



BLACK OAK MINE UNIFIED SCHOOL DISTRICT

MEETING OF THE BOARD OF TRUSTEES

Black Oak Mine Unified School District will provide a safe learning environment that challenges all students to achieve academic excellence, develop their creative potential, and acquire marketable, career, technical, and personal skills.

March 13, 2014

Robert Williams, Ed.D., Superintendent

Board of Trustees

John Foley, President

Joe Scroggins, Vice President

Darcy Knight, Clerk

Jeff Shurtz

Steve DePue

Student Representative to the Board

MacKensie Clark

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
6540 WENTWORTH SPRINGS ROAD
GEORGETOWN, CALIFORNIA**

Black Oak Mine Unified School District will provide a safe learning environment that challenges all students to achieve academic excellence, develop their creative potential, and acquire marketable, career, technical, and personal skills.

REGULAR MEETING OF THE BOARD OF TRUSTEES

DATE:	March 13, 2014
TIME:	5:00 p.m. (Closed) 7:00 p.m. (Open)
LOCATION:	6540 Wentworth Springs Road Georgetown, CA

Visitors are always welcome at meetings of the Board of Trustees and their suggestions and comments are encouraged. Those wishing to address the Board may do so when the item on the agenda is taken up, prior to action being taken by the Board, or under "Communications". Pursuant to Board Bylaw 9323, at the time of Oral Communications, the Board President will ascertain if there is a need for a time limit and will advise the public. With Board consent, the President may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The President may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. The agenda packet for this public meeting, as well as agenda documents distributed less than 72 hours prior to this meeting, are available for review at the Black Oak Mine Unified School District Office at the above address. If you are an individual with a disability and need an accommodation, please contact the District Office at 333-8300 at least 48 hours in advance. The Board meetings are taped by the District Office and the tape recordings are destroyed after 30 days.

AGENDA

- 1.0 CALL TO ORDER - OPEN SESSION -5:00 P.M.
- 2.0 PUBLIC COMMENT ON CLOSED SESSION AGENDA
- 3.0 CLOSED SESSION TOPICS
 - The Board of Trustees will review matters pertaining to the following topics as necessary and will announce in public prior to going into Closed Session which topics will be considered in that Closed Session.
 - 3.1 Confidential Pupil Matter -Student Interdistrict Transfer Hearing #004 & 005
 - 3.2 Confidential Pupil Matter -Student Interdistrict Transfer Hearing #006
 - 3.3 Confidential Pupil Matter -Student Interdistrict Transfer Hearing #007
 - 3.4 Confidential Pupil Matter -Student Interdistrict Transfer Hearing #008
 - 3.5 Public Employee Employment - Reductions, Layoffs, Non-re-elections
Certificated/Classified
 - 3.6 Public Employee Employment -Administrative Retirement Request
 - 3.7 Public Employee Employment -Certificated Retirement Request
 - 3.8 Public Employee Employment -Classified Retirement Request
 - 3.9 Conference with Robert Williams, Superintendent and Shelly King, Personnel
Services Coordinator, District Labor Negotiator, Regarding Labor Negotiations
the Black Oak Mine Teachers Association and the California School Employees
Association, Gold Chain Chapter #660, Confidential, Administrative and
Classified Management
 - 3.10 Public Employee Performance Evaluation - Superintendent
- 4.0 OPEN SESSION - 7:00 P.M.
 - The Board of Trustees will reconvene in open session.
- 5.0 DISCLOSURE OF ACTION TAKEN, IF ANY, IN CLOSED SESSION

6.0 PLEDGE OF ALLEGIANCE

7.0 ADOPTION OF THE AGENDA

The Board may act upon an item of business not appearing on the posted agenda if, first, the Board publicly identifies the item, and second, one of the following occurs:

- 7.1 The Board, by majority vote of the full Board, decides that an emergency exists, as defined in Govt. Code Section 54956.5;
- 7.2 Upon a decision by a 2/3 vote of the Board members present at the meeting, or if less than 2/3 of the Board members are present, a unanimous vote of those present decides, that there is a need to act immediately and that the need to take action came to the District's attention after the agenda was posted; or
- 7.3 the item was on the agenda of a prior meeting of the Board occurring not more than five calendar days prior to the date of this meeting, and at the prior meeting the item was continued to this meeting.

M_____S_____V_____

8.0 COMMUNICATIONS – 7:05 P.M.

- 8.1 Public Hearing-Notice of Proposed Adoption of a Developer Fee Justification Study and Public Hearing-Black Oak Mine Unified School District Tentative Agreement with BOMTA (Pages 1-2)
- 8.2 Written Communications
- 8.3 Oral Communications – Members of the public may address the Board on any items of interest to the public that are within the subject matter jurisdiction of the Board, but are not on the agenda or are on the consent agenda. However, the Board shall not act upon, respond to, or comment on the merits of any item presented during the Oral Communications, although the Board may ask clarifying questions of the presenter or refer the presenter to a District procedure if appropriate. (Government Code Sections 54954.2 and 54954.3) This is also the time to address any items on the consent agenda.

9.0 B.O.M.T.A. REPORT – 7:25 P.M.

10.0 C.S.E.A. REPORT – 7:30 P.M.

11.0 STUDENT REPRESENTATIVE TO THE BOARD REPORT – 7:35 P.M.

12.0 SUPERINTENDENT'S REPORT – 7:40 P.M.

13.0 INFORMATION & DISCUSSION – 7:50 P.M.

- 13.1 Board Policy 1330 Use of School Facilities (Pages 3-6)

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 1330 Use of School Facilities to reflect the new law (SB1404, 2012).

- 13.2 Board Policy 5145.3 Nondiscrimination/Harassment (Pages 7-12)

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 5145.3 Nondiscrimination/Harassment.

- 13.3 Board Policy 3460 Financial and Accountability (Pages 13-20)

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 3460 Financial and Accountability to reflect the new law (AB 2662, 2012).

13.4 Board Policy 5131.2 Bullying (Pages 21-26)

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 5131.2 Bullying to be in compliance with California Department of Education's decision that uniform complaint procedures must be used to receive and investigate student complaints involving discrimination, harassment, intimidation, and bullying based on the characteristics covered within Education Code 234.1.

14.0 NEW BUSINESS – 8:15 P. M.

14.1 Request to Waive Facility Use Fees (Pages 27-28)

RECOMMENDATION: It is recommended that the Board of Trustees consider waiving the Facility Use Fees for the Hartsong Ranch.

M_____S_____V_____

14.2 Reduction in Classified Staff Due to Reduction or Elimination of Particular Kinds of Service for the 2014-15 School Year (Pages 29-30)

RECOMMENDATION: It is recommended that the Board of Trustees consider adopting Board Resolution #2014-7, Reduction in Classified Staff Due to Reduction or Elimination of Particular Kinds of Service for the 2014-15 School Year.

M_____S_____V_____

14.3 Reduction in Certificated Staff Due to Reduction or Elimination of Particular Kinds of Service for the 2014-15 School Year (Pages 31-34)

RECOMMENDATION: It is recommended that the Board of Trustees consider adopting Board Resolution #2014-6, Reduction in Certificated Staff Due to Reduction or Elimination of Particular Kinds of Service for the 2014-15 School Year.

M_____S_____V_____

14.4 Resolution 2014-9 Developer Fees (Pages 35-42)

RECOMMENDATION: It is recommended that the Board of Trustees consider adopting Board Resolution 2014-9 Developer Fees.

M_____S_____V_____

14.5 2014-15 Budget Assumptions Updates (Pages 43-48)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the updated 2014-15 Budget Assumptions.

M_____S_____V_____

14.6 Second Interim Report (Page 49-50)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to certify the District's financial position as "Positive" for the Second Interim Report for the period ending January 31, 2014.

M_____S_____V_____

15.1 Comprehensive School Safety Plans (Pages 51-52)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the sites Comprehensive School Safety Plans.

15.2 Certification of Athletic Coaches (Pages 53-54)

RECOMMENDATION: It is recommended that the Board of Trustees accept the District Superintendent's certification, in accordance with Title 5, California Code of Regulations, Section 5593, of Athletic coaches hired for the 2013-14 school year.

15.3 Administrative Retirement Requests (Pages 55-56)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the request for retirement from Drew Woodall and Laurie Hockenson.

15.4 Certificated Retirement Request (Pages 57-58)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the request for retirement from Mark Hendrix.

15.5 Classified Retirement Request (Pages 59-60)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the request for retirement from Gerry Parra and Ronnie Ebitson.

15.6 Reduced Workload Program (Willie Brown Application) (Pages 61-62)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the reduced workload applications for Lynn Schardt and Jean Brown.

15.7 Tentative Agreement with Black Oak Mine Unified School District and the Black Oak Mine Teachers Association for Negotiations for the 2013-14 school year (Pages 63-72)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Tentative Agreement with the Black Oak Mine Unified School District and the Black Oak Mine Teachers Association for negotiations for the 2013-14 school year.

15.8 Notice of Completion for American River Charter Solar Project (Divide High Solar Panels) (Pages 73-76)

RECOMMENDATION: It is recommended that the Board of Trustees authorize the filing of Notice of Completion for American River Charter School Solar Project (Divide High School Solar Panels) by Landmark Construction.

15.9 Minutes – February 13, 2014 (Pages 77-80)

RECOMMENDATION: It is recommended that the Board of Trustees approve the minutes from the regular meeting on February 13, 2014.

15.10 Purchase Orders, Warrants, Bids and Quotes (Pages 81-82)

RECOMMENDATION: It is recommended that 2013-14 fiscal year Batch numbers 4077- 4083 dated January 31 to February 28, 2014 for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, and Batch number 4039-4040 dated February 4 and 6, 2014, for the ROP Fund, for a total of \$362,795.01 be approved.

15.11 Gifts (Pages 83-89)

RECOMMENDATION: It is recommended that the Board of Trustees accept the gifts donated by Susan G. Shimmin Okey, Ken Sakamoto, Aloha Adams, Wells Fargo Bank, Ted Smith and Janet Stahljuth.

16.0 REPORTS OF THE BOARD OF TRUSTEES – 9:05 P.M.

17.0 FUTURE MEETINGS

The next regular meeting of the Board is scheduled for Thursday, April 10, 2014.

18.0 CLOSED SESSION

The Board will continue review of matters specified under agenda item 3.0 as required.

19.0 ADJOURNMENT

PLEASE POST
February 28, 2014 – March 13, 2014

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

**PUBLIC HEARING
PROPOSED ADOPTION OF
LEVEL ONE DEVELOPER FEE
JUSTIFICATION STUDY AND THE INCREASE OF
THE STATUTORY SCHOOL FEE**

A report containing the above information is available at the District Office, 6540 Wentworth Springs Road, Georgetown.

**March 13, 2014
7 P.M.
DISTRICT OFFICE – BOARD ROOM
6540 WENTWORTH SPRINGS ROAD GEORGETOWN, CA**

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

**PUBLIC HEARING
ON**

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
TENTATIVE AGREEMENT WITH
BLACK OAK MINE TEACHERS ASSOCIATION
DISCLOSURE OF COLLECTIVE BARGAINING
AGREEMENT**

March 13, 2014

7:00 P.M.

