

BLACK OAK MINE UNIFIED SCHOOL DISTRICT



January 12, 2017

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.

Superintendent

Jeremy Meyers, Superintendent

Board of Trustees

Jeff Burch
Bill Drescher
Darcy Knight
Joe Scroggins
Ronnie Ebitson

Student Representative to the Board

Kealey Widmann

**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: January 12, 2017
TIME: 6:00 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. Black Oak Mine Unified School District adheres to the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent, (530)333-8300. All efforts will be made for reasonable accommodations.

AGENDA

- 1.0 CALL TO ORDER - OPEN SESSION - 6:00 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 Public Employee Employment-4 hour Instructional Aide at Georgetown School
 - 3.2 Conference with Mr. Jeremy Meyers and Mrs. Shelly King, District Labor Negotiators, Regarding Labor Negotiations with the Black Oak Mine Teachers Association and the California School Employees Association, Gold Chain Chapter #660
 - 3.3 Superintendent Evaluation
- 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 – 7:10 P.M.

8.1 Written Communications

- 8.2 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. Each person who addresses the Board must first be recognized by the presiding officer and then give his/her name. Comments must be directed to the Board as a whole and not to individual members or District employees. Individual speakers will be allowed three (3) minutes to address the Board. 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 EXCELLENCE IN EDUCATION – 7:15 P.M.

10.0 B.O.M.T.A. REPORT – 7:20 P.M.

11.0 C.S.E.A. REPORT – 7:25 P.M.

12.0 STUDENT REPRESENTATIVE TO THE BOARD REPORT – 7:30 P.M.

13.0 FMOTC REPORT – 7:35 P.M.

14.0 SITE ADMINISTRATORS REPORTS – 7:40 P.M.

15.0 SUPERINTENDENT'S REPORT – 7:50 P.M.

16.0 INFORMATION & DISCUSSION – 8:00 P.M.

16.1 2017-18 Budget Assumptions (Pages 1-6)

EXPLANATION: The Budget Assumptions are based upon the most current guidance from CDE, District input and prior year trends as well as external sources (such as SSC, EDCOE) when appropriate. These assumptions will be updated as the Governor's 2017-18 Budget Proposal is known later in January and updated as more information is published.

16.2 CSBA Board Policy & Bylaw Updates (Pages 7-62)

EXPLANATION: The Board of Trustees will consider reviewing and revising CSBA Board Policy & Bylaw updates.

16.3 Williams Complaint Policy Quarterly Report (Pages 63-64)

EXPLANATION: As required by Education Code 35186, the quarterly report of complaints received pursuant to the Williams Uniform Complaint Procedures is provided for the information of the Board of Trustees.

17.0 NEW BUSINESS – 8:15 P.M.

17.1 2017-18 Budget Guidelines (Pages 65-66)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the 2017-18 Budget Guidelines.

M _____ S _____ V _____

17.2 2017-18 Budget Calendar (Pages 67-68)

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the 2017-18 Budget Calendar.

M _____ S _____ V _____

18.0 OLD BUSINESS – 8:30 P.M.

18.1 Charter Schools: A Guide for Governance Teams/ CSBA Board Policy 0420.41 Charter School Oversight (Pages 69-74)

RECOMMENDATION: It is the recommended that the Board of Trustees consider approving Board Policy 0420.41 Charter School Oversight.

19.0 CONSENT AGENDA – 8:35 P.M.

M _____ S _____ V _____

19.1 Classified Salary Schedule (Pages 75-76)

RECOMMENDATION: It is the recommended that the Board of Trustees consider approving the Classified Salary Schedule.

19.2 Second Reading and Adoption of CSBA Updated/Revised Board Policy/Bylaws (Pages 77-98)

RECOMMENDATION: It is the recommended that the Board of Trustees consider taking action to adopt the revised/updated CSBA Board Policy/Bylaws.

19.3 Non-Public School Master Contract (Page 99)

RECOMMENDATION: It is the recommended that the Board of Trustees consider approving the NPS Master Contract for Sierra Foothills Academy.

19.4 Board Meeting Minutes (Pages 101-103)

RECOMMENDATION: It is the recommended that the Board of Trustees approve the minutes from the regular board meeting on December 8, 2016.

19.5 Purchase Orders, Warrants, Bids and Quotes (Page 105)

RECOMMENDATION: It is recommended that 2016-17 fiscal year Batch numbers 7037-7045 dated November 30, 2016 to December 21, 2016, for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, for a total of \$563,434.84 be approved.

19.6 Gifts (Pages 107-108)

RECOMMENDATION: It is recommended that the gift donated be accepted.

19.7 Field Trips (Pages 109-110)

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the overnight field trip(s).

20.0 REPORTS OF THE BOARD OF TRUSTEES – 8:50 P.M.

21.0 FUTURE BOARD MEETINGS

Special Meeting of the Board, Thursday, January 19, 2017-District Office @ 6:00 P.M.

Regular Meeting of the Board, Thursday, February 9, 2017-District Office @ 7:00 P.M.

22.0 CLOSED SESSION

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

23.0 ADJOURNMENT

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 16.1 2017-18 Budget Assumptions

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent
Mrs. Tricia Kowalski, Chief Business Official

EXPLANATION: The Budget Assumptions are based upon the most current guidance from CDE, District input and prior year trends as well as external sources (such as SSC, EDCOE) when appropriate. These assumptions will be updated as the Governor's 2017-18 Budget Proposal is known later in January and updated as more information is published.

BACKGROUND: In keeping with the 2017-18 Budget Calendar timelines, the District's Chief Business Official, Mrs. Tricia Kowalski, developed a draft of the 2017-18 Budget Assumptions.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
2017-18 BUDGET ASSUMPTIONS
(as of January 12, 2017)

PURPOSE:

The purpose of this set of budget assumptions is to assist the District in developing and maintaining the 2017-18 budgets. 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, especially during the estimated eight year period of transition. 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 most current guidance from CDE, District input and prior year trends as well as external sources (such as SSC, EDCOE) when appropriate. These assumptions will be updated as the Governor's 2017-18 Budget Proposal is known later in January and updated as more information is published.

OVERALL ASSUMPTIONS FOR BUDGET:

1. 2017-18 estimated CBEDS enrollment is 1,055, a decline of 17 students from the prior year.
2. Due to declining enrollment in 2017-18, LCFF ADA will be based on 2016-17 ADA of 1037 and is estimated to fall to 1021 for 2017-18.
3. The number of schools operated by the District in 2016-17 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
GSHS Athletic Supplies/Equip Refurb =	\$5,700
Athletic Officials GSJSHS (7-12) =	\$25,500

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

K-3 =	24/1*
(Progress towards 24/1 by 2020-21)	
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. The current estimated 2017-18 percentage of Gap funding used for the K-3 Grade Span Adjustment Progress Calculation is 72.99%. If progress is not met at one school site, the district will lose the entire K-3 Grade Span Adjustment funding.

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 2017-18, the COLA is projected at 1.11%, the LCFF Gap Funding at 72.99% and the district is funded at 1% below its LCFF target.

The Education Protection Account (Prop 30) is a component of an LEA's total LCFF entitlement. EPA projected total for 2017-18 is about \$209K of the district's total LCFF entitlement or 2%.

