1	1.4	1.5
Expulsions Rate	0.0	0.0	0.2

Suspensions and Expulsions for the State	2016-17	2017-18	2018-19
Suspensions Rate	3.6	3.5	3.5
Expulsions Rate	0.1	0.1	0.1

### D. Other SARC Information

The information in this section is required to be in the SARC but is not included in the state priorities for LCFF.

#### Ratio of Academic Counselors to Pupils (School Year 2018-19)

Title	Ratio
Academic Counselor*	.0

\* One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

#### Student Support Services Staff (School Year 2018-19)

Title	Number of Full-Time Equivalent (FTE)
Counselor (Social/Behavioral or Career Development)	
Library Media Teacher (Librarian)	
Library Media Services Staff (Paraprofessional)	1.0
Psychologist	0.4
Social Worker	0.2
Nurse	0.2
Speech/Language/Hearing Specialist	0.4
Resource Specialist (non-teaching)	1.0
Other	

\* One Full Time Equivalent (FTE) equals one staff member working full time; one FTE could also represent two staff members who each work 50 percent of full time.

### Average Class Size and Class Size Distribution (Elementary)

Grade Level	2016-17	2016-17	2016-17	2016-17	2017-18	2017-18	2017-18	2017-18	2018-19	2018-19	2018-19	2018-19
	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+	Average Class Size	# of Classes* Size 1-20	# of Classes* Size 21-32	# of Classes* Size 33+
K	21	1	3		19	4			24		3	
1	19	18			22		18		19	18		
2	25		15		20	10	5		18	15		
3	18	15			21		15		21	5	10	
4	23		12		21	1	17		23		18	
5	25		18		26		12		27		12	
6	17	10	4		26		12		15	12		
Other**												

\*Number of classes indicates how many classes fall into each size category (a range of total students per class).

\*\* "Other" category is for multi-grade level classes.

### Professional Development provided for Teachers

Measure	2017-18	2018-19	2019-20
Number of school days dedicated to Staff Development and Continuous Improvement	10	10	10

Based on the analysis of CAASPP data as well as local assessments the district continues to deliver research based Developmental Reading Assessment (DRA) as well as a guided reading program intended to differentiate instruction and meet the needs of each individual student, especially our EL population. The district continues to deliver the Teacher's College Writing Workshop units of study, which is a standards based writing program that allows teachers and instructional aides to work on the individual needs of each child. Professional Development is delivered by consultants, in the area of mathematics, during our early release days, by attending workshops, or during the regular school day by providing substitutes for classroom teachers. The district is implementing a data driven tiered reading as well as language intervention program to target struggling English learners, and accelerate their learning to meet grade level expectations. Teachers are supported through follow up meetings with administration to discuss student work analysis, district and classroom assessment data protocol, and grade level meetings to determine intervention and next level work for students who are struggling and excelling.

### FY 2017-18 Teacher and Administrative Salaries

Category	District Amount	State Average for Districts In Same Category
Beginning Teacher Salary	\$51,043	\$45,252
Mid-Range Teacher Salary	\$69,279	\$65,210
Highest Teacher Salary	\$89,035	\$84,472
Average Principal Salary (ES)	\$108,746	\$107,614
Average Principal Salary (MS)	\$0	\$112,242
Average Principal Salary (HS)	\$0	\$
Superintendent Salary	\$126,825	\$124,686

Percent of District Budget	District Amount	State Average for Districts In Same Category
Teacher Salaries	32%	31%
Administrative Salaries	4%	7%

\* For detailed information on salaries, see the CDE Certificated Salaries & Benefits webpage at [www.cde.ca.gov/ds/fd/cs/](http://www.cde.ca.gov/ds/fd/cs/).

### FY 2017-18 Expenditures Per Pupil and School Site Teacher Salaries

Level	Total	Restricted	Unrestricted	Average Teacher Salary
School Site	\$10,927	\$1,819	\$9,107	\$76,590
District	N/A	N/A	\$9,107	
State	N/A	N/A	\$7,506.64	\$64,941.00

Percent Differences	Unrestricted	Average Teacher Salary
School Site/District	0.0	8.3
School Site/ State	0.2	19.9

Note: Cells with N/A values do not require data.

The California Department of Education issued guidance to LEAs on August 1, 2018, regarding how to calculate school-level per-pupil expenditures that will be reported on 2018-19 report cards.

## **Types of Services Funded**

- Provide highly qualified highly trained staff in all TK-8 classrooms with a teacher to pupil ratio of less than or equal to 24:1. Small class sizes allow our teachers to build quality relationships with our students and to develop a deeper understanding of their individual needs.
- Provide reading intervention support for students who are performing below grade level with the purpose of accelerating student learning and closing the achievement gap. Our intervention approach is data driven and employs flexible groupings based on student need. Our local data has demonstrated strong growth for our students who participate in this intervention.
- Provide our students with access to a variety of technology in order to develop 21st century knowledge and skills.
- Provide our students with access to computer based programs that will individualize instruction in order to accelerate their learning.
- Provide all students with access to rich reading material and other media for both instructional and recreational purposes with the goal of engaging students in powerful reading experiences.
- Provide Parent Liaison to assist families.
- Provide access to enrichment programs and electives focused around Science, Technology, Engineering, Arts, and Mathematics. In order to create a collegial school culture of inclusivity the TESD has committed to improving school attendance, reducing suspensions and expulsions, as well as increasing parent participation and voice in local decision making. In order to achieve these goals we will provide the following direct services to our students and school community:
- Provide a LVN to assist with student health issues and family outreach.
- Provide school sponsored parent events, meetings, and workshops in order to increase participation in school decision making.

## **DataQuest**

DataQuest is an online data tool located on the CDE DataQuest web page at <https://dq.cde.ca.gov/dataquest/> that contains additional information about this school and comparisons of the school to the district and the county. Specifically, DataQuest is a dynamic system that provides reports for accountability (e.g., test data, enrollment, high school graduates, dropouts, course enrollments, staffing, and data regarding English learners).

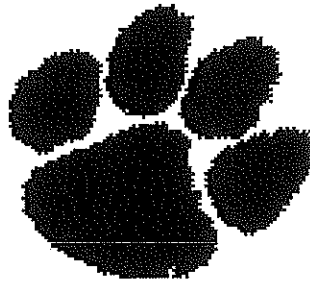
## **Internet Access**

Internet access is available at public libraries and other locations that are publicly accessible (e.g., the California State Library). Access to the Internet at libraries and public locations is generally provided on a first-come, first-served basis. Other use restrictions may include the hours of operation, the length of time that a workstation may be used (depending on availability), the types of software programs available on a workstation, and the ability to print documents.

**4. ADMINISTRATIVE: Action items:**

- 4.1**        Comprehensive School Safety Plan 2019-2020  
*(A copy of the plan will be available at the board meeting)*

# **Tipton Elementary**



## **Comprehensive School Safety Plan**

**2019-2020**

A meeting for public input was held on  
01/15/2020

Plan Revised  
11/14/2019

Plan approved by Tipton Elementary School District's  
Governing Board on  
02/04/2020

This document is available for public inspection during regular business hours at  
Tipton Elementary School in the main office.

**5. FINANCE: Action items:**

**5.1 Vendor Payments**



February 4th, 2020 Board Meeting

**APY List****Date Paid between 12/21/2019 and 01/17/2020**

<b>Vendor No</b>	<b>Vendor Name</b>	<b>Reference Number</b>	<b>Payment Date</b>	<b>Invoice Number/Desc.</b>	<b>AccountCode</b>	<b>Amount</b>
13456	A & G TELEPHONE SERVICE, INC.	200958	1/17/2020	5530	010-81500-0-00000-81000-58000-0	\$150.00
13456	A & G TELEPHONE SERVICE, INC.	200959	1/17/2020	5544	010-81500-0-00000-81000-58000-0	\$341.95
13036	AMERICAN FIDELITY	200915	1/17/2020	DECEMBER 2019	010-00000-0-00000-00000-95024-0	\$317.04
12788	ARAMARK UNIFORM SERVICES INC	200898	12/27/2019	602337280	010-00000-0-00000-81000-56000-0	\$440.37
12788	ARAMARK UNIFORM SERVICES INC	200899	12/27/2019	602358809	010-00000-0-00000-81000-56000-0	\$440.37
12788	ARAMARK UNIFORM SERVICES INC	200879	12/27/2019	60231613	010-00000-0-00000-81000-56000-0	\$420.17
12788	ARAMARK UNIFORM SERVICES INC	200916	1/17/2020	602365969	010-00000-0-00000-81000-56000-0	\$440.37
13904	AT&T	200960	1/17/2020	BAN9391028859	010-00000-0-00000-81000-59000-0	\$19.72
13904	AT&T	200961	1/17/2020	BAN9391068237	010-00000-0-00000-81000-59000-0	\$1,559.78
13904	AT&T	200962	1/17/2020	BAN9391028858	010-00000-0-00000-81000-59000-0	\$182.23
12360	CA Department of Tax and Fee	200948	1/17/2020	57-415488 Q4-19	010-07230-0-00000-36000-58000-0	\$14.35
13619	CDW GOVERNMENT, INC.	200897	12/27/2019	VWC0100	010-07200-0-11100-10000-43000-0	\$79.78
5481	EMPLOYMENT DEVELOPMENT DEP	200947	1/17/2020	94238433 Q4-19	010-00000-0-00000-00000-95025-0	\$479.33
14375	F & M VISA s	200906	12/27/2019	8230 SOLIAN	010-00000-0-00000-72000-59000-0	\$13.70
14387	F & M VISA h	200905	12/27/2019	8453 HENRY	010-90336-0-11100-10000-58000-1	\$600.00
14246	FRESNO PRODUCE INC	200903	12/27/2019	949777	010-90336-0-11100-10000-43000-0	\$67.43
14164	IEC POWER LLC	200880	12/27/2019	TESD-OM-INV27	010-99900-0-00000-81000-58000-0	\$2,608.37
13957	INFINITY COMM. & CONSUL., INC.	200942	1/17/2020	10369	010-00000-0-00000-71000-58000-0	\$3,375.00
3013	JORGENSEN & COMPANY	200956	1/17/2020	5852601	010-00000-0-00000-81000-43000-0	\$52.80
3013	JORGENSEN & COMPANY	200913	12/27/2019	5839529	010-00000-0-00000-81000-58000-0	\$371.16
3013	JORGENSEN & COMPANY	200956	1/17/2020	5852601	010-00000-0-00000-81000-58000-0	\$440.00
3013	JORGENSEN & COMPANY	200957	1/17/2020	5852584	010-00000-0-00000-81000-58000-0	\$104.00
13961	LOWE'S	200910	12/27/2019	908268	010-00000-0-00000-81000-43000-0	\$112.41
13961	LOWE'S	200911	12/27/2019	901385	010-00000-0-00000-81000-43000-0	\$395.69
13961	LOWE'S	200912	12/27/2019	985750	010-81500-0-00000-81000-43000-0	\$571.92
12270	LOZANO SMITH	200882	12/27/2019	2098232	010-00000-0-00000-71000-58000-0	\$24.68
12270	LOZANO SMITH	200883	12/27/2019	2098233	010-00000-0-00000-71000-58000-0	\$370.12
12270	LOZANO SMITH	200884	12/27/2019	2098234	010-00000-0-00000-71000-58000-0	\$172.72
14092	MEDICAL BILLING TECH, INC.	200951	1/17/2020	AR-30671	010-56400-0-11100-10000-58000-0	\$0.71
14092	MEDICAL BILLING TECH, INC.	200950	1/17/2020	AR-30265	010-56400-0-11100-10000-58000-0	\$2.61
14092	MEDICAL BILLING TECH, INC.	200952	1/17/2020	AR-30543	010-56400-0-11100-10000-58000-0	\$0.69
13882	MOBILE MODULAR MGT. CORP.	200917	1/17/2020	2007261	010-00000-0-00000-81000-56000-0	\$610.00
13882	MOBILE MODULAR MGT. CORP.	200918	1/17/2020	2007331	010-00000-0-00000-81000-56000-0	\$610.00
13882	MOBILE MODULAR MGT. CORP.	200919	1/17/2020	2007265	010-00000-0-00000-81000-56000-0	\$610.00
11531	MORRIS LEVIN & SON	200954	1/17/2020	50087558	010-81500-0-00000-81000-56000-0	\$1,172.56