**DISTRICT OFFICE – BOARD ROOM
6540 WENTWORTH SPRINGS ROAD GEORGETOWN, CA**

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 13.1 Board Policy 1330 Use of School Facilities

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 1330 Use of School Facilities.

BACKGROUND: Board Policy 1330 reflects the new law (SB 1404, 2012) which (1) modifies the definition of "direct costs" that may be charged for community use of school facilities or grounds and (2) includes the YMCA and religious organizations/churches that arrange for and supervise youth sports league activities among the nonprofit organizations, clubs, and associations that may be allowed the use of school facilities or grounds without charge. The updated policy also adds statements on joint use of school facilities and references BP 1325 - Advertising and Promotion for guidance on advertisements on school facilities. Mandated regulation clarifies responsibilities of groups or organizations using school facilities, including a requirement to provide evidence of insurance against claims arising out the group's own negligence. Authority to grant the use of school facilities on those days on which the school is closed wording was moved from the AR to the BP. The updated Exhibit adds the requirement for a group or organization to (1) indicate its agreement to expressly undertake to comply with district restrictions on the use of facilities and (2) indicate its recognition of its liability for any damage or injury caused by its negligence.

Board members that have suggestions for changes should contact Dr. Williams by March 31, 2014.

USE OF SCHOOL FACILITIES

The Board of Trustees ~~recognizes~~ [believes] that district facilities and grounds are a [vital] community resource [which should be used to foster community involvement and development.] and [Therefore, the Board] authorizes ~~their use by~~ [the use of school facilities by district residents and] community groups for purposes ~~provided for~~ [specified] in the Civic Center Act, [to the extent that] ~~when~~ such use does not interfere with school activities [or other school-related uses.].

(cf. 6145.5 - Student Organizations and Equal Access)

All school-related activities shall ~~be given~~ [have] priority in the use of [school] facilities and grounds. [Other uses authorized] under the Civic Center Act. ~~Thereafter, the use~~ shall be on a first-come, first-served basis.

[As necessary to ensure efficient use of school facilities, the Superintendent or designee may, with the Board's approval, enter into an agreement for the joint use of any school facilities or grounds. The Board shall approve any such agreement only if it determines that it is in the best interest of the district and the community.]

[(cf. 1330.1- Joint Use Agreements)]

[Subject to prior approval by the Board, the Superintendent or designee may grant the use of school facilities on those days on which the school is closed. (Education Code 37220)]

[(cf. 6115 Ceremonies and Observances)]

[for the effective management and control of school facilities and grounds,] the Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Add, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary

(cf. 0450 - Comprehensive School Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

1. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work

[There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 – Advertising and Promotion.]

[(cf. 1325 – Advertising and Promotion)]

USE OF SCHOOL FACILITIES (continued)**Fees**

The Board authorizes the use of school facilities or grounds without charge by nonprofit organizations, clubs, or associations organized to promote youth and school activities. In accordance with Education Code 38134(a), these groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire [USA, YMCA], ~~inc.~~ parent-teacher associations, and school-community advisory councils. Other groups ~~[that request the use of school facilities under the Civic Center Act]~~, including nonprofit groups not organized to promote youth and school activities or for-profit groups, ~~that request the use of school facilities under the Civic Center Act~~ shall be charged at least direct costs. ~~[However, if the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds direct costs determined in accordance with Education Code 38134.]~~

[In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, playing or athletic fields, track and field venues, tennis courts, and outdoor basketball courts, the Superintendent or designee shall include a proportionate share of the costs of the following: (Education Code 38134)]

1. Supplies, utilities, janitorial services, other services of district employees, and salaries of district employees directly associated with operation and maintenance of the school facilities or grounds involved
2. Maintenance, repair, restoration, and refurbishment of the school facilities of grounds

However, for classroom-based programs that operate after school hours, in including, but not limited to, after-school tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134)]

*[(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)]*

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

Legal Reference: (see next page)

USE OF SCHOOL FACILITIES (continued)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

MILITARY AND VETERANS CODE

1800 Definitions

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School, (2001) 533 U.S. 98

Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384

Cole v. Richardson, (1972) 405 U.S. 676

Connell v. Higgenbotham, (1971) 403 U.S. 207

ACLU v. Board of Education of Los Angeles, (1961) 55 Cal.2d 167

Ellis v. Board of Education, (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)

79 Ops.Cal.Atty.Gen. 248 (1996)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

~~1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89~~

[CSBA PUBLICATIONS]

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

WEB SITES

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

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

Policy

adopted: October 11, 2012

revised: March 13, 2014

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 13.2 Board Policy 5145.3 Nondiscrimination/Harassment

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 5145.3, Nondiscrimination/Harassment.

BACKGROUND: This Board Policy was updated to ensure compliance with California Department of Education's decision that uniform complaint procedures must be used to receive and investigate student complaints involving discrimination, harassment, intimidation, and bullying based on the characteristics covered within Education Code 234.1.

Board members that have suggestions for changes should contact Dr. Williams by March 31, 2014.

NONDISCRIMINATION/HARASSMENT

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

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

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

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

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

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

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

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

~~The Superintendent or designee shall provide age appropriate training and information to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.~~

~~*(cf. 4131 - Staff Development)*~~

~~*(cf. 4231 - Staff Development)*~~

~~*(cf. 4331 - Staff Development)*~~

~~In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.~~

~~*(cf. 1240 - Volunteer Assistance)*~~

~~*(cf. 6145 - Extracurricular and Coextracurricular Activities)*~~

~~*(cf. 6145.2 - Athletic Competition)*~~

~~*(cf. 6164.2 - Guidance/Counseling Services)*~~

NONDISCRIMINATION/HARASSMENT (continued)

~~The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.~~

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

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

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

(cf. 4118 - Suspension/Disciplinary Action)
 (cf. 4119.21/4219.21/4319.21- Professional Standards)
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
 (cf. 5131 - Conduct)
 (cf. 5144 - Discipline)
 (cf. 5144.1 - Suspension and Expulsion/Due Process)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 5145.2 - Freedom of Speech/Expression)

NONDISCRIMINATION/HARASSMENT (continued)**Grievance Procedures**

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies:

Superintendent
6540 Wentworth Springs Road
Georgetown, California 95634
(530) 333-8300

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

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

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

In addition, the employee shall immediately intervene when safe to do so. (Education Code 234.1)

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the site-level grievance procedures specified in AR 5145.7 Sexual Harassment.
(cf. 5145.7 Sexual Harassment)

Within 30 days of receiving the district's report, the complainant may appeal to the Board if he/she disagrees with the resolution of the complaint. The Board shall make a decision at its next regular meeting and its decision shall be final.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district web site or any other location that is easily accessible to students.

(cf. 1113 District and School Web Sites)
(cf. 1114 District Sponsored Social Media)
(cf. 6163.4 Student Use of Technology)

NONDISCRIMINATION/HARASSMENT (continued)

~~When required pursuant to Education Code 48985, complaint forms shall be translated into the student's primary language.~~

Legal Reference:

EDUCATION CODE

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

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

432 Student Record

4600-4687 Uniform Complaint Procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS

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

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

Management Resources: (see next page)

NONDISCRIMINATION/HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS

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

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

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention—Laws and Regulations, April 2004

FIRST AMENDMENT CENTER PUBLICATIONS

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

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

WEB SITES

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

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

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

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

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

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

Policy
adopted: October 11, 2012
revised: March 13, 2014

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 13.3 Board Policy 3460 Financial Reports and Accountability

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 3460 Financial Reports and Accountability.

BACKGROUND: Board Policy 3460 Financial Reports and Accountability was updated to reflect the new law (AB 2662, 2012) which gives the County Superintendent of Schools the authority, upon receipt of a district's interim fiscal report, to change the district's qualified certification to a negative certification. The Board Policy now includes material formerly found in the Administrative Regulation which refers to Board actions regarding the statement of unaudited actual receipts and expenditures, Gann appropriations limit resolution, interim reports, and audit reports. The Administrative Regulation was updated to reflect current law regarding restoration of the reserve threshold and to add material regarding submission of audit report pertaining to federal funds to the federal Office of Management and Budget.

Board members that have suggestions for changes should contact Dr. Williams by March 31, 2014.

FINANCIAL REPORTS AND ACCOUNTABILITY

The Board of Trustees is committed to ensuring the fiscal health of the district and providing public accountability. The Board shall adopt sound fiscal policies, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

(cf. 3100 - Budget)
(cf. 3110 - Transfer of Funds)
(cf. 3300 - Expenditures and Purchases)
(cf. 3430 - Investing)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 9000 - Role of the Board)

~~The Superintendent or designee shall provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.~~

The Superintendent or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education. He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

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

~~Based on financial reports provided by the Superintendent or designee and in accordance with law and administrative regulation, the Board shall:~~

- ~~1. Approve and file an annual statement of the district's receipts and expenditures for the preceding fiscal year (Education Code 42100)~~
- ~~2. Adopt a resolution identifying the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year (Education Code 42132; Government Code 7910)~~
- ~~3. Approve interim fiscal reports and certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and two subsequent fiscal years (Education Code 42130, 42131)~~
- ~~4. Provide for an annual audit, select an independent auditor, and review the audit report (Education Code 41020, 41020.3)~~

~~The independent auditor shall present the audit report to the Board at a public meeting and the Board shall have an opportunity to ask questions of the auditor and request further information about the audit findings.~~

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When any such report must be approved by the Board prior to its submission to a local, state, and/or federal agency, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report and meet any applicable submission deadline.

The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability.

(cf. 1340 – Access to District Records)

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

(cf. 9322 - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the district for public review. (Education Code 42130)

FINANCIAL REPORTS AND ACCOUNTABILITY

Within 45 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent under the authority granted to him/her pursuant to Education Code 42131.

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

At any time during the year when the County Superintendent conducts a comprehensive review of the district's financial and budgetary conditions after he/she has determined that the district's budget does not comply with state criteria and standards for fiscal stability, the Board shall review the County Superintendent's recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of its proposed actions on the recommendation. (Education Code 42637)

FINANCIAL REPORTS AND ACCOUNTABILITY

Audit Report

Pursuant to Education Code 41020, if the district has a disapproved budget, has received a negative certification on any budget or interim fiscal report during the current fiscal year or either of the two preceding fiscal years, or has otherwise been determined by the County Superintendent to have a lack of going concern, any contract the district enters into for auditing services must be approved by the County Superintendent.