2. Forest Reserve funds have not been re-authorized for 2017-18; revenue will not be included in budget until funding is re-authorized.
3. Special Education will be funded outside of the LCFF. Current estimates for 2017-18 are at the same levels as the prior year
4. Funding projections for continuing Federal categorical programs are included in the budget as the same levels as prior year funding. Current estimates included in budget are as follows: Title IA (\$150k), Title II (\$72k), Title III (\$800) and (\$9k) Perkins CTE.
5. Unrestricted Lottery revenue is currently estimated at the prior year rate of \$140 per ADA. The restricted Proposition 20 Lottery revenue is estimated at the prior year rate of \$41 per ADA.
6. 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.
7. Deferred Maintenance funding has been rolled into the LCFF. Per BOT Resolution # 2013-18, for 2017-18 these funds will be transferred to fund 14 for use for deferred maintenance projects.
8. Home to School Transportation funding was also rolled into the LCFF and now received and required to be spent as Unrestricted. Despite this requirement, districts are required to meet a Maintenance of Effort, to at least spend what we received from the state in 2012-13 on the Home to School Program. Since revenue for this program is received with LCFF, this will show as an expense to the General Fund Unrestricted account.
9. 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). The estimate based on the changes in the MOU is \$15,000.
10. Funding for the Mandate Block Grant is based on average daily attendance (ADA) using prior year 2016-17 ADA for Grades K-8 and Grades 9-12. Currently the district is using the 2016-17 rates until the new rates are published:
School Districts: \$28.42/ADA for Grades K-8 & \$56/ADA for Grades 9-12
Charter Schools: \$14.21/ADA for Grades K-8 & \$42/ADA for Grades 9-12
11. The new GASB 68 reporting requirements necessitate changes to recognize in their governmental funds the state's contribution to CalSTRS on behalf of its employees. The budget now recognizes the revenue and expense of \$346K of these on-behalf payments.
12. Reimbursement for Medi-Cal Administrative Activities has not been included in the budget. Due to the unpredictability of reimbursement, we will budget as the checks are received.
13. LEA Medi-Cal Billing has been estimated at \$10k. If additional reimbursements are received, they will be included in the budget.

14. The Career Technical Education Incentive Grant is budgeted using the prior year as the estimate.
15. The Primary Intervention Program (PIP) Grant from El Dorado County, under the Mental Health Services Act Plan (Health and Human Services Agency) has been renewed until the end of 2018-19. The total grant award for 2016-17 included is about \$77k.
16. Proposition 39 funding is based on prior year P-2 ADA and a district's Free Reduced Price Meal (FRPM) student count. For districts with P-2 ADA over 1,000, they receive a base of \$100,000 plus an estimated \$15.07 per FRPM student. The district's funding projection for 2017-18 is about \$108,000.
17. The Drug Free Communities (DFD) grant has been approved for another five years. The five year Drug Free Community Grant is from October 2014 to September 2019. An estimated \$125,000 is included in 2017-18, an estimated \$12,500 as carryover and \$112,500 as current year revenue.
18. CSROP funding has been rolled into the LCFF. The district remains a participant in the CSROP JPA. The funding transferred to the CSROP JPA from the General Fund for CSROP programs is currently estimated at about \$15,000.

EXPENDITURE ASSUMPTIONS:

1. Step increases are 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 2017-18 is currently estimated at about \$108,000, or about 2.2%. The classified amount for 2017-18 is currently estimated at about \$39,000, 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 2017-18 is currently estimated at \$30,000.
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 2017-18 rates included in budget

<u>Certificated Employees</u>		<u>Classified Employees</u>	
STRS -	14.43%	PERS -	15.5%
Medicare -	1.45%	Medicare -	1.45%
Unemployment -	0.05%	Unemployment -	0.05%
Workers Comp -	<u>1.66%</u>	Workers Comp -	1.66%
Total Fixed Benefits -	17.59%	OASDI -	<u>6.20%</u>
		Total Fixed Benefits -	24.86%

- 5.2 Health insurance premium cap amounts for 2016-17 are incorporated in the budget.
6. Utility costs are projected at prior year levels plus a COLA of 7% for rate increases.
7. Fuel costs are projected based upon market rates and historic analysis of gallons used and cost per gallon in prior years.
8. The annual contract for services with the El Dorado County Office of Education currently estimated at about \$110,000 for 2017-18.
9. Inter-program indirect costs will be calculated at the maximum allowable rate per program. The current estimated District indirect cost rate for 2017-18 is 5.36%.
10. The established reserve for Economic Uncertainties (EUR) is maintained at 4.0%, meeting the state required minimum and Board required minimum.
11. In order to change the district financial status from "Qualified" to "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: 16.2 CSBA Board Policy and Bylaw Updates/Revisions

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

EXPLANATION: The Board of Trustees will review the following CSBA updated/revised Board Policies and/or Bylaws:

BACKGROUND: BB 9240 Board Training: This bylaw has been retitled and updated to address the purposes and importance of board training, recommended topics of training for new and first-term board members, and the district's process for selecting board training activities. The bylaw also reinforces the prohibition against a majority of the board members discussing district business of a specific nature while attending a conference or similar public gathering.

BB 9323 Meeting Conduct: This bylaw has been updated to reflect NEW LAW (AB 1787, 2016) which requires the board to provide a member of the public who uses a translator at least twice the allotted time to address the board during board meetings, unless simultaneous translation equipment is used. The bylaw also clarifies that the board may refer a member of the public to an appropriate complaint procedure, but cannot prohibit criticism of district employees, programs, or policies during a board meeting.

BP 3311 Bids: This policy has been updated to move some material into new BP/AR 3311.1 - Uniform Public Construction Cost Accounting Procedures, AR 3311.2 - Lease-Leaseback Contracts, AR 3311.3 - Design-Build Contracts, and AR 3311.4 - Procurement of Technological Equipment.

BP 3311.1 Uniform Public Construction Cost Accounting Procedures: This new policy includes material formerly in BP/AR 3311 - Bids pertaining to requirements of the Uniform Public Construction Cost Accounting Act (UPCCAA). The policy also adds prohibition against splitting a project or purchase into smaller work orders in order to evade requirements for competitive bidding, and legal authority to suspend the UPCCAA bidding process for the replacement or repair of a school facility in cases of emergency.

BP 3470 Debt Issuance and Management: This new policy reflects NEW LAW (SB 1029, 2016) which mandates that boards adopt a debt management policy prior to issuing any debt, including, but not limited to, general obligation bonds, tax and revenue anticipation notes, and certificates of participation. The policy addresses the components mandated by law, including (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to

ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

BP 4030 Nondiscrimination in Employment: This policy has been updated to reflect NEW STATE REGULATIONS (Register 2015, No. 50), as renumbered, which specify certain requirements to be included in district policy or regulation and extend protections against discrimination to unpaid interns and volunteers. The policy also adds requirement to post the California Department of Fair Employment and Housing publication on workplace discrimination and harassment, and reflects NEW LAW (SB 1063, 2016) which prohibits the payment of different wage rates based on race or ethnicity and prohibits the use of prior salary history by itself to justify any disparity in compensation.

BP 4119.11/4219.11/4319.11 Sexual Harassment: This policy has been updated to reflect NEW STATE REGULATIONS (Register 2015, No. 50), as renumbered, which extend protections against sexual harassment to unpaid interns and volunteers, require districts to instruct supervisors to report complaints, and revise requirements pertaining to the training of supervisory employees.

BP 5030 Student Wellness: This policy has been updated to reflect NEW FEDERAL REGULATIONS (81 Fed. Reg. 50151) which addresses the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. The policy also reflects NEW STATE LAW (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

BP 5116.2 Involuntary Student Transfers: This new policy reflects NEW LAW (SB 1343, 2016) which authorizes districts to involuntarily transfer a student who has been convicted of a specified violent felony or a misdemeanor associated with possession of a firearm, whenever the student is enrolled at the same school as the victim of the crime for which he/she was convicted. In order to exercise this authority, the district is mandated to adopt policy with specified components and provide notice of the policy to parents/guardians as part of the annual parental notification.

BP 5141.21 Administering Medication and Monitoring Health Conditions: This policy has been updated to delete requirements related to the administration of medication in cases of epileptic seizures, as Education Code 49414.7 repeals by its own terms on January 1, 2017, and to clarify that districts may continue to administer such medication under the general authority in state law. The policy also reflects NEW LAW (AB 1748, 2016) which authorizes districts to stock and administer medication in cases of opioid overdose.