TIPTON ELEMENTARY SCHOOL DISTRICT

<u>Vendor No</u>	<u>Vendor Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Invoice Number/Desc.</u>	<u>AccountCode</u>	<u>Amount</u>
11531	MORRIS LEVIN & SON	200953	1/17/2020	50086810	010-81500-0-00000-81000-56000-0	\$200.00
12836	OFFICE DEPOT, INC.	200890	12/27/2019	390474895001	010-00000-0-11100-10000-43000-0	\$16.15
12836	OFFICE DEPOT, INC.	200891	12/27/2019	390443452001	010-00000-0-11100-10000-43000-0	\$61.19
12836	OFFICE DEPOT, INC.	200893	12/27/2019	406148214001	010-11000-0-11100-10000-43000-0	\$63.74
12836	OFFICE DEPOT, INC.	200892	12/27/2019	406147787001	010-11000-0-11100-10000-43000-0	\$16.77
12836	OFFICE DEPOT, INC.	200940	1/17/2020	413482712001	010-11000-0-11100-10000-43000-0	\$79.84
12836	OFFICE DEPOT, INC.	200936	1/17/2020	418765633001	010-11000-0-11100-10000-43000-0	\$33.14
12836	OFFICE DEPOT, INC.	200937	1/17/2020	417605686001	010-11000-0-11100-10000-43000-0	\$152.62
12836	OFFICE DEPOT, INC.	200894	12/27/2019	406513311001	010-60100-0-11100-10000-43000-0	\$21.63
12836	OFFICE DEPOT, INC.	200895	12/27/2019	406513313001	010-60100-0-11100-10000-43000-0	\$37.70
12836	OFFICE DEPOT, INC.	200896	12/27/2019	406513312001	010-60100-0-11100-10000-43000-0	\$7.32
12836	OFFICE DEPOT, INC.	200941	1/17/2020	414332996001	010-60100-0-11100-10000-43000-0	\$99.44
12836	OFFICE DEPOT, INC.	200939	1/17/2020	406513314001	010-60100-0-11100-10000-43000-0	\$16.89
12836	OFFICE DEPOT, INC.	200938	1/17/2020	406584207001	010-60100-0-11100-10000-43000-0	\$37.49
13851	PAUL AZEVEDO	200907	12/27/2019	1011	010-07230-0-00000-36000-58000-0	\$41.25
13851	PAUL AZEVEDO	200908	12/27/2019	1012	010-07230-0-00000-36000-58000-0	\$417.50
13851	PAUL AZEVEDO	200909	12/27/2019	1012	010-07230-0-00000-36000-58000-0	\$1,315.00
14273	PITNEY BOWES INC	200922	1/17/2020	1014517476	010-00000-0-00000-72000-59000-0	\$88.80
14111	SISC	200949	1/17/2020	JAN BRD/RET/ACTIVE	010-00000-0-00000-00000-95024-0	\$62,584.56
14111	SISC	200949	1/17/2020	JAN BRD/RET/ACTIVE	010-00000-0-00000-00000-95028-0	\$6,867.00
14111	SISC	200949	1/17/2020	JAN BRD/RET/ACTIVE	010-00000-0-00000-71000-34020-0	\$7,242.40
5388	SOUTHERN CAL GAS	200927	1/17/2020	108 416 9100 8	010-00000-0-00000-81000-55000-0	\$1,562.98
5383	SOUTHERN CALIF EDISON CO	200925	1/17/2020	3-003-6474-91	010-00000-0-00000-81000-55000-0	\$124.34
5383	SOUTHERN CALIF EDISON CO	200926	1/17/2020	3-003-6248-80	010-99900-0-00000-81000-55000-0	\$3,952.06
13902	SOUTHWEST SCH. & OFFICE SUPP	200923	1/17/2020	PINV0663171	010-00000-0-11100-10000-43000-0	\$812.77
13902	SOUTHWEST SCH. & OFFICE SUPP	200924	1/17/2020	PINV0663171	010-00000-0-11100-10000-43000-0	\$561.69
13130	SYSCO FOOD SERVICES	200955	1/17/2020	284294572	010-00000-0-11100-10000-43000-0	\$99.22
13828	THE DIESEL DOCTOR	200904	12/27/2019	45605	010-07230-0-00000-36000-56000-0	\$457.08
14369	THE HOME DEPOT PRO	200888	12/27/2019	525877643	010-81500-0-00000-81000-43000-0	\$357.20
14369	THE HOME DEPOT PRO	200934	1/17/2020	529571317	010-81500-0-00000-81000-43000-0	\$579.96
14369	THE HOME DEPOT PRO	200935	1/17/2020	529364028	010-81500-0-00000-81000-43000-0	\$867.84
5760	TIPTON COMMUNITY SERVICES DIS	200931	1/17/2020	10040002	010-00000-0-00000-81000-55000-0	\$627.14
13463	TULARE COUNTY OFFICE OF EDUC	200902	12/27/2019	201002	010-56400-0-00000-31400-58000-0	\$210.00
12324	TULE TRASH COMPANY	200929	1/17/2020	49416	010-00000-0-00000-81000-55000-0	\$839.92
13496	VALLEY PACIFIC PET. SERV., INC	200933	1/17/2020	20-723907	010-07230-0-00000-36000-43000-0	\$889.40
13333	VERIZON WIRELESS	200932	1/17/2020	9844599422	010-00000-0-00000-81000-59000-0	\$623.62
14395	VISUAL INK	200885	12/27/2019	16404	010-07200-0-11100-10000-43000-0	\$168.62
14395	VISUAL INK	200886	12/27/2019	16404	010-07200-0-11100-10000-58000-0	\$34.68
14354	WIZIX TECH GROUP INC	200944	1/17/2020	140278	010-00000-0-00000-72000-58000-0	\$169.85
14354	WIZIX TECH GROUP INC	200943	1/17/2020	140277	010-00000-0-11100-10000-58000-0	\$449.77

Vendor No	Vendor Name	Reference Number	Payment Date	Invoice Number/Desc.	AccountCode	Amount
14354	WIZIX TECH GROUP INC	200945	1/17/2020	140279	010-00000-0-11100-10000-58000-0	\$275.95
14354	WIZIX TECH GROUP INC	200946	1/17/2020	140280	010-00000-0-11100-10000-58000-0	\$655.31

**010-General Fund Total Expenditures: \$110,891.86**

<b>FUND 130 CAFETERIA</b>				<b>CAFETERIA FUND 130</b>		
14246	FRESNO PRODUCE INC	200914	12/27/2019	945007	130-53100-0-00000-37000-47000-0	\$871.38
12921	GOLD STAR FOODS INC.	200900	12/27/2019	2984795	130-53100-0-00000-37000-47000-0	\$168.75
13191	PRODUCERS DAIRY FOODS	200881	12/27/2019	48084940513	130-53100-0-00000-37000-47000-0	\$549.44
13191	PRODUCERS DAIRY FOODS	200920	1/17/2020	48084947278	130-53100-0-00000-37000-47000-0	\$691.82
13130	SYSCO FOOD SERVICES	200887	12/27/2019	284264176	130-53100-0-00000-37000-47000-0	\$946.80
13130	SYSCO FOOD SERVICES	200921	1/17/2020	284294570	130-53100-0-00000-37000-47000-0	\$4,621.77
12324	TULE TRASH COMPANY	200928	1/17/2020	49415	130-53100-0-00000-81000-55000-0	\$1,131.00
12650	VALLEY FOOD SERVICE	200889	12/27/2019	377868	130-53100-0-00000-37000-47000-0	\$927.80