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

The Board shall not select any public accounting firm to provide audit services if the lead or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the district in each of the six previous fiscal years. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9130 - Board Committees)

(cf. 9140 - Board Representatives)

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5

FINANCIAL REPORTS AND ACCOUNTABILITY

- 2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit**
- 3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses**
- 4. Participate with the independent auditor in presenting the audit report to the Board**
- 5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting**
- 6. Provide input on the effectiveness of the independent auditor**
- 7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems**

Legal Reference: (see next page)

DRAFT

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)*Legal Reference:*EDUCATION CODE

1240 Duties of County superintendent of schools
 14500-14508 Financial and compliance audits
 17150-17150.1 Public disclosure of non-voter-approved debt
 17170-17199.5 California School Finance Authority
 33127 Standards and criteria for local budgets and expenditures
 33128 Standards and criteria; inclusions
 33129 Standards and criteria; use by local agencies
 35035 Powers and duties of superintendent
 41010-41023 Accounting system
 41326 Emergency apportionment
 41344 Repayment of apportionment significant audit exceptions
 41344.1 Appeals of audit findings
 41455 Examination of financial problems of local districts
 42100-42105 Requirement to prepare and file annual statement
 42120-42129 Budget requirements
 42130-42134 Financial reports and certifications
 42140-42142 Public disclosure of fiscal obligations
 42637 County Superintendent review of district's financial and budgetary conditions
 42652 Revocation or suspension of warrant authority
 48300-48316 Student attendance alternatives

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment
 7900-7914 Appropriations limit
 16429.1 Local agency investment fund
 53646 Reports of investment policy and compliance

CODE OF REGULATIONS, TITLE 5

15060 Standardized account code structure
 15070 Submission of reports using standardized account code structure
 15440-15451 Criteria and standards for school district budgets
 15453-15464 Criteria and standards for school district interim reports
 19810-19816.1 Audits

UNITED STATES CODE, TITLE 31

7501-7507 Single audits of federal program funds

*Management Resources:*CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007

1208-00 Audit Resolution Process: Repayment Plan, December 8, 2000s

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

Management Resources continued: (see next page)

FINANCIAL REPORTS AND ACCOUNTABILITY (continued)

Management Resources: (continued)

U.S. GENERAL ACCOUNTING OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY (PCIE) PUBLICATIONS

Government Auditing Standards, 2011

Financial Audit Manual, revised 2003 2008

U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

A-133 Audits of States, Local Governments, and Non-Profit Organizations

STATE CONTROLLER PUBLICATIONS

Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)

WEB SITES

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

California Association of School Business Officials: <http://www.casbo.org>

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California: <http://www.sscal.com>

State Controller's Office: <http://www.sco.ca.gov>

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

U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>

Policy

adopted: August 11, 2011

reviewed: March 13, 2014

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 13.4 Board Policy 5131.2 Bullying

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

EXPLANATION: The Board of Trustees will consider reviewing and revising Board Policy 5131.2 Bullying.

BACKGROUND: This Board policy was updated to ensure compliance with California Department of Education's decision that uniform complaint procedures must be used to receive and investigate student complaints involving discrimination, harassment, intimidation, and bullying based on the characteristics covered within Education Code 234.1

Board members that have suggestions for changes should contact Dr. Williams by March 31, 2014.

BULLYING

The Board of Trustees recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

BULLYING (continued)

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

(cf. 6163.4 - Student Use of Technology)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6142.94 - History-Social Science Instruction)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

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

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with ~~site-level grievance procedures specified in AR 5145.7—Sexual Harassment.~~ **The district's uniform complain procedures specified in AR 1312.3 – Uniform Compliant Procedures.**

(cf. 1312.3 Uniform Complaint Procedures)

BULLYING (continued)

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

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

~~If the~~ **When a student is using** uses a social networking site or service **to bully or harass another student**, that has terms of use that prohibit posting of harmful material, the Superintendent or designee also ~~may~~ **shall** file a complaint with the Internet ~~request with the networking~~ site or service to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(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)

Legal Reference (see next page)

BULLYING (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

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

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

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

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

Management Resources:

CSBA PUBLICATIONS

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

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

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

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

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

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

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

Policy

adopted: October 11, 2012

Revised: March 13, 2014

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.1 Request to Waive Facility Use Fees

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that Board of Trustees consider waiving the Facility Use Fees for the Hartsong Ranch.

BACKGROUND: BP 1330 states "The Board authorizes the use of school facilities or grounds. In accordance with Education Code 38134 (a), these groups may include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire Inc., YMCA, shall be chartered at least direct cost."

Groups shall be charged fair rental value when using school facilities or ground for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.2 Resolution 2014-7 Reduction/Discontinuance of Classified Services for the 2014-15 School Year

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees adopt Board Resolution 2014-7 Reduction/Discontinuance of Classified Services for the 2014-15 School Year.

BACKGROUND: According to the provisions of the Education Code, classified staff must be notified prior to April 25 if their services will not be required in the following year. Due to a reduction or discontinuance of particular kinds of services, the classified services listed on Board Resolution 2014-7 will be reduced.

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
BOARD RESOLUTION NUMBER 2014-7**

**REDUCTION OF CLASSIFIED SCHOOL SERVICES FOR THE 2014-2015 SCHOOL
YEAR**

WHEREAS, due to a lack of funds and/or a lack of work, the Board of Trustees of the Black Oak Mine Unified School District hereby finds that it is in the best interest of this school district to reduce or discontinue certain classified employee services now being provided;

WHEREAS, Education Code Sections 45101, 45114, 45115, 45117, 45298, and 45308 authorize the District to layoff classified employees for lack of work or lack of funds;

NOW, THEREFORE, BE IT RESOLVED that:

1. As of the 30th June, 2014 the following positions shall be reduced or eliminated:

RESTRICTED FUNDED POSITIONS

.625 FTE Instructional Aide III (Special Education)

.75 FTE Instructional Aide I and/or II (Title I)

.5 FTE Drug Free Coordinator

1.719 FTE Youth Coordinator

3.594 FTE GRAND TOTAL

2. The Superintendent is authorized and directed to give notices of reduction or termination of employment to those employees of this school district who are affected by this Resolution.
 - a. Notice shall be pursuant to this Resolution, District rules and regulations, applicable provisions of the Education Code of the State of California.
 - b. Notice shall be given at least sixty (60) calendar days prior to the effective date of the affected employee's layoff, of April 30.

THE FOREGOING RESOLUTION was passed and adopted at a regular meeting of the Board of Trustees of the Black Oak Mine Unified School District on March 13, 2014, by the following roll call vote:

AYES:

NOES:

ABSENT:

Dated this 13th day of March 2014.

Signed and approved by me after its passage.

John Foley, President
Board of Trustees

ATTEST:

Darcy Knight, Clerk
Board of Trustees

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.3 Reduction in Certificated Staff Due to Reduction or Elimination of Particular Kinds Service for the 2014-15 School Year

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees adopt Board Resolution 2014-6, Reduction in Certificated Staff Due to Reduction or Elimination of Particular Kinds Service for the 2014-15 school year.

BACKGROUND: According to the provisions of the Education Code, certificated staff must be notified prior to March 15 if their services will not be required in the following year. Due to a reduction or discontinuance of particular kinds of services, the certificated services listed on Board Resolution 2014-6 will be reduced.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

Resolution 2014-6

**Reduction in Certificated Staff Due
To Reduction or Elimination of Particular
Kinds of Service**

WHEREAS, Sections 44949 and 44955 of the California Education Code require action by the governing board if the services of certificated staff are to be reduced or eliminated in order to permit the layoff of certificated employees.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The services set forth in Exhibit "A" shall be reduced or eliminated at the close of the 2013/2014 school year for the 2014/2015 school year.
2. The Board has considered anticipated certificated employee attrition (resignation, retirements, non-reelections, temporary teacher releases, etc.). Nevertheless, it is still necessary to terminate certificated full-time equivalent positions as referenced in Exhibit "A."
3. It will be necessary to retain the services of certificated employees, regardless of seniority, who possess qualifications and competencies needed in the projected educational program for the 2014/15 school year which are not possessed by more senior employees thereby subject to layoff.
4. The Superintendent, or designee, is authorized and directed to send notice(s) of recommendation of non-reemployment pursuant to Sections 44949 and 44955 of the California Education Code to any employee whose services shall be terminated by virtue of this Resolution.

THIS RESOLUTION was passed and adopted by the Board at a regular meeting held on the ____ day of _____ 2014, by the following roll call vote:

AYES: ____ NOES: ____ ABSENT: ____ ABSTAIN: ____

Signed and approved by me after its passage.

President - Board of Trustees

ATTEST:

Clerk - Board of Trustees

EXHIBIT "A"**TO RESOLUTION _____****PARTICULAR KINDS OF SERVICES (PKS) TO BE REDUCED
OR ELIMINATED
AT CLOSE OF 2013/2014 SCHOOL YEAR**

Service	Grade Level	Full Time Equivalent
Math	7-12	0.4
District Total		

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.4 Developer Fees Resolution 2014-9

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees adopt the Board Resolution 2014-9, Developer Fees.

BACKGROUND: The Black Oak Mine Unified School District has been levying developer fees since March 10, 2005. The purpose of the Developer Fee Justification study is to determine if a reasonable relationship exists between new development and the need for new and/or reconstructed school facilities within the school district. Should the study determine that there is a relationship between development and school facility development, the study will provide the justification necessary to 1) continue levying developer fees as authorized by Education Code Section 17620 and 2) raise the rates of developer fees to the level currently allowed by State law. This rate has been raised three times since the Board reestablished this source of facilities revenues in 2005, however, the District has not raised these fees.

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

In the Matter of Adopting Development)	
Fees on Residential and Commercial and)	RESOLUTION
Industrial Development to Fund the)	NO.2014-9
Construction or Reconstruction of School)	
Facilities)	

WHEREAS, Education Code section 17620 et seq. and Government Code section 65995, authorize the governing board of any school district to levy a fee, charge, dedication, or other form of requirement (hereinafter "fee" or "fees"), in the maximum amounts specified therein, against residential, commercial and industrial development projects occurring within the boundaries of the district (hereinafter "development"), for the purpose of funding the construction or reconstruction of school facilities; and

WHEREAS, this Board accepts the Developer Fee Justification Study for Black Oak Mine Unified School District prepared by SchoolWorks, Inc.; and

WHEREAS, this Board has previously resolved to levy fees on development projects pursuant to this authority; and

WHEREAS, Government Code section 65995 provides that the maximum fees which may be levied on development projects shall be increased in 2000 and every two years thereafter according to the adjustment for inflation set forth in the statewide cost index for Class B construction as determined by the State Allocation Board "SAB" and to become effective at its January meeting; and

WHEREAS, the SAB at its January 22, 2014 meeting, set the maximum fee to \$2.97 per square foot for residential development and to \$0.47 per square foot for commercial/industrial development; and

WHEREAS, the Fees are not an increase of what is currently being collected by Black Oak Mine Unified School District. A copy of the Study is attached hereto, marked Exhibit "A," and incorporated herein by this reference; and

WHEREAS, in the judgment of this Board it is necessary and appropriate, and in the best interests of the District and its students, to levy fees for the purpose of funding the construction

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

or reconstruction of school facilities necessary to serve the students generated by new development occurring within the District;

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND FOUND by this Board as follows:

1. The foregoing recitals are true and correct.
2. This Board approves and adopts the Study and recommendation of the District Superintendent, or designee, to levy fees in the maximum amounts authorized on new residential, commercial and industrial development that occurs within the District, and based upon the Study and recommendations, and upon all other written and oral information presented to this Board concerning this matter, makes the following findings:

A. The purpose of the fees is to finance the construction and reconstruction of school facilities in order to provide adequate school facilities for the students of the District who will be generated by new residential and commercial/industrial development taking place in the District;

B. The construction or reconstruction of school facilities is necessary to mitigate student overcrowding which exists, or is projected to exist in the District, for the following reasons:

- (1) New residential and commercial and industrial development is projected to occur within the District within the next five years which will generate additional school-aged children;
- (2) Additional students projected from new development may exceed the capacity of existing school facilities although the District is fully utilizing all existing school facilities to the extent deemed educationally feasible;
- (3) Existing school facilities in the District are in need of, or will be in need of, reconstruction or modernization. New development will generate students who will attend District schools and be housed in existing facilities. These students cannot be housed without maintaining existing school facilities, ultimately making reconstruction or modernization of such facilities necessary;
- (4) Both existing students and new students generated by future development occurring within the district will need to be housed and served in existing school

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

facilities, as well as new and additional school facilities necessary to serve the increasing student population.