BP 6146.1 High School Graduation Requirements: This policy has been updated to reflect NEW LAW (AB 2306, 2016) which generally exempts from district-established graduation requirements any student who transfers into a district school from a juvenile court school after the second year of high school, unless it is determined that the student is reasonably able to complete the requirements in time to graduate by the end of

his/her fourth year of high school.

BP 6154 Homework/Makeup Work: This policy has been updated for consistency with BP 5121 - Grades/Evaluation of Student Achievement and research on effective grading practices, as summarized in recent CSBA governance brief, including optional language providing for full credit to be given for makeup work satisfactorily completed within a reasonable time, regardless of whether the absence is due to an excused or unexcused absence. The policy also addresses guidelines for the assignment of homework, communication of homework expectations to students and parents/guardians, and resources to assist students in completing homework and developing good study habits. The regulation was deleted and key concepts moved to the BP.

Board members that have suggestions for changes should contact the District Office by January 27, 2017.

BOARD DEVELOPMENT [TRAINING]

~~Citizens elected to the Board of Trustees are entrusted with the responsibility of governing district schools. The Board recognizes that its members need training~~ **[The Governing Board believes that the Board's ability to effectively and responsibly govern the district is essential to promoting student achievement, building positive community relations, and protecting the public interest in district schools. Board members shall be provided sufficient opportunities for professional development]** that helps them understand their responsibilities, stay abreast of new developments in education, and develop boardsmanship skills.

[(cf. 9000 - Role of the Board)]

[(cf. 9005 - Governance Standards)]

[The Board and/or the Superintendent or designee shall provide an orientation to newly elected or appointed Board members which includes comprehensive information regarding Board roles, policies, and procedures and the district's vision and goals, operations, and current challenges. Throughout their first term, Board members shall continue to participate in additional educational opportunities designed to assist them in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, labor relations, community relations, program evaluation, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.]

[(cf. 9230 - Orientation)]

[All Board members are encouraged to continuously participate in advanced training offered by the California School Boards Association in order to reinforce boardsmanship skills and build knowledge related to key education issues. Such activities may include online courses, webinars, webcasts, and in-person attendance at workshops and conferences. In addition, workshops and consultations may be held within the district on issues that involve the entire governance team.]

Funds for Board development [training] shall be budgeted annually for [the Board and] each Board member. [In selecting appropriate activities, the Board and/or individual Board members shall consider activities that are aligned with the district's vision and goals and the needs of the Board or individual member to obtain specific knowledge and skills. The Board shall annually develop a board training calendar in order to schedule and track board training activities and to schedule opportunities for Board members to report on the activities in which they participated.]

[(cf. 0000 - Vision)]

[(cf. 0200 - Goals for the School District)]

[(cf. 3100 - Budget)]

BOARD DEVELOPMENT [TRAINING] (continued)

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

All Board members may attend [a] conferences [or similar public gathering with other Board members and/or with the Superintendent or designee] for the purpose of Board development. ~~Board business shall not be discussed at conferences. [in order to develop common knowledge and understanding of an issue or engage in team-building exercises. In such cases, a majority of the Board members shall not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the district's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.]~~

(cf. 9230 - Orientation)

(cf. 9320 - Meetings and Notices)

Board members shall report to the Board, orally or in writing, ~~as soon as possible on the inservice activities they attend.~~ [on the board training activities they attend, for the purpose of sharing the acquired knowledge or skills with the full Board and enlarging the benefit of the activity to the Board and district.]

Legal Reference:

EDUCATION CODE

~~33360 Department of Education and statewide association of school district boards; annual workshop~~

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act, especially:

54952.2 Meeting

[Management Resources:]

[CSBA PUBLICATIONS]

[Professional Governance Standards for School Boards]

[WEB SITES]

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

[California County Boards of Education: <http://www.theccbe.org>]

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

MEETING CONDUCT

Meeting Procedures

All Board of Trustees meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

(cf. 9322 - Agenda/Meeting Materials)

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

(cf. 9121 - President)

The Board believes that late night meetings deter public participation, can affect the Board's decision-making ability, and can be a burden to staff. Regular Board meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the Board. The meeting shall be extended no more than once and subsequently may be adjourned to a later date.

(cf. 9320 - Meetings and Notices)

Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

(cf. 9323.2 - Actions by the Board)

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

(cf. 9270 - Conflict of Interest)

If a **[Provided the]** Board consists of **[typically has]** seven members and not **[there are no]** more than two vacancies occur on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, if a vacancy exists on the Board, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall be not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

MEETING CONDUCT (continued)**Public Participation**

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. So as not to inhibit public participation, persons attending Board meetings shall not be requested to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting.

In order to conduct district business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5, Government Code 54954.3)
2. At a time so designated on the agenda at a regular meeting, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5, Government Code 54954.2)
3. Without taking action, Board members or district staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a Board or staff member may ask a question for clarification, make a brief announcement, or make a brief report on his/her own activities. (Government Code 54954.2)

Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)

4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item; the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)

(cf. 9130 - Board Committees)

MEETING CONDUCT (continued)

5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits.

Individual speakers shall be allowed three minutes to address the Board on each agenda or nonagenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

[In order to ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)]

6. The Board president may rule on the appropriateness of a topic, **[subject to the following conditions:**
 - a. If the topic would be more suitably addressed at a later time, the president may indicate the time and place when it should be presented.
 - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
 - c. ~~In addition,~~ the Board may not prohibit public criticism of district employees. **[However,]** whenever a member of the public initiates specific complaints or charges against an **[individual]** employee, the Board president shall inform the complainant that in order to protect the employee's right to adequate notice before a hearing of such complaints and charges, and also to preserve the ability of the Board to legally consider the complaints or charges in any subsequent evaluation of the employee, it is the policy of the Board to hear such complaints or charges in closed session unless otherwise requested by the employee pursuant to Government Code 54957. The Board president shall also encourage the complainant to file a complaint using **[of]** the appropriate district complaint procedure.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 9321 - Closed Session Purposes and Agendas)

MEETING CONDUCT (continued)

7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group **[or any conduct or statements that threaten the safety of any person(s) at the meeting]** shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement.

Recording by the Public

[Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting.] The Superintendent or designee shall designate locations from which members of the public may ~~broadcast, photograph, or tape record open meetings~~ **[make such recordings]** without causing a distraction.

(cf. 9324 - Board Minutes and Recordings)

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Legal Reference: See next page

MEETING CONDUCT (continued)

Legal Reference:

EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

[CODE OF CIVIL PROCEDURE]

- [527.8 Workplace Violence Safety Act]

GOVERNMENT CODE

- [54953.3 Prohibition against conditions for attending a board meeting]

- 54953.5 Audio or video tape recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

- 403 Disruption of assembly or meeting

COURT DECISIONS

- [City of San Jose v. Garbett, (2010) 190 Cal.App.4th 526]
- [Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966]
- McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
- Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
- Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

- [90 Ops.Cal.Atty.Gen. 47 (2007)]
- 76 Ops.Cal.Atty.Gen. 281 (1993)
- 66 Ops.Cal.Atty.Gen. 336 (1983)
- 63 Ops.Cal.Atty.Gen. 215 (1980)
- 61 Ops.Cal.Atty.Gen. 243, 253 (1978)
- 59 Ops.Cal.Atty.Gen. 532 (1976)
- 55 Ops.Cal.Atty.Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS

- [Call to Order: A Blueprint for Great Board Meetings, 2015]
- The Brown Act: School Boards and Open Meeting Laws, rev. 2014
- Board Presidents' Handbook, rev. 2002
- Maximizing School Board Governance: Boardmanship

ATTORNEY GENERAL PUBLICATIONS

- The Brown Act: Open Meetings for Legislative Bodies, 2003

WEB SITES

- CSBA: <http://www.csba.org>
- California Attorney General's Office: <http://oag.ca.gov>

Bylaw
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BIDS

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

[(cf. 3230 – Federal Grant Funds)]

(cf. 3300 - Expenditures and Purchases)

[(cf. 3311.1 - Uniform Public Construction Cost Accounting Procedures)]

[(cf. 3311.2 - Lease-Leaseback Contracts)]

[(cf. 3311.3 - Design-Build Contracts)]

[(cf. 3311.4 - Procurement of Technological Equipment)]

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements ~~regarding contracting after~~ **[for]** competitive bidding. (Public Contract Code 20116, 22033)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders and ~~shall address the issues covered by the~~ **standardized [on the basis of a completed]** questionnaire and ~~model guidelines developed by the~~ Department of Industrial Relations pursuant to Public Contract Code 20104 **[financial statements]**.