**130-Cafeteria Fund Total Expenditures: \$9,908.76**

**TOTAL PAYMENTS \$120,800.62**

**5. FINANCE: Action items:**

**5.2** Budget Revisions

## Budget Revision Report

**Bdg Revision Final**

**Control Number: 12851088**

Account Classification		Approved / Revised	Change Amount	Proposed Budget
<b>Fund: 0100</b>	<b>General Fund</b>			
<b>Expenditures</b>				
<b>Books and Supplies</b>				
	010-60100-0-11100-10000-43000-0	\$9,528.00	\$2,100.00	\$11,628.00
	010-60100-0-11100-10000-44000-0	\$2,633.20	(\$2,100.00)	\$533.20
	010-63870-0-11100-10000-44000-0	\$5,000.00	(\$5,000.00)	\$0.00
	<b>Total:</b>	\$17,161.20	(\$5,000.00)	\$12,161.20
<b>Services, Other Operating Expenses</b>				
	010-07200-0-11100-10000-53000-0	\$8,000.00	(\$4,000.00)	\$4,000.00
	010-07200-0-11100-10000-58000-0	\$23,000.00	\$4,000.00	\$27,000.00
	010-63870-0-11100-10000-58000-0	\$2,000.00	\$3,160.00	\$5,160.00
	010-90100-0-00000-82000-58000-0	\$1,000.00	\$3,000.00	\$4,000.00
	010-90100-0-00000-82000-59000-0	\$8,000.00	(\$3,000.00)	\$5,000.00
	010-90336-0-11100-10000-52000-1	\$2,000.40	(\$1,000.00)	\$1,000.40
	010-90336-0-11100-10000-58000-1	\$0.00	\$1,000.00	\$1,000.00
	<b>Total:</b>	\$44,000.40	\$3,160.00	\$47,160.40
<b>Capital Outlay</b>				
	010-63870-0-00000-85000-61700-0	\$0.00	\$10,000.00	\$10,000.00
	<b>Total:</b>	\$0.00	\$10,000.00	\$10,000.00
<b>Total Expenditures</b>		\$61,161.60	\$8,160.00	\$69,321.60
<b>Budgeted Unappropriated Fund Balance before this adjustment:</b>			<b>\$2,822,079.43</b>	
<b>Total Adjustment to Unappropriated Fund Balance:</b>			<b>(\$8,160.00)</b>	
<b>Budgeted Unappropriated Fund Balance after this adjustment:</b>			<b>\$2,813,919.43</b>	

# Budget Revision Report

Bdg Revision Final

Control Number: 12851088

Account Classification

Approved / Revised

Change Amount

Proposed Budget

At a meeting of the school board on \_\_\_\_\_, the board approved the above budget account lines change to those amounts indicated in the proposed budget column.

Authorized by: \_\_\_\_\_

(County Office Use Only)

Updated at County Office on \_\_\_\_/\_\_\_\_/\_\_\_\_ by \_\_\_\_\_

**7. ANY OTHER BUSINESS:**

**7.1** Review Quarterly Board Policy December 2019

**POLICY GUIDE SHEET**  
**December 2019**  
**Page 1 of 4**

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

**BP 2121 - Superintendent's Contract**

(BP revised)

Policy updated to add professional development as an optional component that may be addressed in the superintendent's contract, consistent with CSBA's Superintendent Contract Template. Section on "Termination of Contract" deletes material related to maximum cash settlement requirements for contracts executed prior to January 1, 2016, since state law limits the term of the contract to a maximum of four years.

**BP 3600 - Consultants**

(BP revised)

Policy updated to reflect **NEW LAW (AB 5)** which codifies a three-part test, established in *Dynamex Operations West Inc. v. Superior Court of Los Angeles*, to determine whether a person providing services for remuneration should be classified as an employee or an independent contractor. Policy also updates the statement on nondiscrimination to include additional protected categories, and reflects law regarding harassment of or by an independent contractor.

**AR 4030 - Nondiscrimination in Employment**

(AR revised)

Regulation updated to reflect **NEW LAW (SB 778)** which delays until January 1, 2021 a requirement for districts with five or more employees to provide at least two hours of sexual harassment training to supervisory employees and at least one hour of sexual harassment training to nonsupervisory employees. Regulation also reflects **NEW LAW (AB 9)** which allows complaints of employment discrimination to be filed with the Department of Fair Employment and Housing up to three years after the alleged act.

**BP 4033 - Lactation Accommodation**

(BP revised)

Policy updated to reflect **NEW LAW (SB 142)** which mandates districts to adopt policy that addresses an employee's right to request lactation accommodation, the process by which the employee makes the request, the district's obligation to respond to the request, and the employee's right to file a complaint with the Labor Commissioner alleging any violation of the right to lactation accommodation. Policy also reflects provisions of SB 142 requiring districts to provide a lactation room or location with prescribed features, prohibiting districts from discriminating or retaliating against an employee who exercises the right to lactation accommodation, and authorizing districts with fewer than 50 employees to seek an exemption from the requirement to provide lactation accommodation if the district demonstrates that the requirement poses an undue hardship.

**BP 4151/4251/4351 - Employee Compensation**

(BP revised)

Policy updated to clarify that, in determining whether an executive, administrative, or professional employee is exempt from overtime rules, the salary threshold established by state law supersedes the threshold established by federal law (as raised by new federal rule September 24, 2019). Policy also deletes complex information on Internal Revenue Service forms that must be completed by employees who earn compensation over 9 or 10 months but elect to spread salary payments over 12 months, thereby creating "deferred compensation."



**POLICY GUIDE SHEET**  
**December 2019**  
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**BP/AR 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System)**

(BP revised; AR deleted)

Policy updated to clarify that dismissal of probationary classified employees may be done without cause, delete detailed procedures for disciplinary proceedings, and reflect due process rights that must be granted to permanent employees based on the court decision in *Skelly v. State Personnel Board*. Regulation deleted and districts encouraged to replace or supplement these materials with the rules of their personnel commission.

**BP/AR 5116.1 - Intradistrict Open Enrollment**

(BP/AR revised)

Policy and regulation updated to delete material related to transfers under the state Open Enrollment Act and federal Program Improvement, as those programs are no longer operational. Policy also reflects **NEW LAW (AB 1127)** which requires districts to approve an intradistrict transfer request for a student who is a victim of bullying, as defined. Optional item added for districts electing to offer intradistrict transfers to all students in a school identified by the California Department of Education (CDE) for comprehensive support and improvement (CSI), in which case priority must be given to the lowest achieving students from low-income families. Regulation revised to clarify timelines for transfers out of schools identified by CDE as "persistently dangerous." For districts that offer transfers out of CSI schools, regulation allows a transfer student the opportunity to remain in the school of enrollment until completing the highest grade offered at that school.

**BP/AR 5117 - Interdistrict Attendance**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires districts to provide transportation assistance to transfer students who are victims of bullying or are children of active duty military parents/guardians, if they are also eligible for free or reduced-priced meals. Regulation updated to reflect provisions of AB 1127 which (1) prohibit consideration of specified characteristics when selecting students for transfer who are victims of bullying or children of active duty military parents/guardians and (2) require a district to accept a transfer out of the district for a victim of bullying if the district has only one school offering the student's grade level.

**BP/AR/E 5118 - Open Enrollment Act Transfers**

(BP/AR/E deleted)

Policy, regulation, and exhibit deleted since CDE no longer identifies low-achieving schools based on the Academic Performance Index for purposes of developing an Open Enrollment List of schools, in which students had the option to transfer to a higher achieving school within or outside the district.

**AR 5125 - Student Records**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 711)** which requires districts to update the records of a former student who submits a written request or government-issued documentation of a name and/or gender change. Regulation also revised to reflect current law regarding the timeline for submitting the grade point average of students in grade 12 to the Student Aid Commission for use in the Cal Grant postsecondary financial aid program and the timeline for notifying students and parents/guardians of their right to opt out.

**BP/AR 5131.2 - Bullying**

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 1127)** which requires a district to approve an intradistrict transfer request for a victim of bullying and, if the district does not have another school with the same grade level, allows a victim of bullying to transfer out of the district. Regulation updated to reflect **NEW LAW (AB 34)** which requires districts to make specified information on bullying and harassment prevention readily accessible on their web sites beginning in the 2020-21 school year.

**POLICY GUIDE SHEET**  
**December 2019**  
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**BP/AR 5141.21 - Administering Medication and Monitoring Health Conditions**

(BP/AR revised)

Policy updated to reflect **NEW LAW (SB 233)** which authorizes the board to adopt policy allowing a parent/guardian, but not school personnel, to administer medicinal cannabis in a nonsmokeable, nonvapeable form at a school site to a student who is a qualified patient. Policy explains the conflict between state and federal law and provides options for districts to authorize or not authorize administration of medicinal cannabis at a school site. For districts that choose to authorize medicinal cannabis, policy reflects the components that are mandated to be in policy, including requirements for parents/guardians to provide a written medical recommendation for the student to be administered medicinal cannabis, sign in at the school before administering the cannabis, and remove any remaining cannabis from the school site. Regulation reflects **NEW LAW (AB 743)** which requires districts to accept a physician statement for inhaled asthma medication from a health plan operating under the laws of Mexico that is licensed in California.

**BP/AR 6143 - Courses of Study**

(BP/AR revised)

Policy updated to include the prohibition against providing any course separately on the basis of specified characteristics or refusing the participation of a student on any such basis. Policy also reflects the requirement to provide a list of courses certified as meeting California college admission criteria (i.e., "a-g" course requirements) to parents/guardians as well as students in grades 9-12. Regulation updates the list of course offerings for grades 7-12 to revise the description of the Bracero program, update the terminology for "foreign language" to "world language" consistent with current state law, reflect **NEW LAW (AB 1595)** which replaces references to "homemaking" with "family and consumer sciences," and delete outdated date for beginning instruction in compression-only cardiopulmonary resuscitation. Regulation also adds requirement, effective in the 2020-21 school year, to provide specified information on how to properly complete and submit the Free Application for Federal Student Aid (FAFSA) or the Dream Act application, as appropriate, at least once before grade 12.

**BP 6154 - Homework/Makeup Work**

(BP revised)

Policy updated to reflect **NEW LAW (AB 982)** which requires that, when a parent/guardian of a student who has been suspended for two or more days requests homework that the student would have otherwise been assigned, teachers must provide such homework.

**AR 6174 - Education for English Learners**

(AR revised)

Regulation updated to clarify the process for assessment and identification of English learners, including additional notification requirements. Section on "Reclassification/Redesignation" revised to require English learners who are reclassified as fluent English proficient to be monitored for at least four years following their reclassification, consistent with CDE's Federal Program Monitoring instrument. Regulation also adds further information regarding the composition and duties of the school-level and district-level English Learner Advisory Committee.

**AR 6175 - Migrant Education Program**

(AR revised)

Regulation updated to reflect **NEW LAW (AB 1319)** which requires the immediate enrollment of migrant students even if they have outstanding fees, fines, textbooks, or other items or monies due to the school last attended, do not have clothing normally required by the school, or are unable to produce records normally required for enrollment. Regulation also reflects provision of AB 1319 which grants migrant students the right to remain in their school of origin, or in a school within the district of origin, regardless of any change in residence of the student.