(5) As commercial and industrial development occurs, new jobs are created. Many of the people hired for these jobs move into the community, thereby increasing the need for residential development which generates additional students adding to the impact on the school facilities of the District. The maximum fee that can be levied against residential development is insufficient to cover the full cost of the new or reconstructed school facilities needed by the district to house students generated from new residential development, and therefore justifies a separate fee against commercial and industrial development in the maximum amount allowed by law.

C. Without the addition of new school facilities and/or the reconstruction and modernization of existing facilities, the District will be unable to adequately house and serve additional students generated by new development which will impair or adversely impact the normal functioning of educational programs and services of the District;

D. The District has no, or limited revenue sources available for funding the construction or reconstruction of school facilities attributable to new development;

E. The fees adopted herein bear a reasonable relationship to the need for, and the estimated cost of, the construction or reconstruction of school facilities attributable to the type of new development on which the fees will be imposed;

F. The cost of providing for the construction and/or reconstruction of school facilities attributable to the type of new development occurring in the District will exceed the revenues reasonably anticipated from fees;

G. Existing students will benefit from the use of developer fees for new school facilities. Conversely, students generated from new development will occupy existing school facilities and will benefit from the use of fees to reconstruct or modernize those facilities. Therefore, it is appropriate to use developer fees for existing facilities to the extent of the estimated use of such facilities by students generated by new development.

3. Based on the foregoing, this Board hereby determines:

A. To levy a fee on any new or on other residential development, as described in Education Code § 17620(a), occurring within the District, in the maximum amount currently

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

authorized by law of \$3.36 per square foot of assessable space as such space is defined in Government Code § 65995(b)(1).

B. To levy a fee on categories of new commercial or industrial development, as described in Education Code § 17620(a), occurring within the boundaries of the District, in the maximum amount currently authorized by law of \$0.54 per square foot of chargeable covered and enclosed space as such space is defined in Government Code § 65995(b)(2). The District will only collect **\$0.52** per square foot of industrial Parks construction, **\$0.43** per square foot of Lodging construction and **\$0.02** per square foot for Rental Self-Storage.

4. The fee provisions of this Resolution are not exclusive, and this Board specifically reserves authority to undertake other or additional methods to finance school facilities in partial or complete substitution for, or in conjunction with, the fee provisions set forth therein, as authorized by law. This Board reserves the authority, in its discretion, to substitute the dedication of land or other form of requirement in lieu of fees to be levied pursuant to this Resolution.

5. The District intends to utilize fees for new construction of school facilities, reconstruction or modernization of existing facilities, purchase, lease or lease-purchase of portable or relocatable classrooms and related facilities as interim school facilities to house students pending the construction of permanent facilities, or the purchase, lease or lease-purchase of land for school facilities. This includes all associated costs to plan and execute school facilities projects including, but not limited to, architectural and engineering costs, testing and inspection costs, permits and plan checking, and other administrative costs related to the provision of school facilities. Construction, reconstruction or modernization of school facilities includes, but is not limited to, classrooms and equipment and furnishings for classrooms, and all other reasonable and customary auxiliary, accessory, adjunct, or other supportive facilities for classrooms such as restrooms, gymnasiums, administrative offices, cafeterias, libraries, multi-purpose rooms, maintenance and storage rooms, walkways, overhangs, parking lots, landscaping, and all other similar facilities. Finally, fees may be used for studies and reports necessary to make the findings and determinations required by law for the collection of fees which may include the school facilities needs analysis described in Government Code section 65995.6, for reimbursement of administrative costs to collect fees, and for such other purposes consistent with

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

the purpose and intent of this Resolution, or authorized by law, or deemed necessary or appropriate by this governing board.

6. The Superintendent, or designee, is authorized to certify compliance of a particular development project with the fee or other requirement levied by this Board, or to certify where appropriate that a project is fully or partially exempt from fees in appropriate circumstances. Any certification of compliance for a particular residential construction project is expressly conditioned upon the continued satisfaction by that project of the requirements for that certification and failure to meet those requirements in the future may result in the revocation of such certification and enforcement of the appropriate fee requirement for the project.

7. Pursuant to Education Code § 17621(c), this board determines that the fee levied on residential development is not subject to the restrictions set forth in subdivision (a) of Government Code § 66007 and, pursuant to Education Code § 17620(b), shall be collected at the time of issuance of the building or similar permit required for a particular development project.

8. Pursuant to Government Code section 66001(d), the Superintendent or his designee shall review the Fund established pursuant to this Resolution for the fifth fiscal year following the first deposit of fees in the Fund, and every five years thereafter, and with respect to any portion of a fee remaining unspent five or more years after deposit, the Superintendent or his designee shall report to this Board which shall either make the findings required by section 66001(d) for said unspent fees, or direct the refund of such fees in the manner provided in 66001(e) and (f).

9. Pursuant to Government Code section 66001(e), the Superintendent or designee, shall advise this board whenever it appears sufficient fees have been collected to complete financing on incomplete public improvements that have been identified in the Study. This board shall then make a determination whether or not sufficient fees have been collected for a particular project, and when a determination is made by this board that sufficient fees have been collected, this Board shall identify, within 180 days of the determination, an approximate date by which the construction of the public improvement will be commenced, or shall refund the fees as provided in said section, unless the provisions of section 66001(f) are deemed to apply.

10. The fees adopted herein are effective sixty (60) days after the approval of this Resolution.

**BEFORE THE GOVERNING BOARD OF TRUSTEES OF THE
BLACK OAK MINE SCHOOL DISTRICT
EL DORADO COUNTY, CALIFORNIA**

11. The Superintendent or his designee is hereby authorized and directed to do the following:

A. As required by Government Code § 66006(a), to establish a separate capital facilities fund (herein "Fund") into which the fees received by the District shall be deposited and shall not be commingled with other revenues and funds of the District. The fees, and any interest earned thereon, shall be expended only for the purpose of funding the construction or reconstruction of school facilities or such other purposes as are permitted by law and authorized by this Board.

B. If applicable, negotiate agreements with other school district(s) with common territorial boundaries ensuring that the total fees collected by each school district does not exceed the maximum fees allowed by law for residential and commercial and industrial development and providing for an equitable division of the fees with such other school district(s). As required by Education Code section § 17623(a), copies of such agreement(s) shall be transmitted to the State Allocation Board, and shall also be sent to any county or city planning agency which is calculating or collecting fees on behalf of the District.

C. Take such further action as is necessary or appropriate to carry out the purpose and intent of this Resolution.

I, Dr. Robert Williams, Secretary to the Board of Trustees of the Black Oak Mine Unified School District, do hereby certify that the foregoing Resolution 2014-9 was proposed by Board member _____, seconded by Board member _____, and was duly passed and adopted, by vote of said Board, at an official and public meeting thereof held on March 13, 2014, as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dated: _____

Secretary, Board of Trustees

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.5 2014-15 Budget Assumptions Updates

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Roslynne Manansala-Smith, Chief Fiscal Officer

EXPLANATION: The Budget Assumptions were updated to reflect the Governor's 2014-15 budget.

BACKGROUND: District's Chief Fiscal Officer, Roslynne Manansala-Smith, developed updated 2014-15 Budget Assumptions.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
2014-15 BUDGET ASSUMPTIONS
(Updated as of March 2014)

PURPOSE:

The purpose of this set of budget assumptions is to assist the District in developing and maintaining the 2014-15 budget. The intent of the recent enactment of the Local Control Funding Formula was to provide a funding mechanism that is simple and transparent while allowing school districts maximum flexibility in allocating resources to meet local needs. It is important to note that while the formula itself is relatively straightforward, the transition from revenue limit funding to the LCFF is very complex mainly due to the state's commitment to ensure all school districts are funded at no less than what they received in 2012-13. The reality is that this is simple in concept and extremely complex in application. With this in mind, it is important to note that school districts statewide are in a very fluid environment. CDE guidance is still being developed and information could change.

The assumptions listed below are based upon the Governor's January Proposals for 2014-15 budget, the most current guidance from CDE, District input and prior year trends as well as external sources (such as SSC, EDCOE) when appropriate.

OVERALL ASSUMPTIONS FOR BUDGET:

1. 2013-14 CBEDS enrollment of 1,157 is projected to fall by 52 , to 1,105 in 2014-15.
2. Due to declining enrollment in 2014-15, LCFF ADA will be based on 2013-14 ADA and is estimated to fall to 1,226.21 for 2014-15.
3. The number of schools operated by the District in 2014-15 is six (6): Golden Sierra Junior Senior High School, Divide High School, Georgetown School, Northside School, Otter Creek School and American River Charter School.
4. Assumptions for charter school budget are not included in this document.
5. Both site budget and staffing allocations will be by formulas as follows:

5.1 Site budget formula:

K-5 =	\$37.91 / Student
6-8 =	\$51.44 / Student
9-12 =	\$72.43 / Student
Independent Study =	Per grade level formula above
Athletic Supplies - 6-8 =	\$4.75/Student
GSJS Athletic Supplies/Equip Refurb =	\$5,700
Athletic Officials GSJS (7-12) =	\$25,500

5.2 Department budget formulas:

District Office (including Supt Budget) =	No change from prior year.
Maintenance =	No change from prior year.
Operations =	No change from prior year.
Transportation =	No change from prior year.

5.3 Staffing formula guidelines: (Does not include Special Education)

K-3 =	28/1*
4-6 =	33/1
7-12 =	35/1
Divide High =	25/1
Otter Creek =	24/1
Ind. Study =	26/1
ROP =	18/1

*Important to note under LCFF, in order for districts to receive the additional K-3 CSR Grade Span Adjustment, school districts must make progress toward an average class enrollment of no more than 24 pupils in grades K-3 per school site. This progress must be equivalent to the percentage of Gap funding. Currently for 2014-15, this percentage of Gap funding is estimated at 28.05% and the district anticipates meeting this progress.

REVENUE ASSUMPTIONS:

1. The District projected LCFF amount is based on most recent School Services Fiscal Dartboard projection, the EDCOE LCFF Calculator and from DOF. For 2014-15, the COLA is projected at 0.86%, the LCFF Gap Funding at 28.05% and the district is funded at 14% below its LCFF target.

The Education Protection Account (Prop 30) is a component of an LEA's total LCFF entitlement. EPA projected total for 2014-15 is about \$1.2 million of our total LCFF entitlement.