(cf. 9270 - Conflict of Interest)

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law ~~and specified in the administrative regulation,~~ contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase ~~equipment or supplies~~ **[personal property]** to the extent authorized by law. (Public Contract Code 20118)

BIDS (continued)

~~For use in contracting for public works projects, the Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the required cost accounting procedures and the informal bidding procedures when allowed by law. The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.~~

*Legal Reference:*EDUCATION CODE*17070.10-17079.30 Leroy F. Greene School Facilities Act**17250.10-17250.55 Design-build contracts**17406 Lease-leaseback contract**17595 Purchases through Department of General Services**17602 Purchase of surplus property from federal agencies**38083 Purchase of perishable foodstuffs and seasonable commodities**38110-38120 Apparatus and supplies**39802 Transportation services***[BUSINESS AND PROFESSIONS CODE]****[7056 General engineering contractor]****[7057 General building contractor]**CODE OF CIVIL PROCEDURE*446 Verification of pleadings*GOVERNMENT CODE*4217.10-4217.18 Energy conservation contracts**4330-4334 Preference for California-made materials**6252 Definition of public record**53060 Special services and advice**54201-54205 Purchase of supplies and equipment by local agencies*PUBLIC CONTRACT CODE*1102 Emergencies***[1103 Definition, responsible bidder]***2000-2002 Responsive bidders**3000-3010 Roofing projects**3400 Bids, specifications by brand or trade name not permitted**3410 United States produce and processed foods***[4113 Prime contractor; subcontractor]***6610 Bid visits**12200 Definitions, recycled goods, materials and supplies**20101-20103.7 Public construction projects, requirements for bidding**20103.8 Award of contracts**20107 Bidder's security**20111-20118.4 Contracting by school districts**20189 Bidder's security, earthquake relief*~~*22002 Definition of public project*~~*22000-22045 Alternative procedures for public projects (UPCCAA)**22050 Alternative emergency procedures**22152 Recycled product procurement**Legal References (continued): see next page*

BIDS (continued)

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739

Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425

Marshall v. Pasadena USD, (2004) 119 Cal.App.4th 1241

Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449

City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS

89 *Ops.Cal.Atty.Gen.* 1 (2006)

Management Resources:

CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS

Cost Accounting Policies and Procedures Manual

Frequently Asked Questions

WEB SITES

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

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

California Uniform Construction Cost Accounting Commission: http://www.seo.ca.gov/ard_euceac.html

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

[California Department of General Services: <https://www.dgs.ca.gov>]

Policy
approved:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

In awarding contracts for public works projects involving district facilities, the Governing Board desires to obtain the best value to the district and ensure the qualifications of contractors to complete the project in a satisfactory manner. The Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the informal bidding procedures when allowed by law.

(cf. 3311 - Bids)

(cf. 7110 - Facilities Master Plan)

The Board delegates to the Superintendent or designee the responsibilities to award any contract eligible for informal bidding procedures and to develop plans, specifications, and working details for all public projects requiring formal bidding procedures.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 22033)

Projects awarded through the UPCCAA shall be subject to the cost accounting procedures established by the California Uniform Construction Cost Accounting Commission. (Public Contract Code 22030)

Emergency Actions

When formal bids are required by law but an emergency necessitates immediate repair or replacements, the Board may, upon a four-fifths vote of the Board, proceed to replace or repair a facility without adopting plans, specifications, strain sheets, or working details or giving notice for bids to let contracts. The work may be done by day labor under the direction of the Board and/or contractor. The emergency action shall subsequently be reviewed by the Board in accordance with Public Contract Code 22050 and shall be terminated at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. (Public Contract Code 1102, 22035, 22050)

(cf. 9323.2 - Actions by the Board)

Legal References: see next page

UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES (continued)

Legal Reference:

PUBLIC CONTRACT CODE

1102 *Definition of emergency*

20110-20118.4 *Local Agency Public Construction Act; school districts*

22000-22020 *California Uniform Construction Cost Accounting Commission*

22030-22045 *Alternative procedures for public projects (UPCCAA), especially:*

22032 *Applicability of procedures based on amount of project*

22034 *Informal bidding procedure*

22035 *Emergency need for repairs or replacement*

22037-22038 *Formal bidding procedures for projects exceeding \$175,000*

22050 *Alternative emergency procedures*

Management Resources:

~~CALIFORNIA UNIFORM CONSTRUCTION COST ACCOUNTING COMMISSION PUBLICATIONS~~

~~Cost Accounting Policies and Procedures Manual~~

~~Frequently Asked Questions~~

WEB SITES

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

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

California Uniform Construction Cost Accounting Commission: http://www.sco.ca.gov/ard_cuccac.html

Policy
Adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

DEBT ISSUANCE AND MANAGEMENT

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

(cf. 3000 - Concepts and Roles)

(cf. 3460 - Financial Reports and Accountability)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

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

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

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

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 9270 - Conflict of Interest)

Goals

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

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs

DEBT ISSUANCE AND MANAGEMENT (continued)

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

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 7000 - Concepts and Roles)

Authorized Purposes for the Issuance of Debt

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

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities

DEBT ISSUANCE AND MANAGEMENT (continued)

2. To refund existing debt
3. To provide for cash flow needs

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

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

Authorized Types of Debt

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

Potential financing sources may include:

1. Short-Term Debt
 - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
 - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
 - c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
2. Long-Term Debt
 - a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)

(cf. 7214 - General Obligation Bonds)

- b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)

DEBT ISSUANCE AND MANAGEMENT (continued)

(cf. 7212 - Mello Roos Districts)

3. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
 - b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
5. Temporary borrowing from other sources such as the County Treasurer

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

Relationship of Debt to District Facilities Program and Budget

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

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

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

DEBT ISSUANCE AND MANAGEMENT (continued)

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

Structure of Debt Issues

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

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

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

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

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

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

Method of Sale

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

DEBT ISSUANCE AND MANAGEMENT (continued)

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

Investment of Proceed

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

(cf. 3430 - Investing)

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

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

Refunding/Restructuring

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

Internal Controls

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

DEBT ISSUANCE AND MANAGEMENT (continued)

laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)

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

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

(Government Code 53410)

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

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

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

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

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

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

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number

DEBT ISSUANCE AND MANAGEMENT (continued)

runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

*Legal Reference:*EDUCATION CODE

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

ELECTIONS CODE

1000 *Established election dates*

GOVERNMENT CODE

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

CALIFORNIA CONSTITUTION

Article 13A, Section 1 *Tax limitation*

Article 16, Section 18 *Debt limit*

UNITED STATES CODE, TITLE 15

78o-4 *Registration of municipal securities dealers*

UNITED STATES CODE, TITLE 26

54E *Qualified Zone Academy Bonds*

CODE OF FEDERAL REGULATIONS, TITLE 17

240.10b-5 *Prohibition against fraud or deceit*

240.15c2-12 *Municipal securities disclosure*

Legal References (continued)

DEBT ISSUANCE AND MANAGEMENT (continued)

CODE OF FEDERAL REGULATIONS, TITLE 26

- 1.103 Interest on state and local bonds
- 1.141 Private activity bonds
- 1.148 Arbitrage and rebate
- 1.149 Hedge bonds
- 1.6001-1 Records