**POLICY GUIDE SHEET**  
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**BB 9150 - Student Board Members**

(BB revised)

Bylaw updated to reflect **NEW LAW (AB 709)** which requires student board members to be appointed to board subcommittees in the same manner as other board members, be invited to attend other functions of the board, and receive all materials received by other board members between open meetings except materials that pertain to closed session items. Bylaw also reflects provisions of AB 709 which clarify that student board members are not considered members of a legislative body for purposes of the Brown Act, authorize the board to award elective course credit for student board member service, and authorize the board to appoint an alternate student board member if the student board member's duties are not being fulfilled.

**SUPERINTENDENT'S CONTRACT**

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent will work together as a governance team to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the value of stability in district administration, the best use of district resources, and the Board's duty to ensure accountability to the public for the performance of the district's schools.

*(cf. 0200 - Goals for the School District)*  
*(cf. 0460 - Local Control and Accountability Plan)*  
*(cf. 2120 - Superintendent Recruitment and Selection)*  
*(cf. 4312.1 - Contracts)*  
*(cf. 9000 - Role of the Board)*

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

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

4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

*(cf. 3350 - Travel Expenses)*

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the use of a personal vehicle.

*(cf. 4040 - Employee Use of Technology)*

5. Vacation, illness and injury leave, and personal leaves

*(cf. 4161/4261/4361 - Leaves)*  
*(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)*  
*(cf. 4161.2/4261.2/4361.2 - Personal Leaves)*  
*(cf. 4161.5/4261.5/4361.5 - Military Leave)*  
*(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*

**SUPERINTENDENT'S CONTRACT** (continued)

6. Professional development

7. General duties and responsibilities of the position

*(cf. 2110 - Superintendent Responsibilities and Duties)*

8. Criteria, process, and procedure for annual evaluation of the Superintendent

*(cf. 2140 - Evaluation of the Superintendent)*

9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date

12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's official capacity in the performance of employment-related duties

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

## **SUPERINTENDENT'S CONTRACT (continued)**

*(cf. 9320 - Meetings and Notices)*  
*(cf. 9321 - Closed Session)*

Terms of the contract shall remain confidential until the ratification process commences.

*(cf. 9011 - Disclosure of Confidential/Privileged Information)*

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

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

### **Termination of Contract**

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

*(cf. 4117.5/4217.5/4317.5 - Termination Agreements)*

In such an event, the maximum cash settlement that the Superintendent may receive upon termination of the contract shall not exceed the Superintendent's monthly salary multiplied by the number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

## **SUPERINTENDENT'S CONTRACT (continued)**

In addition, if the Superintendent is convicted of a crime involving an abuse of office or position, the Superintendent shall reimburse the district for payments received as paid leave salary pending investigation or as cash settlement upon termination, and for any funds expended by the district in defending the Superintendent against a crime involving the Superintendent's office or position. (Government Code 53243-53243.4, 53260)

### *Legal Reference:*

#### EDUCATION CODE

35031 *Term of employment*

41325-41328 *Conditions of emergency apportionment*

#### GOVERNMENT CODE

3511.1-3511.2 *Local agency executives*

6250-6270 *California Public Records Act*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

54953 *Oral summary of recommended salary and benefits of superintendent*

54954 *Time and place of regular meetings*

54956 *Special meetings*

54957 *Closed session personnel matters*

54957.1 *Closed session, public report of action taken*

54957.6 *Closed sessions regarding employee matters*

#### UNITED STATES CODE, TITLE 26

105 *Self-insured medical reimbursement plan; definition of highly compensated individual*

#### UNITED STATES CODE, TITLE 42

300gg-16 *Group health plan; nondiscrimination in favor of highly compensated individuals*

#### CODE OF FEDERAL REGULATIONS, TITLE 26

1.105-11 *Self-insured medical reimbursement plan*

#### COURT DECISIONS

*San Diego Union v. City Council* (1983) 146 Cal.App.3d 947

#### ATTORNEY GENERAL OPINIONS

57 *Ops. Cal. Atty. Gen.* 209 (1974)

### *Management Resources:*

#### CSBA PUBLICATIONS

*Superintendent Contract Template*

#### ATTORNEY GENERAL PUBLICATIONS

*The Brown Act: Open Meetings for Local Legislative Bodies, 2003*

#### WEB SITES

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

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

California Office of the Attorney General: <https://oag.ca.gov>

**CONSULTANTS**

The Governing Board authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience, or knowledge. Individuals, firms, or organizations employed as independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional, or other matters.

*(cf. 3551 - Food Service Operations/Cafeteria Fund)*

As part of the contract process, the Superintendent or designee shall determine that the individual, firm, or organization is properly classified as an independent contractor. A person, firm, or organization shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met: (Labor Code 2750.3)

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.
2. The person or entity is performing work that is outside the usual course of the district providing educational services.
3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)

All consultant contracts shall be brought to the Board for approval.

*(cf. 3311 - Bids)*

*(cf. 3312 - Contracts)*

*(cf. 4132/4232/4332 - Publication or Creation of Materials)*

All qualified independent contractors shall be accorded equal opportunity for contracts regardless of actual or perceived race, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)

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

*(cf. 0415 - Equity)*

*(cf. 4030 - Nondiscrimination in Employment)*



**CONSULTANTS** (continued)

Independent contractors shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend approval of the contract.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

*(cf. 9270 - Conflict of Interest)*

When employees of a public university, county office of education, or other public agency serve as consultants or independent contractors in other capacities for the district, they shall certify as part of the agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for the district.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*Legal Reference: (see next page)*

**CONSULTANTS (continued)**

*Legal Reference:*

EDUCATION CODE

220 *Prohibition of discrimination*

10400-10407 *Cooperative improvement programs*

17596 *Limit on continuing contracts*

35010 *Control of districts; prescription and enforcement of rules*

35172 *Promotional activities*

35204 *Contract with attorney*

44925 *Part-time readers employed as independent contractors*

45103 *Classified service in districts not incorporating the merit system*

45103.5 *Contracts for food service consulting services*

45134-45135 *Employment of retired classified employee*

45256 *Merit system districts; classified service; positions established for professional experts on a temporary basis*

GOVERNMENT CODE

12940 *Unlawful employment practices*

53060 *Contract for special services and advice*

82019 *Designated employee*

87302 *Conflict of interest code*

LABOR CODE

2750.3 *ABC three-part test: employees and independent contractors*

UNEMPLOYMENT INSURANCE CODE

606.5 *Determination of employment status*

621 *Employer and employee defined*

CODE OF REGULATIONS, TITLE 2

18700.3 *Consultant*

COURT DECISIONS

*Dynamex Operations West, Inc. v. Superior Court of Los Angeles* (2018) 4 Cal. 5th 903

*S.G. Borello & Sons, Inc. v. Department of Industrial Relations* (1989) 48 Cal. 3d 341

**NONDISCRIMINATION IN EMPLOYMENT**

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

*(cf. 1240 - Volunteer Assistance)*

*(cf. 3312 - Contracts)*

*(cf. 3600 - Consultants)*

*(cf. 4032 - Reasonable Accommodation)*

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to organize and manage the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Business Manager  
(position title)  
370 N Evans Rd Tipton, CA 93272  
(address)  
559-752-4213  
(telephone number)  
mhenry@tipton.k12.ca.us  
(email)

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Department of Fair Employment and Housing (DFEH) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)

*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*

*(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

- a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
- b. Posting them in all district schools and offices, including staff lounges and other prominent locations
- c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 4111/4211/4311 - Recruitment and Selection)*

3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)
  - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
  - b. Sending a copy via email with an acknowledgment return form
  - c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
  - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
  - e. Any other way that ensures employees receive and understand the policy

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

4. Provide to employees a handbook which contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior
5. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The district may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

**Complaint Procedure**

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a written complaint.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, any available evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

*(cf. 3580 - District Records)*

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*

If the coordinator determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

- 3. Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented. The report shall be presented to the Superintendent or designee.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

A summary of the findings shall be presented to the complainant and the person accused.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

*(cf. 1312.1 - Complaints Concerning District Employees)*

*(cf. 9321 - Closed Session)*

**Other Remedies**

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either DFEH or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with DFEH alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. For filing a complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

**LACTATION ACCOMMODATION**

The Governing Board recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any district employee to express milk for an infant child upon returning to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee for seeking an accommodation to express breast milk for an infant child while at work.

*(cf. 4030 - Nondiscrimination in Employment)*

An employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employee's essential job duties are covered during the break time.

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 207)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The district shall include this policy in its employee handbook or in any set of policies that the district makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

**Break Time and Location Requirements**

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)



**LACTATION ACCOMMODATION** (continued)

The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the following requirements: (Labor Code 1031; 29 USC 207)

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

**Dispute Resolution**

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

*(cf. 4144/4244/4344 - Complaints)*

*Legal Reference: (see next page)*

## LACTATION ACCOMMODATION (continued)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Educational equity; prohibition of discrimination on the basis of sex

#### CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

#### GOVERNMENT CODE

12926 Definition of sex; breastfeeding

12940 Unlawful discriminatory employment practices

12945 Unlawful discrimination based on pregnancy, childbirth, or related medical conditions

#### LABOR CODE

1030-1034 Lactation accommodation

6382 Procedure for listing hazardous substances

#### CODE OF REGULATIONS, TITLE 2

11035-11051 Unlawful sex discrimination; pregnancy and related medical conditions

#### UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

### Management Resources:

#### CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

#### CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Lactation Accommodation for Employers

#### CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

#### FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

#### OFFICE OF THE SURGEON GENERAL PUBLICATIONS

The Surgeon General's Call to Action to Support Breastfeeding, 2011

#### HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

#### U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Frequently Asked Questions- Break Time for Nursing Mothers

Fact Sheet #73: Break Time for Nursing Mothers under the FLSA, rev. April 2018

#### WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse> California Department of Public Health: <http://www.cdph.ca.gov>

California Women, Infants and Children Program: <http://www.wicworks.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Health Resources and Services Administration: <http://www.hrsa.gov>

Office of the Surgeon General: <http://www.surgeongeneral.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

**INTERDISTRICT ATTENDANCE**

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

*(cf. 5111.1 - District Residency)*

*(cf. 5116.1 - Intradistrict Open Enrollment)*

**OPTION 1: Interdistrict Attendance Agreements and Permits**

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed upon by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

**Transportation**

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600. (Education Code 46600)

*(cf. 3553 - Free and Reduced Price Meals)*

In addition, upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

*Legal Reference:*

EDUCATION CODE

*8151 Apprentices, exemption from interdistrict attendance agreement*

*41020 Annual district audits*

*46600-46610 Interdistrict attendance agreements*

*48204 Residency requirements for school attendance*

*48300-48317 Student attendance alternatives, school district of choice program*

*48900 Grounds for suspension or expulsion; definition of bullying*

48915 *Expulsion; particular circumstances*  
48915.1 *Expelled individuals; enrollment in another district*  
48918 *Rules governing expulsion procedures*  
48980 *Notice at beginning of term*  
48985 *Notices to parents in language other than English*  
52317 *Regional occupational center/program, enrollment of students, interdistrict attendance*  
CALIFORNIA CONSTITUTION  
*Article I, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin*  
COURT DECISIONS  
*Walnut Valley Unified School District v. the Superior Court of Los Angeles County* (2011) 192  
*Cal.App.4th* 234  
*Crawford v. Huntington Beach Union High School District* (2002) 98 *Cal.App.4th* 1275  
ATTORNEY GENERAL OPINIONS  
87 *Ops. Cal. Atty. Gen.* 132 (2004)  
84 *Ops. Cal. Atty. Gen.* 198 (2001)

*Management Resources:*

WEB SITES

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

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

**INTERDISTRICT ATTENDANCE**

**OPTION 1: Interdistrict Attendance Agreements and Permits**

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student of either district to enroll in the other district may be issued upon approval of both districts.