2. Forest Reserve funds have not been re-authorized for 2014-15; revenue will not be included in budget until funding is re-authorized.
3. Special Education will be funded outside of the LCFF, with funding for ADA growth and an estimated 0.86% COLA. Per SELPA's hold harmless allocation, State Special Education revenue is estimated to drop about (-\$22k) to \$296k and Federal Special Education revenue to drop about (-\$8k) to \$153k.
5. Funding projections for continuing Federal categorical programs are included in the budget at a projected 5.2% reduction until federal sequestration cuts to education are resolved.
6. Unrestricted Lottery revenue is estimated at the rate of \$126 per ADA. The restricted Proposition 20 Lottery revenue is estimated at the rate of \$31 per ADA.
7. Categorical program carryover funds that remain are considered restricted and will continue to be included as either deferred revenue or as part of the restricted ending balance, depending on the definition of the resource.
8. Deferred Maintenance funding has been rolled into the LCFF. The board has confirmed its commitment of funds to Deferred Maintenance Fund 14 at the November 2013 board meeting. The ending balance from June 30, 2014 will remain in Fund 14 and \$67,948 will be transferred from Fund 01 to Fund 14 for the 2014-15 school year.
9. Transportation fee rates will remain unchanged from prior year. Analysis may indicate a need to increase fees in future years.

Home to School Transportation funding was also rolled into the LCFF. Districts are required to meet a Maintenance of Effort, to at least spend what we received from the state in 2012-13. Until further guidance is received from CDE, the District will still track Home to School Transportation expenses in resource 7230. Since revenue for this program is received with LCFF, this will require a projected contribution of \$782,546 to resource 7230.

10. Facility Use Fee Schedule has been approved by the board and an updated Memorandum of Understanding has been signed with Georgetown Divide Recreation District (GDRD). Based on average of use fees collected over 3 recent years estimate is \$25,000.
11. Funding for the Mandate Block Grant is based on average daily attendance (ADA) using prior year 2013-14 ADA for Grades K-8 and Grades 9-12. Currently the district is using the 2013-14 rates:
School Districts: \$28/ADA for Grades K-8 & \$56/ADA for Grades 9-12
Charter Schools: \$14/ADA for Grades K-8 & \$42/ADA for Grades 9-12
12. The two year funding grant for Common Core State Standards Implementation has been included in the 2013-14 budget. The estimated carryover from 2013-14 is about \$116,000.

EXPENDITURE ASSUMPTIONS:

1. Step increases will be reflected for those certificated, classified, confidential, and administrative employees who qualify for movement based upon their longevity with the District. The estimated certificated amount for 2014-15 is currently estimated at about \$57,000, or about 1.3%. The classified amount for 2014-15 is currently estimated at about \$15,000, or about 1.4%.
2. Costs resulting from a paid leave of absence will be budgeted under the corresponding funding source. Funding for retirement compensation will be allocated according to GASB 45 requirements.
3. Column increases will be budgeted for those certificated employees who have indicated completion of the required number of units. The amount for 2014-15 is currently estimated at \$2,500.
4. For most categorically funded programs, the positions allocated will reflect the funding available. Though the district will strive to maintain positions at the minimum level needed, programs such as Special Education and Home to School Transportation will require a contribution from the unrestricted budget.
5. Benefits:

5.1 The rates below reflect the 2013-14 rates

<u>Certificated Employees</u>		<u>Classified Employees</u>	
STRS -	8.25%	PERS -	12.52%*
Medicare -	1.45%	Medicare -	1.45%
Unemployment -	0.05%	Unemployment -	0.05%
Workers Comp -	<u>1.99%</u>	Workers Comp -	1.99%
Total Fixed Benefits -	11.74%	OASDI -	<u>6.20%</u>
		Total Fixed Benefits -	22.21%

*Important note on Increase in PERS contribution rates: Recent actuarial forecasts from CALPERS have projected employer contribution rates rising to as high as 20% for the schools pool by 2020, or within six years. Districts can expect the CALPERS Board to make progress towards those projected rates in each of the next two years.

Under LCFF, there is no longer a statutory cap on PERS contributions, thus a district's exposure to the increasing contribution rates is not limited. Additional employer contributions have been anticipated in multi years based on PERS estimates for 2015-16 the contribution rate will be 13.30%. Schools can anticipate approximately 1.1% increase to the contribution rates annually.

District has included an estimated 1.1% increase to the current PERS rate of 11.42%, with a new total PERS rate of 12.52% estimated for 2014-15.

5.2 Health insurance premium cap amounts for 2013-14 are incorporated in the budget.

6. Utility costs are projected at prior year levels plus a COLA of 3% for potential rate increases and adjustments for school site relocations.
7. Fuel costs are projected based upon market rates and historic analysis of gallons used and cost per gallon in prior years.

EXPENDITURE ASSUMPTIONS (continued):

8. The annual contract for services with the El Dorado County Office of Education currently estimated at about \$75,000 for 2014-15.
9. Inter-program indirect costs will be calculated at the maximum allowable rate per program. The District-approved indirect cost rate for 2013-14 is 7.44% and is used until the 2014-15 rate is approved.
10. The established reserve for Economic Uncertainties (EUR) approved by the Board of Trustees is maintained at 4%, 1% above the state minimum.
11. Technology Budget will remain at the 2013-14 level.
12. In order to keep the district financial status "Positive", the district will need to implement reductions in the amounts discussed in the Multi Year Projections narrative assumptions.

Adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 14.6 Second Interim Report

MEETING DATE: March 13, 2014

FROM: Roslynne Manansala-Smith, Chief Fiscal Official
Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to certify the District's financial position as "Positive," for the Second Interim Report for the period ending January 31, 2014.

BACKGROUND: School districts are required to submit Interim Reports for the period ending October 31, 2013, and January 31, 2014 for review and approval by the Board of Trustees. The purpose of these reports is to present an overview of the District's evolving financial situation and review of adopted budgets to determine whether financial obligations can be met in the current year as well as the subsequent two fiscal years. After each report is approved by the Board of Trustees, it is reviewed by the El Dorado County Office of Education.

The Second Interim Report will be provided under separate cover to the Board of Trustees.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.1 Comprehensive School Safety Plans

MEETING DATE: March 13, 2014

FROM: Drew Woodall, Director of Educational Services
Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees approve the Comprehensive School Safety Plans.

BACKGROUND: An updated Comprehensive School Safety Plan (CSSP) has been developed for each school site and the district office as per Ed code 32280.

Each site has developed their own comprehensive plan and has included staff, parents and in some cases students in their planning and approval of their site CSSP.

The El Dorado County Emergency Medical System and the El Dorado County Sheriff has been given an electronic read only copy of each school site's crisis response plans included in the overall CSSP. The electronic copy has been approved by the county EMS staff.

Full copies of the Comprehensive School Safety Plans are available for review at the District Office.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.2 Certification of Athletic Coaches

MEETING DATE: March 13, 2014

FROM: Shelly King, Personnel Services Coordinator
Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees accept the District Superintendent's certification, in accordance with Title 5, California Code of Regulations, Section 5593, of athletic coaches hired for the 2013-14 school year.

BACKGROUND: Title 5, California Code of Regulations, Section 5593: Temporary Athletic Team Coach Qualifications and Competencies applies to any person serving at any grade level as a temporary athletic team coach.

In this district, knowledge of rules and regulations, coaching techniques, the ability to work with children and competency for coaches are established by the site administrator during the normal hiring procedure. See the attached worksheet for verification of first aid and CPR certification and concussion training.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
2013-2014 District Certification for Title V

NAME	ACTIVITY	CPR Expr Date	1st Aid Expr Date
<u>Golden Sierra High School</u>			
Christopher Whited	Football (asst JV)	6/4/2014	6/4/2014
Jeremy Nordby	Football (head JV)	6/4/2014	6/4/2014
John Hilton	Football (head V)	6/20/2015	6/20/2015
John Piparo	Football (asst V)	1/18/2014	1/18/2014
Jason Bourdett	Soccer (JV)	6/20/2015	6/20/2015
Trenton Mol	Soccer (V)	6/20/2015	6/20/2015
Angie Brust	Volleyball (JV)	6/20/2015	6/20/2015
Justin Cox	Volleyball (V)	8/7/2015	8/7/2015
Mike Brown	Volunteer Cross Country	6/4/2014	6/4/2014
Jessica McEntire	Cheerleader Advisor	9/1/2014	9/1/2014
Eric Beirsteker	Boys Basketball (JV)	1/12/2015	1/12/2015
Al Toney	Boys Basketball (V)	8/29/2015	8/29/2015
Dassen Murchie	Girls Basketball (JV)	6/4/2014	6/4/2014
Kevin Niles	Girls Basketball (V) 47%	9/24/2015	9/24/2015
Keith Bush	Girls Basketball (V) 47%	6/20/2015	6/20/2015
Ronnie Ebitson	Girls Basketball (V) 6%	8/7/2014	8/7/2014
Toney Arena	Wrestling (asst)	11/30/2015	11/30/2015
Grant Tonelli	Baseball (V) 50%	2/1/2016	2/1/2016
Greg Thompson	Baseball (V) 50%	7/2/2015	7/2/2015
Keith Bush	Golf	2/1/2015	2/1/2015
Glenn Linka	Boys Varsity Volleyball	6/20/2015	6/20/2015
Trenton Mol	Girls Soccer (V)	6/20/2015	6/20/2015
Trenton Mol	Girls Soccer (JV)	6/20/2015	6/20/2015
Sonny Stephens	Softball (V)	2/16/2014	2/16/2016
Judy Toth	Tennis	8/7/2015	8/7/2015
Mike Brown	Track (head)	6/4/2014	6/4/2014
<u>Golden Sierra Junior High School</u>			
Matt Souza	Football - 8th	8/31/2014	8/31/2014
Sandy Barbato	Volleyball - 7th (girls)	6/20/2015	6/20/2015
Kip Steward	Volleyball - 8th (girls)	6/20/2015	6/20/2015
Edward Larson	Boys Basketball - 7th	8/7/2015	8/7/2015
Edward Larson	Boys Basketball - 8th	8/7/2015	8/7/2015
Ryan Howard	Wrestling (Georgetown)	11/11/2015	11/11/2015
Kip Steward	Wrestling (Northside)	6/20/2015	6/20/2015
Edward Larson	Girls Basketball - 7th	8/7/2015	8/7/2015
Meghan Wright	Girls Basketball - 8th	1/18/2016	1/18/2016
Edward Larson	Volleyball - 7th (boys)	8/7/2015	8/7/2015
Angie Brust	Volleyball - 8th (boys)	6/20/2015	6/20/2015
David Delongchamp	Track	8/7/2015	8/7/2015

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.3 Administrative Retirement Requests

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the retirement requests from the following administrators: Drew Woodall and Laurie Hockenson in accordance with the Retirement Incentive.

BACKGROUND: Retirement requests from these administrators will be provided to the Board of Trustees under separate cover.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.4 Certificated Retirement Request

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the retirement request from Mark Hendrix in accordance with the Certificated Retirement Incentive.

BACKGROUND: The retirement request from Mark Hendrix will be provided to the Board of Trustees under separate cover.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.5 Classified Retirement Requests

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the retirement requests from the following classified employees: Gerry Parra and Ronnie Ebitson in accordance with the Classified Retirement Incentive.

BACKGROUND: The retirement requests from the above classified employees will be provided to the Board of Trustees under separate cover.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.6 Reduced Workload Program-Willie Brown Application

MEETING DATE: March 13, 2014

FROM: Shelly King, Personnel Services Coordinator
Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Reduced Workload Application for two certificated employees, Lynn Schardt and Jean Brown.