Management Resources:

CALIFORNIA DEBT AND INVESTMENT ADVISORY COMMISSION PUBLICATIONS

California Debt Issuance Primer

GOVERNMENT FINANCE OFFICERS ASSOCIATION PUBLICATIONS

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

Understanding Your Continuing Disclosure Responsibilities, Best Practice, September 2015

Investment of Bond Proceeds, Best Practice, September 2014

Selecting and Managing Municipal Advisors, Best Practice, February 2014

Debt Management Policy, Best Practice, October 2012

Analyzing and Issuing Refunding Bonds, Best Practice, February 2011

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax Exempt Bond FAQs Regarding Record Retention Requirements

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

U.S. GOVERNMENT ACCOUNTABILITY OFFICE PUBLICATIONS

Internal Control System Checklist

WEB SITES

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

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

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

Municipal Security Rulemaking Board, Electronic Municipal Market Access (EMMA):
<http://www.emma.msrb.org>

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

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

Policy
Adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

NONDISCRIMINATION IN EMPLOYMENT

The Board of Trustees is determined to provide district employees and job applicants a safe, positive environment where they are assured of **[full and]** equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. **[This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.]**

[(cf. 1240 - Volunteer Assistance)]

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

The Board prohibits ~~[No]~~ district employees ~~from~~ **[shall be]** discriminating~~[ed]~~ against or harassing~~[ed by]~~ any ~~other district employee or job applicant~~ **[coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment,]** on the basis of the person's **[employee's]** actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation, or **[his/her]** association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

~~The Board also prohibits Discrimination against any employee or job applicant [in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:]~~

1. **[Discrimination in hiring,]** in compensation, terms, conditions, and other privileges of employment
2. Taking of any adverse employment action, ~~including, but not limited to~~ **[such as]** termination or denial of employment, promotion, job assignment, or training ~~against an employee or job applicant based on any of the categories listed above.~~

(cf. 4032 - Reasonable Accommodation)

[(cf. 4151/4251/4351 - Employee Compensation)]

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

3. ~~Harassment consists of any Unwelcome conduct, whether verbal, physical, or visual that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's~~ **[employee's]** employment opportunities, **[or that]** has the purpose or effect of unreasonably interfering with the individual's work performance, or creating an intimidating, hostile, or offensive work environment.

NONDISCRIMINATION IN EMPLOYMENT (continued)*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)***4. [Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:]**

- a. ~~Prohibited Sex discrimination includes discrimination based on an employee's or job applicant's pregnancy, childbirth, breastfeeding, or any related medical condition~~ **[or on an employee's gender, gender expression, or gender identity, including transgender status]**

*[(cf. 4033 - Lactation Accommodation)**[(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)]]*

- b. ~~Prohibited discrimination on the basis of Religious creed includes discrimination based on an employee's or job applicant's religious belief or observance, including his/her religious dress or grooming practices. In accordance with Government Code 12940, prohibited discrimination on the basis of religious creed also includes~~ **[or based on]** the district's failure or refusal to use reasonable means to accommodate an employee's or job applicant's religious belief, observance, or practice which conflicts with an employment requirement. ~~However, the district shall not accommodate an employee's religious dress practice or religious grooming practice if it requires segregation of the individual from other employees or the public or if it would result in a violation of this policy or any law prohibiting discrimination.~~

- c. **[Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity]**

[(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)]]

- d. **[Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition]**

[(cf. 4032 - Reasonable Accommodation)]]

The Board also prohibits retaliation against any district employee ~~or job applicant~~ who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the

NONDISCRIMINATION IN EMPLOYMENT (continued)

district's complaint procedures pursuant to this policy. No employee ~~or job applicant~~ who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall ~~immediately~~ be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who ~~does~~ reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, and discrimination, **[or other related conduct,]** how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

[In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.]

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 – Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

NONDISCRIMINATION IN EMPLOYMENT (continued)PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2*[11006-11086 Discrimination in employment]**[11013 Recordkeeping]*

11019 Terms, conditions and privileges of employment

*[11023 Harassment and discrimination prevention and correction]**[11024 Sexual harassment training and education]*CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

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

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS*Thompson v. North American Stainless LP*, (2011) 131 S.Ct. 863*Shephard v. Loyola Marymount*, (2002) 102 Cal.App.4th 837*Management Resources:*CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS*California Law Prohibits Workplace Discrimination and Harassment, December 2014*U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS*Notice of Non-Discrimination, August 2010*U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS*Questions and Answers: Religious Discrimination in the Workplace, 2008**New Compliance Manual Section 15 – Race and Color Discrimination, April 2006**Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors,*

June 1999

WEB SITESCalifornia Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>Policy
adopted:**BLACK OAK MINE UNIFIED SCHOOL DISTRICT**
Georgetown, California

SEXUAL HARASSMENT

The Board of Trustees prohibits sexual harassment of district employees, ~~and job applicants.~~ The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and **[accompanying]** administrative regulation. **[This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.]**

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

(cf. 4030 - Nondiscrimination in Employment)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5-CCR-4964 [2CCR11023])

Any district employee ~~or job applicant~~ who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee ~~a job applicant or a student,~~ shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with ~~AR 4031—Complaints Concerning Discrimination in Employment~~ **[AR 4030 - Nondiscrimination in Employment.]** An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

(cf. 4031—Complaints Concerning Discrimination in Employment)

SEXUAL HARASSMENT (continued)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment ~~against a district employee, job applicant, or student~~ is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

~~(cf. 4117.4 - Dismissal)~~

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

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

[11009 Employment discrimination]

[[11021 Retaliation]]

[11023 Harassment and discrimination prevention and correction]

[11024 Sexual harassment training and education]

[11034 Terms, conditions, and privileges of employment]

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources: See next page

SEXUAL HARASSMENT (continued)

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

STUDENT WELLNESS

The Board of Trustees recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall ~~build a coordinated school health system~~ **[coordinate and align district efforts to]** that supports and ~~reinforces health literacy~~ **[student wellness]** through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)
 (cf. 3513.3 - Tobacco-Free Schools)
 (cf. 3514 - Environmental Safety)
~~(cf. 3555 - Nutrition Program Compliance)~~
 (cf. 5131.6 - Alcohol and Other Drugs)
 (cf. 5131.61 - Drug Testing)
 (cf. 5131.62 - Tobacco)
 (cf. 5131.63 - Steroids)
 (cf. 5141 - Health Care and Emergencies)
 (cf. 5141.22 - Infectious Diseases)
 (cf. 5141.3 - Health Examinations)
 (cf. 5141.31 - Immunizations)
 (cf. 5141.32 - Health Screening for School Entry)
 (cf. 5141.6 - School Health Services)
 (cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)
 (cf. 6164.2 - Guidance/Counseling Services)

School Health ~~Council~~ **[Wellness] Council/Committee**

The Superintendent or designee shall ~~permit~~ **[encourage]** parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; **[7 CFR 210.30]**)

To fulfill this requirement, the Superintendent or designee may appoint a school health ~~council~~ **[wellness]** council or other district committee **[and a wellness council coordinator.]** ~~whose membership~~ **[The council]** may include representatives of these groups **[listed above,]** ~~He/she also may invite participation of other groups or individuals, such as~~ **[well as]** health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)
 (cf. 9140 - Board Representatives)

STUDENT WELLNESS (continued)

[The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.]

The school health **[wellness]** council/~~committee~~ shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/~~committee~~ may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Goals for Nutrition, Physical Activity and Other Wellness Activities

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. **[In developing such goals, the Board shall review and consider evidence-based strategies and techniques.]** (42 USC 1758b; [7 CFR 210.30])

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - summer Learning Programs)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

STUDENT WELLNESS (continued)

(cf. 5142.2 - Safe Routes to School Program)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development shall be regularly offered to **[the nutrition program director, managers, and staff, as well as]** health education teachers, physical education teachers, coaches, activity supervisors, ~~food services staff~~, and other staff as appropriate to enhance their health knowledge and skills **[related to student health and wellness.]**

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

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to student's physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness and may provide opportunities for regular physical activity among employees.