The district shall post on its web site the procedures and timelines for requesting an interdistrict transfer permit, including a link to BP 5117 - Interdistrict Attendance. The posted information shall include, but is not limited to: (Education Code 46600.1, 46600.2)

1. The date upon which the district will begin accepting and processing interdistrict transfer requests for the following school year
2. The reasons for which the district may approve or deny a request, and any information or documents that must be submitted as supporting evidence
3. If applicable, the process and timelines by which a denial of a request may be appealed within the district before the district renders a final decision
4. A statement that failure of a parent/guardian to meet any timelines established by the district shall be deemed an abandonment of the request
5. Applicable timelines for processing a request, including the following statements:
  - a. For an interdistrict transfer request received by the district 15 or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, the district will notify the parent/guardian of its final decision within 30 calendar days from the date the request was received.
  - b. For an interdistrict transfer request received by the district more than 15 days before the commencement of instruction in the school year for which the interdistrict transfer is sought, the district will notify the parent/guardian of its final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction in the school year for which transfer is sought.
6. The conditions under which an existing interdistrict transfer permit may be revoked or rescinded

Priority for interdistrict attendance shall be given to a student who has been determined, through an investigation by either the district of residence or district of proposed enrollment, to be a victim of an act of bullying, as defined in Education Code 48900(r), committed by a student of the district of residence. (Education Code 46600)

**INTERDISTRICT ATTENDANCE** (continued)

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 5131.2 - Bullying)*

Until the district is at maximum capacity, the district shall accept any student whose interdistrict transfer application is based on being the victim of an act of bullying or a child of an active duty military parent/guardian. The district shall ensure that such students are admitted through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a student should be enrolled based on academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Education Code 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status. (Education Code 46600)

Length of and revocation of agreement: Any interdistrict attendance permit will be in effect only for the school year beginning July 1st and ending June 30th of that given year. However, Tipton Elementary School District may revoke an interdistrict agreement at any time during the effective year, pursuant to this policy, upon giving 10 calendar days written notice to the district of residence and to the pupil's parent/guardian.

Case-by-case basis: The Tipton Elementary School District will consider each interdistrict permit request on a case-by-case basis. The Tipton Elementary School District shall review every request for interdistrict attendance, whether the student is transferring into or out of the district.

Selection process: Tipton Elementary School District will allow interdistrict transfers into the district to meet the enrollment needs of each grade level. All things being equal, students will be allowed into the district on a first come-first serve basis providing that they meet all the requirements for interdistrict enrollment and have completed the initial requirements for consideration as specified by the Board and the Superintendent. In addition, the Board always reserves the right to make special exceptions to the interdistrict selection procedure.

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

- a. To meet the child care needs of the student, only as long as the student's child care provider remains within district boundaries
- b. Sibling attending school in district: When the student has a sibling attending school in a receiving district, to avoid splitting the family attendance.
- c. Moved during school year: To allow the student to complete a school year when the parents/guardians have moved out of the district during the year, as long as the student attended Tipton Elementary School District for at least one year (180 consecutive school days) prior to the move.

- d. Remain with class: To allow students to remain with a class that is graduating that year from the Tipton Elementary School District.
- e. Personal and social adjustment: To provide a change in school environment for reasons of personal and social adjustment.
- f. Educational program: When there is a valid interest in a particular educational program not offered in the district of residence.

### **Behavioral Performance and Attendance**

The Superintendent/Principal or designee, prior to approving an interdistrict attendance request to transfer into the district, may contact the child's district of residence to determine whether the student meets the Tipton Elementary School District standards of behavioral performance and attendance. If a student is determined to be experiencing difficulties in these areas, the Superintendent/Principal or designee may recommend to the Board that the interdistrict attendance request be denied.

- 1. District right to deny agreement: The Tipton Elementary School District reserves the right to deny any interdistrict attendance agreement request before the student is enrolled in this district for the following reasons:
  - a. Behavioral standards: The student is failing to maintain behavioral standards established by his/her district of residence.
  - b. Attendance: The student has experienced difficulty in regularly attending and/or arriving on time for his/her district of residence.
  - c. Classes overcrowded: Classes in this district are determined to be overcrowded and space is needed to permit the enrollment of additional students who reside in this district.
  - d. Class size limit: The Tipton Elementary School District may invoke a class size limit for individual grades at any time during the school year.
  - e. Interdistrict contract: All parents of interdistrict students will be required to sign a contract outlining the requirements for being granted an interdistrict permit. Any violation of the contract may result in the interdistrict being revoked and/or the interdistrict agreement not being granted in subsequent years.
- 2. District right to revoke agreement: The Tipton Elementary School District reserves the right to revoke any interdistrict attendance permit at any time during the school year for the following reasons:
  - a. Failure to maintain behavioral standards: The student is failing to maintain behavioral standards established by the district.
  - b. Attendance/tardy problems: The student has been tardy or truant without valid excuse excess of three (3) occasions during a school year.

c. Additional financial burden: If our interdistrict transfer student requires additional financial support beyond the amount generated by the ADA revenue, intended for that student.

3. Reapplication. A student who is enrolled in a district on the basis of an interdistrict attendance permit may be required to reapply and be approved each school year in order to continue to attend in the district of enrollment dependent on the terms and conditions of the interdistrict transfer agreement with the district of residence.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district shall not deny continued attendance because of overcrowded facilities at the relevant grade level.

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

If the transfer request is for a school year that begins within 15 calendar days of the receipt of the request, the Superintendent or designee shall notify the parent/guardian of the final decision within 30 calendar days of receiving the request. If the transfer request is for a school year that begins more than 15 calendar days after the receipt of the request, the parent/guardian shall be notified of the final decision as soon as possible, but no later than 14 calendar days after the commencement of instruction during that school year. (Education Code 46600.2)

If a student's interdistrict transfer request is denied, the Superintendent or designee shall, in writing, notify the parents/guardians of their right to appeal to the County Board of Education within 30 calendar days from the date of the final denial. (Education Code 46600.2)

*(cf. 5145.6 - Parental Notifications)*

All notices to parents/guardians regarding the district's decision on any request for interdistrict transfer shall conform to the translation requirements of Education Code 48985, and may be provided by regular mail, electronic format if the parent/guardian provides an email address, or by any other method normally used to communicate with parents/guardians in writing. (Education Code 46600.2)

Pending a decision by the two districts or by the County Board on appeal, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months, provided the district is the district of proposed enrollment. If the decision has not been rendered by the conclusion of two school months and the districts or County Board is still operating within the prescribed timelines, the student shall not be allowed to continue attending the district school to which the student was provisionally admitted. (Education Code 46603)



Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or rescissions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

*(cf. 5119 - Students Expelled from Other Districts)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*

### **Transfers Out of the District**

A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of the district, provided the school district of proposed enrollment approves the application for transfer. (Education Code 46600, 48307)

If the district is unable to provide an intradistrict transfer to a student who is a victim of an act of bullying, as defined in Education Code 46600, the district shall not prohibit the student from transferring out of the district if the district of proposed enrollment approves the application for transfer. (Education Code 46600)

The district may limit transfers out of the district to a school district of choice under any of the following circumstances: (Education Code 48307)

1. The number of student transfers out of the district to a school district of choice has reached the limit specified in Education Code 48307 based on the district's average daily attendance.
2. The County Superintendent of Schools has given the district a negative budget certification or has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.
3. The Board determines that the transfer would negatively impact any of the following: (Education Code 48307)
  - a. A court-ordered desegregation plan
  - b. A voluntary desegregation plan of the district, consistent with the California Constitution, Article 1, Section 31
  - c. The racial and ethnic balance of the district, consistent with the California Constitution, Article 1, Section 31

**STUDENT RECORDS**

**Definitions**

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

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

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

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

1. Directory information

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

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

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

*(cf. 3515 - Campus Security)*

*(cf. 3515.3 - District Police/Security Department)*

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

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

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

*Mandatory interim student records* are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

AR 5125(b)

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

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

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

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

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

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

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

AR 5125(c)

## **STUDENT RECORDS** (continued)

*Legitimate educational interest* is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

*School officials and employees* are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

*Contractor or consultant* is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

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

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

### **Persons Granted Absolute Access**

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

### **Access for Limited Purpose/Legitimate Educational Interest**

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

1. Parents/guardians of a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)  
AR 5125(d)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)
4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

*(cf. 5113.1 - Chronic Absence and Truancy)*

*(cf. 5113.12 - District School Attendance Review Board)*

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)
6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

AR 5125(e)

Students' social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

**STUDENT RECORDS** (continued)

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

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
12. Any probation officer, district attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

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

AR 5125(f)

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

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy

**STUDENT RECORDS** (continued)

purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

14. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district (Education Code 49069.3)

*(cf. 6164.6 - Identification and Education Under Section 504)*  
*(cf. 6173.1 - Education for Foster Youth)*

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

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

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

AR 5125(g)

18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

**STUDENT RECORDS** (continued)

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

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

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

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

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

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

*(cf. 5021 - Noncustodial Parents)*

AR 5125(h)

## **STUDENT RECORDS** (continued)

### **Discretionary Access**

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)



When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
  - a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.
  - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
  - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.