BACKGROUND: The Black Oak Mine Teachers Association contract with the Board of Trustees allows for tenured teachers who have attained the age of fifty-five (55) to participate in the Reduced Workload Program (Willie Brown) under the provisions of the California State Teachers' Retirement System.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.7 Tentative Agreement with the Black Oak Mine Unified School District and the Black Oak Mine Teachers Association for Negotiations for the 2013-14 school year.

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent
Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Tentative Agreement with the Black Oak Mine Unified School District and the Black Oak Mine Teachers Association for Negotiations for the 2013-14 school year.

BACKGROUND: As required by Government Code Section 3547 prior to engaging in collective bargaining, initial proposals of both the employee organizations and the District must be made public. As well, it is required that the public have an opportunity to express itself regarding the tentative agreement.

**PACKAGE PROPOSAL FROM
BLACK OAK MINE UNIFIED SCHOOL DISTRICT
TO
BLACK OAK MINE TEACHERS ASSOCIATION**

(2013/2014 Reopeners)

The Black Oak Mine Unified School District ("District") and the Black Oak Mine Unified Teachers Association ("BOMTA" or "Association") are parties to a collective bargaining agreement that will expire June 30, 2015. The District hereby presents its package proposal on the Reopeners for 2013-2014.

1. Salary Schedule Increase (2013/2014)

The salary schedule set forth in Appendix G and H for all bargaining unit members shall be increased for each step and column by three (3.0%) effective January 1, 2014. This increase shall not apply to any stipends for extra pay for extra duty, whether set forth in Appendix G and H or otherwise. Any retroactive sum due under this increase shall be included in unit members' regular pay warrant for April 30, 2014 or the first pay period occurring at least thirty (30) days after ratification by both the Association and the Board, whichever comes last.

2. Health and Welfare Benefits Cap

Effective, and pro-rated per FTE to January 1, 2014, the annual health and welfare benefits cap shall be increased by the sum of 1% of the average per capita salary due to Association unit members for 2013-2014. (See Attachment A).

3. Professional Development Days

The District shall schedule three (3) professional development (PD) days for the 2013-2014 school year only. The District shall determine, consistent with the funding source, and following consultation with the Association, the content to be presented to unit members. The PD dates shall be agreed upon by the District and the Association, but shall not occur prior to April 30, 2014. Unit members shall be compensated on a per diem basis for actual attendance.

4. Beginning Teacher Support and Assessment Program (BTSA)

Effective July 1, 2014, the BTSA participant stipend set forth in Appendix B is eliminated.

Effective July 1, 2014, the BTSA provider stipend shall be reduced to \$1500.00.

5. Assignment, Transfer, and Reassignment

Article VII, Section E, Subsection 7, shall be amended as follows:

Teachers may appeal any transfer/reassignment to the District Superintendent or his/her designee and then to the Board of Trustees, whose decision is final. The appeal shall be filed in writing within ten regular teacher workdays after receiving notice of the transfer/reassignment, and shall contain a description of the transfer/reassignment and the reason the teacher objects to the action.

6. AB 1200

The parties acknowledge that the increase in total compensation set forth in paragraphs 1 and 2 is subject to AB 1200 review by the El Dorado County Office of Education prior to ratification.

Attachments to Collective Bargaining Agreement

Modify, as necessary, to conform based on outcome of the salary negotiations.

Closure of Bargaining

This Agreement shall close bargaining on reopeners through June 30, 2014.

FOR THE DISTRICT:

Signature

Date

FOR BOMTA:

Signature

Date

2-18-2014

2-19-2014

DISCLOSURE OF COLLECTIVE BARGAINING AGREEMENT
In Accordance with AB1200 (Statutes of 1991, Chapter 1213); G.C. 3547.5; CCR, Title V, Section 15449

The proposed agreement is a 1 year agreement that covers the period beginning July 1, 2013 and ending June 30, 2014, and will be acted upon by the Governing Board at its meeting on March 13, 2014. The General Fund is impacted as follows.

Bargaining Unit Group
(Please use separate disclosure for each group)

Certificated

Classified

Confidential/Management

Other

Check one	Cost of 1% *
<input checked="" type="checkbox"/> X	\$ 40,064
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

* includes salary and related benefits, e.g. STRS, PERS, Workers Compensation, Unemployment

A. Proposed Change in Compensation

	Compensation	Fiscal Impact of Proposed Agreement		
		Year 1 FY 13 - 14	Year 2 FY 14 - 15	Year 3 FY 15 - 16
1	Salary Schedule - Increase(Decrease)	62,287	93,426	87,453
2	Step and Column - Increase (Decrease) due to movement plus any changes due to settlement			
3	Other Compensation (complete description below)	65,384	(3,147)	(3,147)
4	Statutory Benefits - Increase (Decrease) in STRS, PERS, FICA, WC, UI, Medicare, etc. (may be included in costs above or shown separately)	7,312	10,968	10,267
5	Health/Welfare Benefits - Increase (Decrease)	23,690	32,657	31,443
6	Total Compensation	158,673	133,905	126,016
7	Total Number of Represented Employees	59.10	53.80	51.80
8	Total Compensation Average Cost per Employee - Increase (Decrease)	2,685	2,489	2,433

%		
Year 1 FY 13 - 14	Year 2 FY 14 - 15	Year 3 FY 15 - 16
1.55%	2.33%	2.18%
1.63%	-0.08%	-0.08%
0.18%	0.27%	0.26%
0.59%	0.82%	0.78%
3.96%	3.34%	3.15%

Other Compensation - Increase (Decrease)

(Stipends, Bonuses, etc.) Provide Description below:

2013/14: Other Compensation amount listed above on line 3 is the total amount, salaries & statutory benefits for 57.30 FTE, for 3 professional development days in 2013/14 school year only. Unit members shall be compensated on a per diem basis for actual attendance.

2014/15-2015/16: The proposed agreement includes a decrease in the BTSA Support Provider stipend, from \$2,200 to \$1,500 for each BTSA Support Provider teacher and eliminates the \$200 BTSA Participant stipend as set forth in Appendix B.

9 Were any additional steps, columns, or ranges added to the schedules?

YES

☒ NO

If yes, please explain

10 Does this bargaining group have a negotiated cap for Health and Welfare benefits

☒ YES

NO

If yes, please indicate the cap amount.

- A. **Proposed change in compensation.** Provide a brief narrative of the proposed change in compensation, including percentage change(s), effective date(s), and comments and explanations as necessary

The proposed agreement includes the following changes:

*For all bargaining unit members, the current certificated salary schedules in appendix G & H shall be increased for each step and column by 3% effective January 1, 2014

*1% of the average per capita salary, equivalent to \$607 added to the annual Health and Welfare Benefits Cap effective January 1, 2014, annual cap change from \$9,600 to \$10,207

*The addition of 3 professional development days for 2013-14 school year only

Effective July 1, 2014, the Beginning Teacher Support and Assessment Program (BTSA) participant stipend set forth in Appendix B for \$200 is eliminated and the BTSA provider stipend shall be reduced from \$2,200 to \$1,500.

- B. **Proposed negotiated changes in non-compensation items** (e.g. class size adjustments, staff development days, teacher prep time, etc.)

The proposed agreement makes language changes to Article VII, Section E, Subsection 7, in regards to involuntary transfers. Teachers may still appeal any transfer/reassignment to the District Superintendent, with the District Superintendent's decision now final. In addition, the appeal can be filed within ten regular teacher workdays instead of five regular workdays.

- C. **What are the specific impacts on instructional and support programs to accommodate the settlement?** Include the impact of non-negotiated changes such as staff reductions and program reductions/eliminations.

N/A

- D. **What contingency language is included in the proposed agreement?** Include specific areas identified for reopeners, applicable fiscal years, and specific contingency language.

N/A

- E. **Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.**

N/A

- F. **Will this agreement create, or increase an operating deficit in the current or subsequent year(s)?** An operating deficit is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If yes, explain the amounts and justification for doing so.

This agreement is projected to increase the district's operating deficit in the current year and subsequent years. It is the district's intent to make reductions in other areas to offset this increase.

- G. **Source of funding for proposed agreement.**

Current year:

General Fund Unrestricted

How will ongoing cost of the proposed agreement be funded in future years?

The cost of the proposed agreement will be funded from the General Fund's reserves that were formerly set aside for Instructional materials, from the former categorical IMFRP funding.

If multi-year agreement, what is the source of funding, including assumptions used, to fund these obligations in future years? (Remember to include compounding effects in meeting obligations).

N/A

For multi-year agreements, please provide a multi-year financial projection covering the term of the agreement. Include all assumptions used in the projections enrollment growth, COLA, deficits, etc.

- H. Describe the financial impact on other funds affected by the proposed settlement - consider Cafeteria, Adult Education, Deferred Maintenance

N/A

G. Impact of Proposed Agreement on Current Year Unrestricted Reserves**1. State Reserve Standard**

a. Total expenditures, transfers out, and uses (including cost of proposal)	\$11,484,320
b. State Standard Minimum EUR Percentage for this district	3%
c. State Standard Minimum EUR amount for this district (greater of line 1-c or \$50,000 for districts w/less than 1,001 ADA)	\$ 344,530

2. Budgeted Unrestricted reserve (after impact of Proposed Agreement)

a. General Fund budgeted Unrestricted EUR	\$ 446,000
b. General Fund budgeted Unrestricted Unappropriated amount	
c. Special Reserve Fund budgeted EUR	
d. Special Reserve Fund budgeted Unappropriated amount	\$
e. Total District budgeted Unrestricted reserves	\$ 446,000

3. Do Unrestricted reserves meet the state minimum standard amount?
☒ Yes

☐ No

Disclosure of Collective Bargaining Agreement

IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

In accordance with E.C. 42142

2013-14 1st INTERIM

YEAR 1

	(Col. 1) 2013-14 (1st Interim budget)	(Col. 2) Revisions Necessary as a result of proposed settlement	(Col. 3) Other Revisions	(Col. 4) Total Impact on budget (col. 1+2+3)
REVENUES				
8010-8099 RL/LCF Sources	8,764,337			\$ 8,764,337
8100-8700 Remaining Revenues	2,390,242		14,000	\$ 2,404,242
8900-8999 Contributions & Transfers In	5,000			\$ 5,000
TOTAL REVENUES	11,159,579		14,000	\$ 11,173,579
EXPENDITURES				
1000 Certificated Salaries	4,638,287	62,287		\$ 4,700,574
2000 Classified Salaries	2,226,721			\$ 2,226,721
3000 Employee Benefits	2,285,605	31,002		\$ 2,316,607
4000 Books and Supplies	705,612			\$ 705,612
5000 Services and Operating Expenses	1,113,753			\$ 1,113,753
6000 Capital Outlay	59,000			\$ 59,000
7000 Other	362,053			\$ 362,053
TOTAL EXPENDITURES	11,391,031	93,289		\$ 11,484,320
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	(231,452)	93,289	(14,000)	\$ (310,741)
BEGINNING BALANCE	1,387,767			\$ 1,387,767
ENDING BALANCE	1,156,315			\$ 1,077,026.38

*Cost of professional development days are not included in column 2, as these are included in column 1.