Nutritional Guidelines for [All] Foods Available at School

For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC **[1758, 1766,]** 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of

STUDENT WELLNESS (continued)

Education, the district may sponsor a summer meal program.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students; consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The Board believes that foods and beverages sold to students at district schools, including those available outside the district's **[reimbursable]** food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for all foods and beverages sold to students, including foods and beverages provided through student stores, vending machines, or other venues, shall meet or exceed state and federal nutritional standards.

(cf. 3312 - Contracts)
(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

(cf. 1230 - School-Connected Organizations)

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means **[that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)]**

(cf. 1325 - Advertising and Promotion)

STUDENT WELLNESS (continued)

Program Implementation and Evaluation

The Superintendent ~~shall designate one or more district or school employees, as appropriate, to~~ **[designates the individual(s) identified below as the individual(s) responsible for]** ensure**[ing]** that each school site complies with ~~this~~ **[the district's wellness]** policy. (42 USC 1758b; **[7 CFR 210.30]**)

District Nurse
6540 Wentworth Springs Road
Georgetown, CA 95634
530-333-8300

(cf. 0500 - Accountability)
(cf. 3555 - Nutrition Program Compliance)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every ~~two~~ **[three]** years. **[(42 USC 1758b; 7 CFR 210.30)]**

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, ~~the school health~~ **[wellness]** council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods sold on campus outside of the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards

STUDENT WELLNESS (continued)

5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
6. Results of the state's physical fitness test at applicable grade levels
7. Number of minutes of physical education instruction offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

[In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.]

~~In addition,~~ The assessment results **[of both the district and state evaluations]** shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Posting Requirements [Notifications]

The Superintendent or designee shall inform ~~and update~~ the public ~~including parents/guardians, students, and others in the community,~~ about the content and implementation of ~~this~~ **[the district's wellness] policy [and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. ([Education Code 49432]; 42 USC 1758b; [7 CFR 210.30])**

[(cf. 5145.6 - Parental Notifications)]

STUDENT WELLNESS (continued)

The Superintendent or designee ~~may disseminate health~~ **[shall distribute this]** information ~~and/or the district's student wellness policy to parents/guardians through [the most effective methods of communication, including]~~ district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health **[and wellness]** and academic performance.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

~~Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)~~

Each school shall also **[may]** post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

[Records]

[The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)]

*Legal Reference:***EDUCATION CODE**

33350-33354 CDE responsibilities re: physical education

[38086 Free fresh drinking water]

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act

49540-49546 Child care food program

49547-49548.3 Comprehensive nutrition services

49550-49562 Meals for needy students

49565-49565.8 California Fresh Start pilot program

49570 National School Lunch Act

51210 Course of study, grades 1-6

[51210.1-51210.2 Physical education, grades 1-6]

[51210.4 Nutrition education]

51220 Course of study, grades 7-12

51222 Physical education

51223 Physical education, elementary schools

STUDENT WELLNESS (continued)*Legal References continued*

51795-51798 School instructional gardens
 51880-51921 Comprehensive health education
CODE OF REGULATIONS, TITLE 5
 15500-15501 Food sales by student organizations
 15510 Mandatory meals for needy students
 15530-15535 Nutrition education
 15550-15565 School lunch and breakfast programs
UNITED STATES CODE, TITLE 42
 1751-1769j National School Lunch Program, especially:
 1758b Local wellness policy
 1771-1793 Child Nutrition Act, including:
 1773 School Breakfast Program
 1779 Rules and regulations, Child Nutrition Act
CODE OF FEDERAL REGULATIONS, TITLE 7
 210.1-210.33 National School Lunch Program
 [210.30 Wellness policy]
 220.1-220.22 National School Breakfast Program
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

*Management Resources:*CSBA PUBLICATIONS

[Integrating Physical Activity into the School Day, Governance Brief, April 2016]
Increasing Access to Drinking Water in Schools, Policy Brief, March 2013
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, re. 2012
[Physical Activity and Physical Education in California Schools, Research Brief, April 2010]
Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009
Physical Education and California Schools, Policy Brief, rev. October 2007
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, January 2015

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, rev. 2012

FEDERAL REGISTER

Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170

STUDENT WELLNESS (continued)

Management References continued

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, rev. 2012

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2016

Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000

WEB SITES

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

[Alliance for a Healthier Generation: <http://www.healthiergeneration.org>]

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

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

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

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

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

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

[U.S. Department of Agriculture, Healthy Meals Resource System:

<http://healthymeals.fns.usda.gov>]

INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6173.3 - Education for Juvenile Court School Students)

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

Students Convicted of Violent Felony or Misdemeanor

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

(cf. 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6164.2 - Guidance and Counseling Services)

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

INVOLUNTARY STUDENT TRANSFERS (continued)

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)

(cf. 6184 - Continuation Education)

2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6185 - Community Day School)

Legal References: See next page

INVOLUNTARY STUDENT TRANSFERS (continued)

Legal Reference:

EDUCATION CODE

35146 *Closed sessions; student matters*

48430-48438 *Continuation classes, especially:*

48432.5 *Involuntary transfer to continuation school*

48660-48666 *Community day schools, especially:*

48662 *Involuntary transfer to community day school*

48900 *Grounds for suspension and expulsion*

48929 *Transfer of student convicted of violent felony or misdemeanor*

48980 *Notice at beginning of term*

PENAL CODE

667.5 *Violent felony, definition*

29805 *Misdemeanors involving firearms*

WELFARE AND INSTITUTIONS CODE

300 *Minors subject to jurisdiction*

602 *Minors violating laws defining crime; ward of court*

Management Resources:

WEB SITES

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

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

Policy
Adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Board of Trustees believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

(cf. 5113 – Absences and Excuses)

(cf. 5113.1 – Chronic Absence and Truancy)

Any medication prescribed for a student with a disability **[who is qualified to receive services]** under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

[(cf. 5141.24 - Specialized Health Care Services)]

(cf. 6159 - Individualized Education Program)

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

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf and with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

(cf. 1250 - Visitors/Outsiders)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

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

(cf. 6116 - Classroom Interruptions)

[The Superintendent or designee shall make available epinephrine auto-injectors at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)]

[The Board authorizes the Superintendent or designee to make available naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)]

In addition, the Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

(cf. 3516 – Emergencies and Disaster Preparedness Plan)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Administration of Medication by School Personnel

[When allowed by law,] Any medication prescribed [to a student] by an authorized health care provider, including, but not limited to, an emergency antiseizure medication for a student who suffers epileptic seizures, auto-injectable epinephrine, insulin, or glucagon, may be administered by a school nurse or, [when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by] other designated school personnel only when the Superintendent or designee has received [with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the] written statement from both {provided by} the student's parent/guardian and authorized health care provider. [Such personnel shall be afforded appropriate liability protection.] (Education Code 49414.7, 49423; 5 CCR 600)

[(cf. 3530 - Risk Management/Insurance)]

[(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)]

[(cf. 4119.43/4219.43/4319.43 - Universal Precautions)]

~~When medically unlicensed school personnel are authorized by law to administer a medication to students, such as emergency antiseizure medication, auto-injectable epinephrine insulin, or glucagon, The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by and provided with emergency communication access to a school nurse, physician, or other appropriate individual. (Education Code 49414, [49414.3,] 49414.5, 49414.7, 49423, 49423.1)~~

The Superintendent or designee shall maintain documentation of the training, ongoing supervision, as well as annual written verification of competency of such other designated school personnel.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

~~School nurses and other designated school personnel shall administer medications in accordance with law, Board policy, and administrative regulation and shall be afforded appropriate liability protection.~~

(cf. 3530 - Risk Management/Insurance)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

(cf. 4119.42/4219.42/4319.42—Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43—Universal Precautions)

Legal Reference:

EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

[49414.3 Emergency medical assistance; administration of medication for opioid overdose]

49414.5 Providing school personnel with voluntary emergency training

~~49414.7 Emergency medical assistance: administration of epilepsy medication~~

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

[4119.2 Acquisition of epinephrine auto-injectors]

[4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist]

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

~~620-627 Administration of emergency antiseizure medication by trained volunteer nonmedical school personnel~~

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

COURT DECISIONS

American Nurses Association v. Torlakson, (2013) 57 Cal.App.4th 570

Management Resources: See next page

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

Management Resources:

CSBA PUBLICATIONS

Pandemic Influenza, Fact Sheet, September 2007

AMERICAN DIABETES ASSOCIATION PUBLICATIONS

Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015

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

[Program Advisory on Medication Administration, 2005]

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

HIGH SCHOOL GRADUATION REQUIREMENTS

The Board of Trustees desires to prepare all students to obtain a high school diploma to enable them to take advantage of opportunities for postsecondary education and employment.