AR 5125(i)

#### **STUDENT RECORDS** (continued)

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

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

*(cf. 3600 - Consultants)*

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

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

AR 5125(j)

## **STUDENT RECORDS** (continued)

### **De-identification of Records**

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

### **Process for Providing Access to Records**

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

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

## **STUDENT RECORDS** (continued)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and

employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the district shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

AR 5125(k)

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

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

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

### **Access Log**

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

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

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

AR 5125(l)

### **Duplication of Student Records**

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

*(cf. 3260 - Fees and Charges)*

### **Changes to Student Records**

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

*(cf. 5125.3 - Challenging Student Records)*

No additions or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code 49062.5, 49070; 5 CCR 437)

## **STUDENT RECORDS (continued)**

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the district shall update the

former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The district is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)

*(cf. 5145.3 - Nondiscrimination/Harassment)*

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student

AR 5125(m)

4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records.

### **Retention and Destruction of Student Records**

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

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

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

*(cf. 5111 - Admission)*

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

*(cf. 5111.1 - District Residency)*

5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation

AR 5125(n)

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

7. Verification of or exemption from required immunizations

*(cf. 5141.31 - Immunizations)*

8. Date of high school graduation or equivalent

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

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry

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

4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

*(cf. 6159 - Individualized Education Program)*

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

5. Language training records

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

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

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action

AR 5125(o)

9. Parent/guardian authorization or prohibition of student participation in specific programs

10. Results of standardized tests administered within the past three years

*(cf. 6162.51 - State Academic Achievement Tests)*

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

*(cf. 6158 - Independent Study)*

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

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

*(cf. 5144 - Discipline)*

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices

6. Supplementary attendance records

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

**Transfer of Student Records**

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

AR 5125(p)

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in the student's suspension or expulsion. (Education Code 48201)

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

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

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

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

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

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

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



## **Notification of Parents/Guardians**

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

AR 5125(q)

*(cf. 5145.6 - Parental Notifications)*

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

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

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

12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

AR 5125(r)

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Regulation  
approved:

**Students**

**BULLYING**

CSBA MANUAL MAINTENANCE SERVICE  
December 2019

BP 5131.2(a)

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

*(cf. 5131 - Conduct)*  
*(cf. 5136 - Gangs)*  
*(cf. 5145.3 - Nondiscrimination/Harassment)*  
*(cf. 5145.7 - Sexual Harassment)*  
*(cf. 5145.9 - Hate-Motivated Behavior)*

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*  
*(cf. 6020 - Parent Involvement)*

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

*(cf. 0420 - School Plans/Site Councils)*  
*(cf. 0450 - Comprehensive Safety Plan)*  
*(cf. 0460 - Local Control and Accountability Plan)*

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

*(cf. 1312.3 - Uniform Complaint Procedures)*

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying

BP 5131.2(b)

**BULLYING** (continued)

requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on intradistrict or interdistrict transfer, as applicable.

*(cf. 5116.1 - Intradistrict Open Enrollment)*

*(cf. 5117 - Interdistrict Attendance)*

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

*(cf. 4118 - Dismissal/Suspension/Disciplinary Action)*

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

*Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

46600 Student transfers

48900-48925 Suspension or expulsion

48985 Translation of notices

52060-52077 Local control and accountability plan

PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

BP 5131.2(c)

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

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

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

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

Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018

Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

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

Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014

Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

California Office of the Attorney General: <http://oag.ca.gov>

Center on Great Teachers and Leaders: <https://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <https://casel.org>

Common Sense Media: <http://www.commonsensemedia.org>

National School Safety Center: <http://www.schoolsafety.us>

Partnership for Children and Youth: <https://www.partnerforchildren.org>

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

Policy  
adopted:  
**Students**

CSBA MANUAL MAINTENANCE SERVICE  
December 2019  
AR 5131.2(a)

**BULLYING**

## **Examples of Prohibited Conduct**

*Bullying* is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

*Cyberbullying* includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 6163.4 - Student Use of Technology)*

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. **Physical bullying:** An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. **Verbal bullying:** An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. **Social/relational bullying:** An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. **Cyberbullying:** An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles

## **Measures to Prevent Bullying**

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

*(cf. 5131 - Conduct)*

*(cf. 5137 - Positive School Climate)*

AR 5131.2(b)

**BULLYING** (continued)

2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

### **Staff Development**

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed

AR 5131.2(c)

**BULLYING** (continued)

5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

### **Information and Resources**

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

*(cf. 5141.52 - Suicide Prevention)*

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6

4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

*(cf. 5145.3 - Nondiscrimination/Harassment)*

*(cf. 5145.7 - Sexual Harassment)*

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

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

*(cf. 1113 - District and School Web Sites)*

### **Student Instruction**

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

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**BULLYING** (continued)



*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.94 - History-Social Science Instruction)*

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

### **Reporting and Filing of Complaints**

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully

AR 5131.2(e)

**BULLYING** (continued)

or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

### **Discipline/Corrective Actions**

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

*(cf. 5116.2 - Involuntary Student Transfers)*

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

*(cf. 5144 - Discipline)*

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

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

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

### **Support Services**

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

*(cf. 6164.2 - Guidance/Counseling Services)*

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

*(cf. 5113 - Absences and Excuses)*

*(cf. 5113.1 - Chronic Absence and Truancy)*

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

*(cf. 5141.24 - Specialized Health Care Services)*

*(cf. 6159 - Individualized Education Program)*

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

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request the district's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 5141 - Health Care and Emergencies)*

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5141.23 - Asthma Management)*

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

*(cf. 6116 - Classroom Interruptions)*

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

**OPTION 2:** Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

### **Administration of Medication by School Personnel**

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and,

as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

*(cf. 3530 - Risk Management/Insurance)*

*(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*

*(cf. 4119.43/4219.43/4319.43 - Universal Precautions)*

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

### *Legal Reference:*

#### EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49414.3 Emergency medical assistance; administration of medication for opioid overdose

49414.5 Providing school personnel with voluntary emergency training

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

#### BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

#### HEALTH AND SAFETY CODE

11362.7-11362.85 Medicinal cannabis

#### CODE OF REGULATIONS, TITLE 5

600-611 *Administering medication to students*  
UNITED STATES CODE, TITLE 20  
1232g *Family Educational Rights and Privacy Act of 1974*  
1400-1482 *Individuals with Disabilities Education Act*  
UNITED STATES CODE, TITLE 21  
812 *Schedules of controlled substances*  
844 *Penalties for possession of controlled substance*  
UNITED STATES CODE, TITLE 29  
794 *Rehabilitation Act of 1973, Section 504*  
COURT DECISIONS  
*American Nurses Association v. Torlakson*, (2013) 57 Cal.4th 570

*Management Resources: (see next page)*

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)**

*Management Resources:*

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

*Training Standards for the Administration of Epinephrine Auto-Injectors*, rev. 2015

*Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes*, May 2006

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

*Program Advisory on Medication Administration*, 2005

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

*Helping the Student with Diabetes Succeed: A Guide for School Personnel*, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

## **Definitions**

*Authorized health care provider* means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

*Other designated school personnel* means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

*Medication* may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

*Epinephrine auto-injector* means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

*Anaphylaxis* means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

(cf. 5141.23 - Asthma Management)

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

*Opioid antagonist* means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

## **Notifications to Parents/Guardians**

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

### **Parent/Guardian Responsibilities**

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Submitting the parent/guardian written statement and the authorized health care provider's written statement each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. (Education Code 49480)
3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

### **Parent/Guardian Statement**

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands the responsibilities to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands the right to terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that the student be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to the student, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

### **Health Care Provider Statement**



When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602)
2. The name of the medication (Education Code 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that the student be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)
6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

For self-administration of inhaled asthma medication, the district shall accept a written statement from a physician or surgeon contracted with a health plan licensed pursuant to Health and Safety Code 1351.2. Such written statement shall be in English and Spanish, and shall include the name and contact information for the physician or surgeon. (Education Code 49423.1)

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

### **District Responsibilities**

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered
4. Maintain for each student a medication log which may:
  - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
  - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained

*(cf. 5125 - Student Records)*

7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6145.2 - Athletic Competition)*

*(cf. 6153 - School-Sponsored Trips)*

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

8. Report to a student's parent/guardian and the site administrator any refusal by the student to take the medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet

10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose
12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance
14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

### **Emergency Epinephrine Auto-Injectors**

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

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### **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education

Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular) epinephrine auto-injector, unless there are any students at the school who require a junior epinephrine auto-injector. (Education Code 49414)

If an epinephrine auto-injector is used, the school nurse or other qualified supervisor of health shall restock the epinephrine auto-injector as soon as reasonably possible, but no later than two weeks after it is used. In addition, epinephrine auto-injectors shall be restocked before their expiration date. (Education Code 49414)

Information regarding defense and indemnification provided by the district for any and all civil liability for volunteers administering epinephrine auto-injectors shall be provided to each volunteer and retained in the employee's personnel file. (Education Code 49414)

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

A school may accept gifts, grants, and donations from any source for the support of the school in carrying out the requirements of Education Code 49414, including, but not limited to, the acceptance of epinephrine auto-injectors from a manufacturer or wholesaler. (Education Code 49414)

*(cf. 3290 - Gifts, Grants and Bequests)*

The Superintendent or designee shall maintain records regarding the acquisition and disposition of epinephrine auto-injectors for a period of three years from the date the records were created. (Business and Professions Code 4119.2)

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## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS** (continued)

*(cf. 3580 - District Recor*

Regulation

approved:

**Instruction**

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## **COURSES OF STUDY**

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

*(cf. 6011 - Academic Standards)*

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

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

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

*(cf. 0415 - Equity)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

## **Elementary Grades**

The Board shall adopt a course of study for elementary grades that sufficiently prepares students for the secondary course of study.