Disclosure of Collective Bargaining Agreement

IMPACT OF PROPOSED AGREEMENT ON MULTI-YEAR OPERATING BUDGET

In accordance with E.C. 42142

MULTI-YEAR PROJECTION from 1st INTERIM

YEAR 2									YEAR 3			
	(Col. 1) 2014-15	(Col. 2) Revisions Necessary as a result of proposed settlement	(Col. 3) Other Revisions	(Col. 4) Total impact on budget (col. 1+2+3)	(Col. 1) 2015-16	(Col. 2) Revisions Necessary as a result of proposed settlement	(Col. 3) Other Revisions	(Col. 4) Total impact on budget (col. 1+2+3)				
REVENUES												
8010-8099 RL/LCFF Sources	8,511,547		245,834	\$ 8,757,381	8,545,564		188,823	\$ 8,734,387				
8100-8700 Remaining Revenues	1,660,245			\$ 1,660,245	1,604,418			\$ 1,604,418				
8900-8999 Contributions & Transfers In	5,000			\$ 5,000	5,000			\$ 5,000				
TOTAL REVENUES	10,176,792		245,834	\$ 10,422,626	10,154,982		188,823	\$ 10,343,805				
EXPENDITURES												
1000 Certificated Salaries	4,024,490	90,280	168,441	\$ 4,283,211	3,763,612	84,307	231,817	\$ 4,079,736				
2000 Classified Salaries	2,140,063		(161,668)	\$ 1,978,395	2,089,450		(121,396)	\$ 1,968,054				
3000 Employee Benefits	2,269,451	43,625	203,500	\$ 2,516,576	2,329,145	41,710	116,358	\$ 2,487,213				
4000 Books and Supplies	547,167			\$ 547,167	481,047			\$ 481,047				
5000 Services and Operating Expenses	962,086			\$ 962,086	942,062			\$ 942,062				
6000 Capital Outlay			50,000	\$ 50,000				\$ 362,208				
7000 Other	361,672		(4,353)	\$ 357,319	362,208			\$ 362,208				
TOTAL EXPENDITURES	10,304,929	133,905	255,920	\$ 10,694,754	9,967,524	126,016	226,779	\$ 10,320,320				
CURRENT YEAR INCREASE (DECREASE) IN FUND BALANCE	(128,137)	133,905	10,086	\$ (272,128)	187,458	126,016	37,956	\$ 23,485				
BEGINNING BALANCE	1,077,026			\$ 1,077,026	948,889			\$ 804,899				
ENDING BALANCE	948,889			\$ 804,899	1,136,347			\$ 828,384				

Certification No. 1

In accordance with the requirements of Government Code Section 3547.5, the Superintendent and Chief Fiscal Officer of the Black Oak Mine Unified School District, hereby certify that the District can meet the costs incurred under the Collective Bargaining Agreement between the District and the California Teachers Association Bargaining Unit, during the term of the agreement from July 1, 2013 to June 30, 2014.

The budget revisions necessary to meet the costs of the agreement in each year of its term will be submitted upon completion of the 2nd Interim Budget report.

**District Superintendent
 (Signature)**

Date

**Chief Fiscal Officer
 (Signature)**

Date

Certification #2

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the *Public Disclosure of Proposed Bargaining Agreement* in accordance with the requirements of AB 1200 and Government Code Section 3547.5.

**District Superintendent (or Designee)
 (Signature)**

Date

Contact Person

Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on _____, took action to approved the proposed Agreement with the _____ Bargaining Unit.

**President (or Clerk), Governing Board
 (Signature)**

Date

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.8 Notice of Completion for American River Charter Solar Project
(Divide High School Solar Panels)

MEETING DATE: March 13, 2014

FROM: Robert Williams, Superintendent
Roslynne Manansala-Smith, Chief Fiscal Officer

RECOMMENDATION: It is recommended that the Board of Trustees authorize the filing of Notice of Completion for American River Charter Solar Project (Divide High School Solar Panels) by Landmark Construction.

BACKGROUND: Notice of Completion document is required in order for the Division of State Architect (DSA) to close facilities project files. Landmark Construction completed the following projects on:

Job Name	Completion Date
American River Charter Solar Project (Divide High School Solar Panels)	February 21, 2014

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

NAME Black Oak Mine Unified School District
Mailing/Street 6540 Wentworth Springs Rd.
ADDRESS
CITY, STATE, ZIP Georgetown, CA 95634

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for Complete requirements.) Notice is hereby given that:

- 1 The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
- 2 The full name of the owner is BLACK OAK MINE UNIFIED SCHOOL DISTRICT
- 3 The full address of the owner is 6540 WENTWORTH SPRINGS ROAD, GEORGETOWN, CA 95634

- 4 A work of improvement on the property hereinafter described was completed on February 21, 2014.
The work done was:

Divide High (formerly) American River Charter School Solar Project, Black Oak Mine District Office

- 5 The name of the contractor, if any, for such work of improvement was:

Landmark Construction

The property on which said work of improvement was completed is in the County of El Dorado, State of California and is described as follows:

**District Office, Black Oak Mine Unified
Nature of the interest of estate of owner fee**

- 6 The street address of said property is:

**American River Charter/Divide High School
6620 Wentworth Springs Rd.
Georgetown, CA 95634
El Dorado County**

Signature of Owner names in Paragraph 2 or their Agent:

Dated: _____

(Signature of owner or corporate officer of owner named in paragraph 2 or their agent)

VERIFICATION OF OWNERS STATE OF CALIFORNIA COUNTY OF EL DORADO

I, the undersigned, say: I am the Superintendent, the declarant of the foregoing notice of completion;
I have read said notice of completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____ at, Georgetown, El Dorado, CALIFORNIA
(Date) (City, County, & State)

(Signature of Officer)

REQUIREMENTS AS TO NOTICE OF COMPLETION

Notice of Completion must be filed for record WITHIN 10 DAYS after completion of the work of improvement (to be computed exclusive of the day of completion) as provided in Civil Code Section 3093.

The "owner" who must file for record a Notice of Completion of a building or other work of improvement means the owner (or his successor in-interest at the date the notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in two or more persons as joint tenants or tenants in common, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one co-tenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

Note that any Notice of Completion signed by a successor in interest shall recite the names and addresses of his transferor or transferors.

In paragraphs 3, 5 and 6, the full address called for should include street number, city, county and state.

As to paragraphs 7 and 8, this form should be used only where the Notice of Completion covers the work of improvement as a whole. If the notice is to be given only of completion of a particular contract, where the work of improvement is made pursuant to two or more original contracts, then this form must be modified as follows: (1) Strike the words "A work of improvement" from paragraph 7 and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g., "The foundation for the improvements"); (2) Insert the name of the contractor under the particular contract in paragraph 8.

In paragraph 8 of the notice, insert the name of the contractor for the work of improvement as a whole. No contractor's name need be given if there is no general contractor, e.g. on so-called owner-builder jobs."

In paragraph 9, insert the full, legal description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 10, show the street address, if any, assigned to the property by any competent public or governmental authority.

Before you use this form, fill in all blanks, and make whatever changes are appropriate and necessary to your particular transaction. Consult a lawyer if you doubt the form's fitness for your purpose and use.

**MINUTES OF A REGULAR MEETING
OF THE BLACK OAK MINE UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
February 13, 2014**

CALL TO ORDER 15.9 The Regular Meeting of the Board of Trustees was called to order by President Foley at 5:30P.M. at 6540 Wentworth Springs Road, Georgetown.

Present: John Foley, Jeff Shurtz, Darcy Knight, Joe Scroggins, Steve DePue, and Dr. Robert Williams, Superintendent.

CLOSED SESSION After announcing the topics in Open Session, the Board met in Closed Session and discussed; Public Employee Employment: Teacher Resignation, American River Charter School, Public Employee Employment: Classified Retirement Request (1), Public Employee Employment Retirements (9) Certificated Employees; Classified Personnel Action, Instructional Aide; Certificated Personnel Action, Teacher American River Charter School; Short-Term Employment Action, Girls Varsity Softball Coach at Golden Sierra Junior-Senior High School; Retirement Incentive –Administrators, Conferenced with Robert Williams, Superintendent and Shelly King, Personnel Services Coordinator, District Labor Negotiator, Regarding labor Negotiations with the Black Oak Mine Teachers Association and the California School Employees Association, Gold Chain Chapter #660, Public Employee Performance Evaluation - Superintendent

OPEN SESSION The Open Session of the Board reconvened at 7:10P.M.
Present: Board members, Members of the audience (including staff/community)

DISCLOSURE OF ACTION
TAKEN, IF ANY, IN CLOSED
SESSION The board shared that they took no action in closed session.

PLEDGE OF ALLEGIANCE The pledge was led by John Foley.

ADOPTION OF THE AGENDA
ACTION M-14-09 It was moved by Darcy Knight, seconded by Joe Scroggins and carried unanimously to adopt the agenda.

Discussion – Pull Item 17.7 off consent and move to new item 16.3 under New Business

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

COMMUNICATIONS
Written Communications Received email from Mark Hendrix & Stacy Spencer, 2 letters from Wendy (one commenting on Mark Koontz)

Oral Communications -Tim Palmer – teacher at GS, Lynn Schardt – RSP teacher at GT, , Christine Brown – teacher at GT all spoke to the board about the current negotiations with BOMTA, Wes Younger— Head Custodian at NS spoke about CSEA negotiations.
-Kevin Ahern, Principal at Golden Sierra Junior Senior High School discuss the importance of the upcoming WASC and stated the schedule was sent to BOT members and encourage BOT participation at visit; he asked everyone to put aside their differences for WASC visit for our students

RECONGITIONS John Kenny-Maintenance was recognized & Candi Dzurella-CSEA was recognized

Mark Koontz-FMOT Director recognized John Kenny
Recognized the entire FMOT staff, appreciate their hard work
Spoke of John's flexibility to step into wherever he is needed, from transportation to custodial work. Appreciate his hard work, attitude.

Ronnie Ebitson-CSEA recognizing Candi Dzurella
Gave history, biography of Candi's tenure at BOMUSD for 32 years
Candi Dzurella spoke – working for BOMUSD has been a joy and wonderful.
Thanked everyone at district for the success of her kids today.

B.O.M.T.A. REPORT

Bill Sammons, BOMTA President, shared BOMTA concerns.

C.S.E.A. REPORT

Ronnie Ebitson, CSEA President, shared for CSEA.

STUDENT REPORT

MacKenzie Clark, Student Rep was not in attendance due to academic commitments.

SUPERINTENDEN'S REPORT

Dr. Robert Williams reported EDCSBA dinner, shared when the next 2nd Interim Budget report will be presented, shared information on GLAD training that we are sending teachers to for professional development, shared information on Proposition 39 and district plans to work with AirCon, shared update on LCAP and documents shared with BOT, as far as timelines and LCAP template, lastly shared some information on a possible NextEd grant.

INFORMATION & DISCUSSION

Results of El Dorado County
Office of Education 2013-14
First Interim Review

The results of El Dorado County Office of Education 2013-14 First Interim Review was shared with the Board of Trustees.

Mr. Foley shared points from letter received – CY Deficit spending, Declining Enrollments, Cash flow, and MYPs and noting that we still have \$1.2 million in cuts to make.

Mrs. Knight – also shared difference with deficit spending at home and district. Board members represent the community and need to be fiscally responsible.

Mr. Shurtz -- shared some history of board, and their efforts in working with the superintendent of getting the district to fiscal solvency.