(cf. 5127 - Graduation Ceremonies and Activities)

(cf. 5147 - Dropout Prevention)

[(cf. 6011 - Academic Standards)]

(cf. 6143 - Courses of Study)

(cf. 6146.3 - Reciprocity of Academic Credit)

Course Requirements

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

1. Four courses in English (Education Code 51225.3)

(cf. 6142.91 - Reading/Language Arts Instruction)

2. Two courses in mathematics (Education Code 51225.3)

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

Students may be awarded up to one mathematics course credit for successful completion of an approved computer science course that is classified as a "category c" course based on the "a-g" course requirements for college admission. (Education Code 51225.3, 51225.35)

(cf. 6011 - Academic Standards)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6152.1 - Placement in Mathematics Courses)

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

(cf. 6142.93 - Science Instruction)

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

(cf. 6142.3 - Civic Education)

(cf. 6142.94 - History-Social Science Instruction)

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

5. One course in visual or performing arts, foreign language, including American Sign Language, or career technical education (CTE) (Education Code 51225.3)

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

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

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

(cf. 6142.7 - Physical Education and Activity)

7. Three semesters of Career Technical Education

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

(cf. 6146.11 - Alternative Credits Toward Graduation)
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)
(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

[Exemptions and Waivers]

~~The Superintendent or designee shall exempt or waive specific course requirements for foster youth, homeless students, and children of military families in accordance with Education Code 51225.1 and 49701.~~

[A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)]

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

[(cf. 1312.3 - Uniform Complaint Procedures)]
[(cf. 5145.6 - Parental Notifications)]
(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
~~*(cf. 6173.2 - Education for Children of Military Families)*~~
[(cf. 6173.3 - Education for Juvenile Court School Students)]

[In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. (Education Code 49701)]

[(cf. 6173.2 - Education for Children of Military Families)]

Retroactive Diplomas

Until July 31, 2018, any student who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination shall be granted a high school diploma. (Education Code 60851.6)

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies ~~the above~~ **[these]** conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

*Legal Reference:***EDUCATION CODE**

47612 Enrollment in charter school
 48200 Compulsory attendance
 48412 Certificate of proficiency
 48430 Continuation education schools and classes
 48645.5 Acceptance of coursework
 48980 Required notification at beginning of term
 49701 Interstate Compact on Educational Opportunity for Military Children
 51224 Skills and knowledge required for adult life
 51224.5 Algebra instruction
 51225.1 Exemption from district graduation requirements
 51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course
 51225.3 High school graduation
 51225.35 Mathematics course requirements; computer science

HIGH SCHOOL GRADUATION REQUIREMENTS (continued)

Legal References continued

[51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation]

51225.5 Honorary diplomas; foreign exchange students

[51225.6 Compression-only cardiopulmonary resuscitation]

51228 Graduation requirements

51240-51246 Exemptions from requirements

51250-51251 Assistance to military dependents

51410-51412 Diplomas

51420-51427 High school equivalency certificates

[51430 Retroactive high school diplomas]

[51440 Retroactive high school diplomas]

51450-51455 Golden State Seal Merit Diploma

51745 Independent study restrictions

56390-56392 Recognition for educational achievement, special education

60851.5 Suspension of high school exit examination

60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination

66204 Certification of high school courses as meeting university admissions criteria

67386 Student safety; affirmative consent standard

CODE OF REGULATIONS, TITLE 5

1600-1651 Graduation of students from grade 12 and credit toward graduation

[4600-4687 Uniform complaint procedures]

COURT DECISIONS

O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gs/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

HOMEWORK/MAKEUP WORK

The Board of Trustees recognizes that **[meaningful]** homework **[assignments]** ~~contributes toward building responsibility, self-discipline and life-long learning~~ **[can be a valuable extension of student learning time and assist students in developing good study]** habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives. **[Homework shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.]**

(cf. 6011 - Academic Standards)

[The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.]

[Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.]

[(cf. 6011 - Academic Standards)]

~~The Superintendent or designee shall ensure that administrators and teachers develop and implement an effective homework plan at each school site. As needed, teachers may receive training in designing relevant challenging and meaningful homework assignments that reinforce classroom learning objectives. Teachers' expectations related to homework may be addressed in their evaluations.~~

(cf. 4115 - Evaluation/Supervision)
(cf. 4131 - Staff Development)

[Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.]

[Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, and develop good personal study habits.]

[At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines also

HOMEWORK/MAKEUP WORK (continued)

shall be included in student and/or parent handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.]

Although it is the student's responsibility to ~~do most homework~~ **[undertake]** assignments independently, ~~the Board expects teachers at all grade levels to use parents/guardians [may serve] as a contributing resource [and are encouraged to ensure that their child's homework assignments are completed.]~~ When a student repeatedly fails to ~~do their~~ **[complete his/her]** homework, the teacher shall notify the student's parents/guardians and ~~asked to contact the teacher [as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.]~~

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

To further support students' homework efforts, the Superintendent or designee may establish and maintain telephone help lines, **[provide access to school library media centers and technological resources,]** and/or **[provide before-school and]** after-school ~~centers [programs]~~ where students can receive ~~encouragement and clarification about~~ homework assignments **[assistance]** from teachers, volunteers and/or ~~more advanced students who are performing community service [tutors]~~. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

(cf. 1240 - Volunteer Assistance)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

[(cf. 5148.2 - Before/After School Programs)]

(cf. 6112 - School Day)

(cf. 6142.4 - Service Learning/Community Service Classes)

[(cf. 6163.1 - Library Media Centers)]

[Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.]

HOMEWORK/MAKEUP WORK (continued)

Makeup Work

Students who miss school work ~~because of an excused absence~~ shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. (Education Code 48205)

(cf. 5113 - Absences and Excuses)

~~Students who miss school work because of unexcused absences shall be given the opportunity to make up missed work. Teachers shall assign such makeup work as necessary to ensure academic progress, not as a punitive measure.~~

[The Superintendent or designee shall notify parents/guardians that no student may have his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)]

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

[(cf. 5145.6 - Parental Notifications)]

[The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension. (Education Code 48913)]

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

Legal Resources: See next page

HOMEWORK/MAKEUP WORK (continued)

Legal Reference:

EDUCATION CODE

[8420-8428 21st Century High School After School Safety and Enrichment for Teens]

[8482-8484.65 After School Education and Safety Program]

[8484.7-8484.9 21st Century Community Learning Centers]

48205 Absences for personal reasons

48913 Completion of work missed by suspended student

48980 Parental notifications

58700-58702 Tutoring and homework assistance program; summer school apportionment credit

[UNITED STATES CODE, TITLE 20]

[7171-7176 21st Century Community Learning Centers]

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

[CSBA PUBLICATIONS]

[Research-Supported Strategies to Improve the Accuracy and Fairness of Grades, Governance Brief, July 2016]

[WEB SITES]

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

[California State PTA: <http://www.capta.org>]

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 16.3 Williams Uniform Complaint Procedures Policy Quarterly Report

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

EXPLANATION: As required by Education Code 35186, the quarterly report of complaints received pursuant to the Williams Uniform Complaint Procedures is provided for the information of the Board of Trustees.