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

## **Secondary Grades**

The district shall offer all otherwise qualified students in grades 7-12 a course of study that prepares them, upon graduation from high school, to meet the requirements and prerequisites for admission to California public colleges and universities and to attain entry-level employment skills in business or industry. (Education Code 51228)

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

*(cf. 6141.5 - Advanced Placement)*

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

*(cf. 6178 - Career Technical Education)*

## COURSES OF STUDY (continued)

### *Legal Reference:*

#### EDUCATION CODE

33319.3 Driver education; CDE materials on road rage

33540 Government and civics instruction in interaction with government agencies

48980 Parental notifications

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51204 Course of study designed for student's needs

51204.5 Social science instruction; history of California; contributions of various groups

51210-51212 Course of study for grades 1-6

51220-51229 Course of study for grades 7-12

51241 Exemption from physical education

51911-51921 Comprehensive health education

51930-51939 Comprehensive sexual health and HIV/AIDS prevention instruction

51940 Curriculum for brain and spinal cord injury prevention

60040-60052 Requirements for instructional materials

66204 Certification of high school courses as meeting university admission criteria

#### HEALTH AND SAFETY CODE

11032 Definitions of dangerous drugs

#### CODE OF REGULATIONS, TITLE 5

4940 Nondiscrimination; course access

10020-10043 Automobile driver education and training

10060 Physical education program

#### UNITED STATES CODE, TITLE 20

6111-6251 School-to-Work Opportunities Act of 1994

### *Management Resources:*

#### WEB SITES

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

American Health Association: <https://www.heart.org>

American Red Cross, Hands-Only CPR: <https://www.redcross.org/take-a-class>

California Career Resource Network: <http://www.californiacareers.info>

California Colleges.edu: <http://www.californiacolleges.edu>

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

California State University, Admission Requirements: [http://www.csumentor.edu/planning/high\\_school](http://www.csumentor.edu/planning/high_school)

University of California, a-g Course Submissions: <https://hs-articulation.ucop.edu/guide/update-your-a-g-list/submitting-courses>

University of California, List of Approved a-g Courses: <https://hs-articulation.ucop.edu/agcourselist>

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**COURSES OF STUDY**

## **Grades 1-6**

Courses of study for grades 1-6 shall include the following:

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

1. English: knowledge and appreciation of language and literature, and the skills of speaking, reading, listening, spelling, handwriting, and composition (Education Code 51210)

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

2. Mathematics: concepts, operational skills, and problem solving (Education Code 51210)

*(cf. 6142.92 - Mathematics Instruction)*

3. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, including instruction in: (Education Code 51210)

- a. The history, resources, development, and government of California and the United States

Instruction shall include the early history of California and a study of the role and contributions of men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society. (Education Code 51204.5, 60040)

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

*(cf. 6142.3 - Civic Education)*

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

- b. The development of the American economic system, including the role of the entrepreneur and labor
- c. The relations of persons to their human and natural environments
- d. Eastern and western cultures and civilizations
- e. Contemporary issues

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## **COURSES OF STUDY (continued)**

- f. The wise use of natural resources

*(cf. 6142.5 - Environmental Education)*

- 4. Science: biological and physical aspects, with emphasis on experimental inquiry and the place of humans in ecological systems (Education Code 51210)

*(cf. 6142.93 - Science Instruction)*

- 5. Visual and performing arts: instruction in dance, music, theatre, and visual arts aimed at developing aesthetic appreciation and creative expression (Education Code 51210)

*(cf. 6142.6 - Visual and Performing Arts Education)*

- 6. Health: principles and practices of individual, family, and community health, including instruction at the appropriate grade levels and subject areas in: (Education Code 51202, 51210)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available

*(cf. 6142.8 - Comprehensive Health Education)*

- b. Fire prevention

- c. The protection and conservation of resources, including the necessity for the protection of the environment

- d. Venereal disease

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

*(cf. 5131.6 - Alcohol and Other Drugs)*

- 7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)

*(cf. 6142.7 - Physical Education and Activity)*

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## **COURSES OF STUDY (continued)**



8. Violence awareness and prevention

9. Career awareness exploration

*(cf. 6178 - Career Technical Education)*

## **Grades 7-12**

Courses of study for grades 7-12 shall include the following:

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

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

1. English: knowledge and appreciation of literature, language, and composition, and the skills of reading, listening, and speaking (Education Code 51220)

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

2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology, and sociology, with instruction in: (Education Code 51220)

a. The history, resources, development, and government of California and the United States, including instruction in:

(1) The early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the economic, political, and social development of California and the United States, with particular emphasis on portraying the role of these groups in contemporary society (Education Code 51204.5)

(2) World War II, including the role of Americans and Filipino Americans who served in the United States Army during that time

(3) The Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war

(4) The Bracero program, in which there was a 1942 agreement between the United States and Mexico authorizing the temporary migration of laborers to the United States

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- b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions

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

- c. The development of the American economic system, including the role of the entrepreneur and labor
- d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)

*(cf. 6142.5 - Environmental Education)*

- e. Eastern and western cultures and civilizations
- f. Human rights issues, with particular attention to the study of the inhumanity of genocide (which may include, but is not limited to, the Armenian, Cambodian, Darfur, and Rwandan genocides), slavery, and the Holocaust
- g. Contemporary issues

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

*(cf. 6142.3 - Civic Education)*

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

- 3. World language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)

*(cf. 6142.2 - World Language Instruction)*

- 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)

*(cf. 6142.7 - Physical Education and Activity)*

- 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)

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## **COURSES OF STUDY (continued)**

*(cf. 6142.93 - Science Instruction)*

6. Mathematics: mathematical understandings, operational skills, and problem-solving procedures; algebra (Education Code 51220, 51224.5)

*(cf. 6142.92 - Mathematics Instruction)*

7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)

*(cf. 6142.6 - Visual and Performing Arts Education)*

8. Applied arts: consumer education, family and consumer sciences education, industrial arts, general business education, or general agriculture (Education Code 51220)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)

*(cf. 6178 - Career Technical Education)*

10. Comprehensive sexual health and HIV prevention (Education Code 51225.36, 51934)

*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)*

11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)

- a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation (CPR) when appropriate equipment is available
- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of the environment
- d. Venereal disease

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## **COURSES OF STUDY** (continued)

- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 6142.8 - Comprehensive Health Education)*

12. Violence awareness and prevention

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education, including, but not limited to, child growth and development, parental responsibilities, household budgeting, child abuse and neglect issues, personal hygiene, maintenance of healthy relationships, teen parenting issues, and self-esteem. (Education Code 51220.5)

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

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## **HOMEWORK/MAKEUP WORK**

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time and assist students in developing good study habits. Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

*(cf. 6011 - Academic Standards)*

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives.

*(cf. 4131 - Staff Development)*

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. When a student repeatedly fails to complete homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

## **HOMEWORK/MAKEUP WORK** (continued)

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

*(cf. 6020 - Parent Involvement)*

To further support students' homework efforts, the Superintendent or designee may establish and maintain electronic forums, provide access to school library media centers and technological resources, and/or provide after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

*(cf. 1240 - Volunteer Assistance)*

*(cf. 1700 - Relations between Private Industry and the Schools)*

*(cf. 3541 - Transportation Routes and Services)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6112 - School Day)*

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

*(cf. 6163.1 - Library Media Centers)*

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

### **Makeup Work**

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

*(cf. 5113 - Absences and Excuses)*

The Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

*(cf. 5145.6 - Parental Notifications)*

### **Suspended Students**

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's

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teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)

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

*Legal Reference:*

EDUCATION CODE

8420-8428 21st Century High School After School Safety and Enrichment for Teens

8482-8484.65 After School Education and Safety Program

8484.7-8484.9 21st Century Community Learning Centers

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48913.5 Homework assignments for suspended students

48980 Parental notifications

UNITED STATES CODE, TITLE 20

7171-7176 21st Century Community Learning Centers

*Management Resources:*

CSBA PUBLICATIONS

Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief,  
July 2016

WEB SITES

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

California State PTA: <http://www.capta.org>

**EDUCATION FOR ENGLISH LEARNERS****Definitions**

*English learner* means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or a student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

*Designated English language development* means instruction provided during a time set aside in the regular school day for focused instruction on the state-adopted English language development standards to assist English learners to develop critical English language skills necessary for academic content learning in English. (5 CCR 11300)

*Integrated English language development* means instruction in which the state-adopted English language development standards are used in tandem with the state-adopted academic content standards. Integrated English language development includes specially designed academic instruction in English. (5 CCR 11300)

*Native speaker of English* means a student who has learned and used English at home from early childhood and English has been the primary means of concept formation and communication. (Education Code 306)

**Identification and Assessments**

Upon enrollment in the district, each student's primary language shall be determined through the use of a home language survey. (Education Code 52164.1; 5 CCR 11307, 11518.5)

Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be initially assessed for English proficiency using the English Language Proficiency Assessments for California (ELPAC). Prior to administering the ELPAC, the Superintendent or designee shall notify the student's parent/guardian in writing that the student will be administered the initial ELPAC. (Education Code 313, 52164.1; 5 CCR 11518.5)



**EDUCATION FOR ENGLISH LEARNERS** (continued)

Administration of the ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.35.

*(cf. 6159 - Individualized Education Program)*

*(cf. 6162.51 - State Academic Achievement Tests)*

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

Based on the initial assessment, the student shall be classified either as initially fluent in English proficient or as an English learner. The Superintendent or designee shall notify the student's parent/guardian, in writing, of the results of the ELPAC initial assessment within 30 calendar days after the student's date of initial enrollment, or, if administered prior to the student's initial date of enrollment, up to 60 calendar days prior to such enrollment, but not before July 1 of the school year of the student's initial enrollment. The notice shall indicate whether the student met the ELPAC initial assessment criterion for proficiency and include the district's contact information for use if the parent/guardian has questions or concerns regarding the student's classification. (5 CCR 11518.5)

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the summative assessment of the ELPAC shall be administered to the student during a four-month period after January 1 as determined by the California Department of Education. (Education Code 313)

The Superintendent or designee shall notify parents/guardians of their child's results on the summative assessment of the ELPAC within 30 calendar days following receipt of the results from the test contractor or, if the results are received from the test contractor after the last day of instruction for the school year, within 15 working days of the start of the next school year. (Education Code 52164.1; 5 CCR 11518.15)

*(cf. 5145.6 - Parental Notifications)*

The parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title I or Title III funds shall receive notification of the assessment of the student's English proficiency. Such notice shall be provided not later than 30 calendar days after the beginning of the school year or, if the student is identified for program participation during the school year, within two weeks of the student's placement in the program. The notice shall include all of the following: (Education Code 313.2, 440; 20 USC 6312)

1. The reason for the identification of the student as an English learner and the need for placement in a language acquisition program
2. The level of English proficiency, how the level was assessed, and the status of the student's academic achievement