Interdistrict Transfer Request
Guidelines

Dr. Robert Williams and the Board of Trustees discussed guidelines for processing the Interdistrict Transfer Requests. Mr. Foley asked board if there are any changes they would like to see on the board policy. Mrs. Knight feels our board policy is fairly comparable to language that is in Education Code.

Strategic Area from the Board
Self-Evaluation

The Board of Trustees discussed the Strategic Area from the Board Self-Evaluation from June 2013. Mr. DePue noted that 1, 7, & 8 were the lowest scores. Long-term, mid-range planning has been a challenge and needed a vision on the budget and how to get to fiscal solvency. Mr. Foley -- need to figure out how to make Long-term goals and visions happen, Dr. Williams to assist in helping this happen.

OLD BUSINESS

Board Policy 1312.3 Uniform
Complaint Procedures
ACTION M-14-10

It was moved by Joe Scroggins, seconded by Steve DePue, and carried unanimously to approve the revised Board Policy 1312.3.

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

Board Policy 5131.62 Tobacco
ACTION M-14-11

It was moved by Joe Scroggins, seconded by Steve DePue, and carried unanimously to approve the revised Board Policy 5131.62.

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

NEW BUSINESS

District Student Calendar for 2013-
14 Amended
ACTION M-14-12

It was moved by Jeff Shurtz, seconded by Darcy Knight, and carried unanimously to approve the rescheduling of the minimum day from December 9 to March 3.

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

Title II of the Americans with
Disability Act (ADA)

Dr. Robert Williams and Mark Koontz, Director of FMOT gave background information on the plan and Mr. Koontz gave a short summary on the plan, explaining how we will

Transition/Barrier Removal Plan
ACTION M-14-13

implement the plan and how it is a good tool for the district.

Ms. Manansala-Smith also shared the intent of SIG was for this plan to be provided for the district's protection, a proactive plan to address the needs under Title II of the American's with Disability Act. Mr. Foley requested that Dr. Williams and Mr. Koontz include updates of the plan to his superintendent report.

It was moved by Steve DePue, seconded by Darcy Knight, and carried unanimously to approve the plan

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

One-Time Retirement Incentive
Administrative
ACTION M-14-14
This Item moved from Consent
17.7 to New Item 16.3

Mr. DePue shared his concerns that administrators are down to a core, concerned that too many administrators at the high school may leave at one time creating an unstable environment at the high school. He is afraid that we are scrambling to find leadership at the high school. Mrs. Knight feels the issue that Mr. DePue is concerned with would happen any year, she isn't so sure that this year is any different. Mr. Foley does not share same concern with Mr. DePue. Dr. Robert Williams shared that all administrators were teachers for over 80. Mr. Shurtz clarified with Dr. Robert Williams regarding timing of offering.

It was moved by Darcy Knight, seconded by John Foley, and carried unanimously to approve the plan for correcting the deficiencies listed in the report prepared by Schools Insurance Groups.

Vote: 4 to 1 Foley Y Scroggins Y Knight Y Shurtz Y DePue N

CONSENT AGENDA
ACTION M-14-15

It was moved by Darcy Knight, seconded by Jeff Shurtz, and carried unanimously to approve the consent agenda.

Vote: 5 to 0 Foley Y Scroggins Y Knight Y Shurtz Y DePue Y

Resignation

Accepted the resignation from Diana Sevier, Teacher at American River Charter School.

Retirement Request

Accepted the retirement request from Jack Royal, Bus Driver/Courier.

Retirement Request

Accepted the retirement request from the following certificated employees; Dub Woods, Kristin Kraus, Adela Breau, Claire Williams, Marlene Armes, Theresa Allen, Judy Smith, Leslie Blair and Paul Chollet in accordance with the Certificated Retirement Incentive.

Classified Personnel Action

Approved the employment of Alishia Cleve, Instructional Aide.

Certificated Personnel Action

Approved the employment of Yvonne Yates, Teacher at American River Charter School.

Short-Term Employment Action

Approved the employment of Short-Term Personnel, Sonny Stephens as the Girls Varsity Softball Coach at Golden Sierra Junior-Senior High School.

Retirement Incentive –
Administrators

Pulled and moved to NEW BUSINESS Item 16.3

Resolution 2014-8, Designation of
an ADA District Coordinator

Adopted Board Resolution #2014-8, Designation of an ADA District Coordinator.

Resolution 2014-3, Classified
Employees Week

Adopted Board Resolution #2014-3, Week of Classified Employees, May 19-25, 2014.

Resolution 2014-4, Day of the
Nurse

Adopted Board Resolution #2014-4, Day of the School Nurse, May 6, 2014.

Resolution 2014-5, Day of the Teacher

Adopted Board Resolution #2014-5, Day of the Teacher, May 6, 2014.

Resolution 2014-10, Week of the School Administrator

Adopted Board Resolution #2014-10, Week of the School Administrator, March 2-8, 2014.

Minutes – January 17, 2013

Approved the minutes from the regular meeting on January 16, 2014.

Minutes – January 21, 2014

Approved the minutes from the special meeting on January 21, 2014.

Purchase Orders, Warrants, Bids and Quotes

Approved the Purchase orders, warrants, bids and quotes for the 2013-14 fiscal year Batch Numbers 4066-4076 dated January 7 to 29, 2014 for the General Fund, Charter School Fund, Cafeteria Fund, Building Fund, School Facilities Fund, for a total of \$569,251.23.

Gifts

Accepted the Gift donated by Georgetown Lumber & Hardware to American River Charter School.

REPORTS OF THE BOARD

Mr. Scroggins – thanked Angela Schroeder for Passport for Success events and Mrs. Knight's donations for supplies for these events.

Mrs. Knight – commented on basketball season for Golden Sierra, boy's team may make it to playoffs.

Mr. Foley – district will be recognizing DFD at CSBA dinner. Mr. Foley is working on resubmittal of new DFD grant. Stephanie Root and Lucy Oliveira attended conference in Colorado on how to be successful in grant.

FUTURE MEETINGS

The next regular meeting of the Board is Thursday, March 13, 2014 at the District Office.

CLOSED SESSION

Board went back into closed session at 8:45P.M.

ADJOURNMENT

Moved to close by Joe Scroggins and seconded by Steve DePue . The meeting was adjourned at 9:13P.M.

Respectfully submitted,

Robert Williams, Ed.D.
Secretary of the Board

John Foley
President of the Board

Date

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.10 Purchase Orders, Warrants, Bids and Quotes

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that 2013-14 fiscal year Batch numbers 4077-4083 dated January 31 to February 28, 2014 for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund and Batch numbers 4039-4040 dated February 4 and 6 2014, for the ROP Fund, for a total of \$362,795.01, be approved.

BACKGROUND: Copies of Warrants which are provided under separate cover for Board of Trustees approvals includes the following:

Fund Name and Number Amount

Fund Name and Number	Amount
General Fund 01	325,356.57
Charter School Fund 09	19,252.39
Cafeteria Fund 13	17,920.65
Developer Fees Fund 25	37.81
R.O.P. Fund 09	227.59
Total	362,795.01

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 15.11 Gifts

MEETING DATE: March 13, 2014

FROM: Dr. Robert Williams, Superintendent

RECOMMENDATION: It is recommended that the gift donated by Susan G. Shimmin Okey, Ken Sakamoto, Aloha Adams, Wells Fargo Bank, Ted Smith and Janet Stahljuth be accepted.

BACKGROUND: The following gifts were donated to the District:

A check for \$100.00 in support of historical books for Northside School Library.

Portable Radios (2) with chargers, antennas and headsets valued at \$140.00 for Northside School.

Two Keyboards and one monitor valued at \$150.00 for the computer lab at Northside School.

A check for \$1,000.00 to be used for staff and students at Georgetown School.

Two office Chairs and a monitor valued at \$250.00 for the office/classroom at Georgetown School

A check for \$400.00 for rooms 601 and 602 for their May field trip to the Folsom Zoo Sanctuary for Georgetown School.

Pursuant to District practice, the Board of Trustees may accept on behalf of and for the District, any bequest, gift of money, or gift of property that is presented to the District. The donor may request that the donation be used for a specific program or at a specific school site. A letter of appreciation will be sent to the donor(s).

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Robert Williams Ed.D.,
Superintendent

6540 Wentworth Springs Road
Post Office Box 4510
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Robert Williams
From:	Wendy Westsmith & Karin Highberger
Re:	Request for Board Acceptance of Gift
Date:	2/13/14
Description of Gift:	Donation in support of historical books for the Northside Library.
Donor Estimated Value:	\$100.00
Donated By:	Susan G. Shimmin Okey
Mailing Address:	5110 Deerwood Drive, Shingle Springs, CA 95682
Donor Requests Gift To Be Used At/For:	In support of historical books for the Northside Library.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Robert Williams Ed.D.,
Superintendent

6540 Wentworth Springs Road
Post Office Box 4510
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Robert Williams
From:	Wendy Westmire
Re:	Request for Board Acceptance of Gift
Date:	12/20/13
Description of Gift:	PORTABLE RADIOS 2 EA W/CHARGER, ANT, HEADSET
Donor Estimated Value:	\$70 EA X 2 = 140
Donated By:	KEN SAKAMOTO
Mailing Address:	POB 554, LOOMIS 95650
Donor Requests Gift To Be Used At/For:	SCHOOL

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Robert Williams Ed.D.,
Superintendent

6540 Wentworth Springs Road
Post Office Box 4510
Georgetown, CA 95634
(530) 333-8300
Fax: (530) 333-8303
Website: bomusd.org

Request for Board Acceptance of Gift

To:	Robert Williams
From:	Wendy Westsmith
Re:	Request for Board Acceptance of Gift
Date:	2/21/14
Description of Gift:	Two keyboards and one monitor for computers
Donor Estimated Value:	\$150.00
Donated By:	Aloha Adams
Mailing Address:	PO Box 365, Cool, CA 95614
Donor Requests Gift To Be Used At/For:	Student Computer Lab

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Request for Board Acceptance of Gift

To:	Robert Williams
From:	Mike Bose
Re:	Request for Board Acceptance of Gift
Date:	1-31-14
Description of Gift:	\$1,000.00
Donor Estimated Value:	\$1,000.00
Donated By:	Well Fargo Bank
Mailing Address:	90 South 7th Street, Minneapolis, MN 55479
Donor Requests Gift To Be Used At/For:	To be used for staff and students at Georgetown School.

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Request for Board Acceptance of Gift

To:	Robert Williams
From:	Mike Bose
Re:	Request for Board Acceptance of Gift
Date:	2/24/14
Description of Gift:	2 Office Chairs and a Monitor
Donor Estimated Value:	\$250.00
Donated By:	Ted Smith
Mailing Address:	4060 Empire Creek Circle, Georgetown, CA 95634
Donor Requests Gift To Be Used At/For:	Georgetown School Office/Classroom

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Request for Board Acceptance of Gift

To:	Robert Williams
From:	Judy Smith
Re:	Request for Board Acceptance of Gift
Date:	Feb. 18, 2014
Description of Gift:	\$400.00
Donor Estimated Value:	\$400.00
Donated By:	Janet Stahlhuth
Mailing Address:	3599 Stockwood Way, El Dorado Hills, 95762-7840
Donor Requests Gift To Be Used At/For:	Rooms 602 and 601 at Georgetown School for their May field trip to the Folsom Zoo Sanctuary.