**EDUCATION FOR ENGLISH LEARNERS** (continued)

3. A description of the language acquisition program in which the student is, or will be, participating, including a description of all of the following:
  - a. The methods of instruction used in the program and in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction
  - b. The manner in which the program will meet the educational strengths and needs of the student
  - c. The manner in which the program will help the student develop English proficiency and meet age-appropriate academic standards for grade promotion and graduation
  - d. The specific exit requirements for the program, the expected rate of transition from the program into classes not tailored for English learners, and the expected rate of graduation from secondary school if applicable
  - e. When the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. As applicable, the identification of a student as a long-term English learner or at risk of becoming a long-term English learner, as defined in Education Code 313.1, and the manner in which the program for English language development instruction will meet the educational strengths and needs of such students and help such students develop English proficiency and meet age-appropriate academic standards
5. Information about the parent/guardian's right to have the student immediately removed from a program upon the parent/guardian's request
6. Information regarding a parent/guardian's option to decline to enroll the student in the program or to choose another program or method of instruction, if available
7. Information designed to assist a parent/guardian in selecting among available programs, if more than one program or method is offered

**Language Acquisition Programs**

Whenever parents/guardians of enrolled students, and those enrolled for attendance in the next school year, request that the district establish a specific language acquisition program in accordance with Education Code 310, such requests shall be addressed through the following process: (5 CCR 11311)

**EDUCATION FOR ENGLISH LEARNERS** (continued)

1. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent/guardian and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent/guardian in clarifying the request. All requests shall be maintained for at least three years from the date of the request.
2. The school shall monitor requests on a regular basis and notify the Superintendent or designee when the parents/guardians of at least 30 students enrolled in the school, or at least 20 students in the same grade level, request the same or a substantially similar type of language acquisition program. If the requests are for a multilingual program model, the district shall consider requests from parents/guardians of students enrolled in the school who are native English speakers in determining whether this threshold is reached.
3. If the number of parents/guardians described in item #2 is attained, the Superintendent or designee shall:
  - a. Within 10 days of reaching the threshold, notify the parents/guardians of students attending the school, the school's teachers, administrators, and the district's English learner parent advisory committee and parent advisory committee, in writing, of the requests for a language acquisition program
  - b. Identify costs and resources necessary to implement any new language acquisition program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent/guardian and community engagement to support the proposed program goals
  - c. Within 60 calendar days of reaching the threshold number of parents/guardians described in item #2 above, determine whether it is possible to implement the requested language acquisition program and provide written notice of the determination to parents/guardians of students attending the school, the school's teachers, and administrators
  - d. If a determination is made to implement the language acquisition program, create and publish a reasonable timeline of actions necessary to implement the program. If a determination is made that it is not possible to implement the program, provide a written explanation of the reason(s) the program cannot be provided.

**EDUCATION FOR ENGLISH LEARNERS** (continued)

The district shall notify parents/guardians at the beginning of each school year or upon the student's enrollment regarding the process to request a language acquisition program, including a dual-language immersion program, for their child. The notice shall also include the following: (5 CCR 11309, 11310)

1. A description of the programs provided, including structured English immersion
2. Identification of any language to be taught in addition to English when the program includes instruction in a language other than English
3. The manner in which the program is designed using evidence-based research and includes both designated and integrated English language development
4. The manner in which the district has allocated sufficient resources to effectively implement the program, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development, and opportunities for parent/guardian and community engagement to support the program goals
5. The manner in which the program will, within a reasonable period of time, lead to language proficiency and achievement of the state-adopted content standards in English and, when the program includes instruction in another language, in that other language
6. The process to request establishment of a language acquisition program not offered at the school
7. For any dual-language immersion program offered, the specific languages to be taught. The notice also may include the program goals, methodology used, and evidence of the proposed program's effectiveness.

The district shall provide additional and appropriate educational services to English learners for the purposes of overcoming language barriers and academic deficits in other areas of the core curriculum. (5 CCR 11302)

**Reclassification/Redesignation**

English learners shall be reclassified as fluent English proficient when they are able to comprehend, speak, read, and write English well enough to receive instruction in an English language mainstream classroom and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

## **EDUCATION FOR ENGLISH LEARNERS** (continued)

The procedures used to determine whether an English learner shall be reclassified as fluent English proficient shall include, but not be limited to: (Education Code 313, 52164.6; 5 CCR 11303)

1. Assessment of English language proficiency using an objective assessment instrument, including, but not limited to, the ELPAC
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions related to the student
3. Parent/guardian involvement, including:
  - a. Notice to parents/guardians of language reclassification and placement, including a description of the reclassification process and the parent/guardian's opportunity to participate
  - b. Encouragement of parent/guardian participation in the district's reclassification procedure, including seeking parent/guardian opinion and consultation during the reclassification process
4. Student performance on an objective assessment of basic skills in English that shows whether the student is performing at or near grade level

The student's language proficiency assessments, the participants in the reclassification process, and any decisions regarding reclassification shall be retained in the student's permanent record. (5 CCR 11305)

*(cf. 5125 - Student Records)*

The Superintendent or designee shall monitor the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)

The Superintendent or designee shall monitor students for at least four years following their reclassification to ensure correct classification and placement and to determine whether any additional academic support is needed.

### **Advisory Committees**

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents/guardians of English learners, elected by parents/guardians of English learners at the school, shall constitute committee membership in at least the same percentage as English learners represent of the total number

**EDUCATION FOR ENGLISH LEARNERS** (continued)

of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership. (Education Code 52176; 5 CCR 11308)

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents/guardians aware of the importance of school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration for inclusion in the district master plan. (Education Code 52176)

When the district has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents/guardians of English learners who are not employed by the district. Alternatively, the district may use a subcommittee of an existing districtwide advisory committee on which parents/guardians of English learners have membership in at least the same percentage as English learners represent of the total number of students in the district. (Education Code 52176)

The DELAC shall advise the Board on at least the following tasks: (5 CCR 11308)

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site plans for English learners
2. Conducting a districtwide needs assessment on a school-by-school basis
3. Establishing a district program, goals, and objectives for programs and services for English learners
4. Developing a plan to ensure compliance with applicable teacher or instructional aide requirements
5. Administering the annual language census
6. Reviewing and commenting on the district's reclassification procedures
7. Reviewing and commenting on the required written parental notifications

*(cf. 0420 - School Plans/Site Councils)*

*(cf. 1220 - Citizen Advisory Committees)*

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

*(cf. 6020 - Parent Involvement)*

**EDUCATION FOR ENGLISH LEARNERS** (continued)

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

**LCAP Advisory Committee**

When there are at least 15 percent English learners in the district, with at least 50 students who are English learners, a district-level English learner parent advisory committee shall be established to review and comment on the district's local control and accountability plan (LCAP) in accordance with BP 0460 - Local Control and Accountability Plan. The committee shall be composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 11301, 15495)

*(cf. 0460 - Local Control and Accountability Plan)*

The DELAC may also serve as the LCAP English learner advisory committee.

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**MIGRANT EDUCATION PROGRAM**

## **Eligibility**

Students age 3 to 21 years shall be eligible for the district's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered migrant students if they, their parents/guardians, or their spouses actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

A student who ceases to be a migrant student during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year.

## **Enrollment**

A migrant student shall be immediately enrolled in the district even if the student: (Education Code 48204.7)

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

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

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

*(cf. 5132 - Dress and Grooming)*

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

*(cf. 5111.1 - District Residency)*

*(cf. 5141.26 - Tuberculosis Testing)*

*(cf. 5141.31 - Immunizations)*

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

If a migrant student experiences a change in residence, the student may remain enrolled in the school of origin for the duration of the student's status as a migrant student. (Education Code 48204.7)

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**MIGRANT EDUCATION PROGRAM** (continued)



If a student's status as a migrant student changes during a school year, the Superintendent or designee shall allow the student to continue at the school of origin through the duration of that school year or, if the student is enrolled in a high school, through graduation. (Education Code 48204.7)

A migrant student who is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area to provide the student the benefit of matriculating with peers in accordance with the established feeder patterns of school districts. A migrant student who is transitioning to a middle school or high school designated for matriculation in another school district shall be allowed to enroll in that school. (Education Code 48204.7)

The Superintendent or designee shall inform a migrant student and the student's parent/guardian of the impact of remaining in the school of origin on the student's eligibility to receive migrant education services pursuant to Education Code 54440-54445. (Education Code 48204.7)

The Superintendent or designee may, but is not required to, provide transportation to enable a migrant student to attend the school of origin, unless otherwise required by federal law. (Education Code 48204.7)

### **Student Records**

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

*(cf. 5125 - Student Records)*

*(cf. 5145.13 - Response to Immigration Enforcement)*

The Superintendent or designee shall acquire education and health records from migrant students' previous school districts, as appropriate.

When a migrant student transfers to another district, the student's records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

### **Program Components**

The migrant education program shall include all of the following components: (Education Code 54443.1)

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**MIGRANT EDUCATION PROGRAM** (continued)

1. A general needs assessment summarizing the needs of the population to be served
2. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and includes, but is not limited to:
  - a. Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction

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

*(cf. 6177 - Summer Learning Programs)*

*(cf. 6178 - Career Technical Education)*

- b. Counseling and career education services

*(cf. 6164.2 - Guidance/Counseling Services)*

- c. Preschool services in accordance with Education Code 54443

*(cf. 5148.3 - Preschool/Early Childhood Education)*

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students
  - e. The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services
  - f. Other related services to meet the special needs of eligible migrant students to enable them to participate effectively in instructional services
  - g. The coordination and teaming of existing resources serving migrant students, such as bilingual-crosscultural education, health screening, and compensatory education

*(cf. 5141.6 - School Health Services)*

*(cf. 5147 - Dropout Prevention)*

*(cf. 6171 - Title I Programs)*

3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student

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**MIGRANT EDUCATION PROGRAM** (continued)

4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and when the student moves to a new district
5. Staffing and staff development plans and practices to meet the needs of students and implement the program

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program

*(cf. 1220 - Citizen Advisory Committees)*

*(cf. 6020 - Parent Involvement)*

The migrant education program shall provide for the same opportunities for parent/guardian involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)

7. Evaluations which include annual student progress and overall program effectiveness and quality control reports

### **Summer School**

The district shall conduct summer school program(s) for eligible migrant students. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students and possess the proper credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

AR 6175(e)

### **MIGRANT EDUCATION PROGRAM (continued)**

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days
2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days
3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

### **Parent Advisory Council**

The parent advisory council shall be comprised of members who are knowledgeable of the needs of migrant students and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

AR 6175(g)

At least two-thirds of the advisory council shall consist of parents/guardians of migrant students. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements

5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

### **Notification and Complaints**

Information regarding the educational rights of migrant students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

AR 6175(h)

Any complaint that the district has not complied with requirements regarding the education of migrant students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Regulation  
approved:

CSBA MANUAL MAINTENANCE SERVICE  
December 2019