BACKGROUND: Education Code Section 35186 requires the Superintendent provide a quarterly report to the Board and the County Superintendent of Schools regarding any complaints received pursuant to the Williams Uniform Complaint Procedures.

For the period October 1, 2016 through December 31, 2016 there are no complaints to report.

Quarterly Report on Williams Uniform Complaints
[Education Code § 35186]

To: Dr. Ed Manansala, County Superintendent's Office

District: Black Oak Mine Unified School District

Person completing this form: Carla Koontz Title: Superintendent Secretary

Quarterly Report Submission Date: ☐ April 2016
(check one) ☐ July 2016
☐ October 2016
☒ January 2017

Date for information to be reported publicly at governing board meeting:

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancy or Misassignment	0		
Facilities Conditions	0		
TOTALS	0		


Signature of District Superintendent

1-3-2017

Date

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 17.1 2017-18 Budget Guidelines

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent
Mrs. Tricia Kowalski, Chief Business Official

RECOMMENDATION: It is recommended that the Board of Trustees approve the 2017-18 Budget Guidelines.

BACKGROUND: A draft of the 2017-18 Budget Guidelines was prepared by the Superintendent and Chief Business Official and is now being presented to the Board of Trustees for approval.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

2017-18 BUDGET GUIDELINES

1. The District's goal while budgeting will be to eliminate or greatly reduce on-going deficit spending.
2. In developing the budget, the prime consideration will be the provision of a quality educational program that meets District and State standards at all grade levels, with the driving force being the District Strategic Plan and Local Control Accountability Plan (LCAP) adopted by the Board of Trustees.
3. The budget shall include a General Fund Reserve for Economic Uncertainty of no less than 4% of the total General Fund appropriations.
4. The LCFF allows local boards to utilize Base Grant funds to benefit the district, therefore, an allowance budgeted for deferred maintenance, adopted textbooks and technology are included.
5. Allowance shall be made for increases and/or decreases in the cost of services and supplies such as: gasoline, propane, diesel fuel, electricity, insurance, water, postage, trash collection, telephone service, lease agreements, debt repayment, employee retirement contributions or benefits mandated by law.
6. The budget document shall include the associated salary and fringe benefit costs within each program area.
7. Unless there is a mandated level of Base Grant participation, all categorical programs shall be self-supporting and, where allowable, shall include allocations for indirect costs. Transportation, School Nutrition Program (Cafeteria) and Special Education are recognized as not being self-supporting; however, a goal of self-support shall be expected and monitored.
8. Provision shall be made for the preservation of existing facilities and equipment through capital improvements and preventive maintenance, to the extent of our financial ability.
9. Supply and equipment allocations in effect for the current year shall be reviewed and adjusted as necessary. Equipment replacement will be funded in accordance with available resources.
10. Staffing ratios shall be maintained or developed to support the instructional program.
11. Funds shall be made available in the budget to support current and anticipated collective bargaining commitments.
12. The budget document shall be prepared by major program areas to allow for ready comparison among other programs and with previous years. Detailed budget information shall be available so that the Board and the public can examine the components of a specific program.
13. The budget document shall show budgeted expenditures for each category in the current year and proposed expenditures for the following year.
14. All special funds, such as the Building, Cafeteria, Developer Fee and Special Reserve Funds, etc., shall be included in the budget document.
15. When the Board authorizes a new project or program, it shall specify the allocation or reallocation of resources required.
16. Any proposed increase or reduction from prior year expenditure levels shall be reported in the annual SACS Financial Reports.

Adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 17.2 2017-18 Budget Calendar

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent
Mrs. Tricia Kowalski, Chief Business Official

RECOMMENDATION: It is recommended that the Board of Trustees adopt the 2017-18 Budget Calendar.

BACKGROUND: The initial process of budget development begins annually with the preparation of a calendar which designates the timelines for various meetings and schedules for the Board of Trustees and the Parent and District LCAP Advisory Committee.

The 2017-18 calendar may need to be revised as the school year proceeds to schedule unanticipated events or additional meetings.

BLACK OAK MINE UNIFIED SCHOOL DISTRICT 2017-18 BUDGET CALENDAR

DUE DATE	ACTION	RESPONSIBILITY
December 2016	Develop 2017-18 Budget Calendar	Chief Business Official (CBO)
January 2017	Submit to Superintendent Enrollment Projections with Revisions/Recommendations & Preliminary Staffing	Principals
January 5, 2017	Budget Guidelines & Budget Assumptions	Superintendent/Chief Business Official (CBO)
January 12, 2017	Review 2017-18 Budget Assumptions Draft Review & Adopt: 2017-18 Budget Calendar & Budget Guidelines	Board of Trustees
January 26, 2017	Distribute Enrollment Projections, staffing formulas, basic allocations and draft Budget Calendar and Guidelines to Management Team	Superintendent/CBO
February 2017	Parent & District Advisory Committee Meetings at each site (TBA for each site)	District Administrators, LCAP Committees- Parent & District Advisory Committees
February 9, 2017	Update if needed, based on Governor's January Proposed Budget: 2017-18 Budget Calendar, Budget Guidelines & Budget Assumptions Review Governor's Proposed Budget Staffing - Reduction/Layoff Resolutions	Board of Trustees
March 2017	Parent & District Advisory Committee Meetings at each site (TBA for each site)	District Administrators, LCAP Committees- Parent & District Advisory Committees
March 9, 2017	Approve 2016-17 2nd Interim Report Staffing - Reduction/Layoff Resolutions	Board of Trustees
April 2017	Update (if needed): 2017-18 Budget Calendar, Budget Guidelines & Budget Assumptions Parent & District Advisory Committee Meetings at each site (TBA for each site) Update LCAP	District Administrators, LCAP Committees- Parent & District Advisory Committees
May 2017	Submit final authorized staffing to Superintendent Submit Site Budgets to CBO	Personnel Services Coordinator Principals
May 11, 2017	Approve 2017-18 Third Interim Report (if needed)	Board of Trustees
May 18, 2017	Distribute 2017-18 Budget & LCAP to Management Team & LCAP Committees	Superintendent/CBO
May TBD, 2017	Public copy of 2017-18 Draft Budget & LCAP available at District Office	Chief Business Official
June TBD, 2017	Hold Public Hearing on 2017-18 Budget Present District LCAP Present 2017-18 Budget	Board of Trustees, Superintendent/District Administrators, CBO
June TBD, 2017	Adopt District LCAP Adopt 2017-18 Budget	Board of Trustees
June 30, 2017	File adopted 2017-18 LCAP, Budget (SACS financial reports) with the El Dorado County Office of Education (EDCOE)	Chief Business Official
August 2017	El Dorado County Office reviews LCAP, questions submitted from EDCOE and answered by districts	EDCOE, Superintendent/Chief Business Official
September 2017	Review EDCOE recommendations Approve 2016-17 SACS Unaudited Actuals Financial Report	Board of Trustees
September 2017	File SACS 2016-17 Unaudited Actuals Financial Report with EDCOE	Chief Business Official
October 2017	EDCOE approves LCAP	EDCOE
December 2017	Approve 2017-18 First Interim Report	Board of Trustees
March 2018	Approve 2017-18 Second Interim Report	Board of Trustees
May 2018	Approve 2017-18 Third Interim Report (if needed)	Board of Trustees

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 18.1 Charter Schools: A Guide for Governance Teams/
Board Policy 0420.41 Charter School Oversight

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the updated/revised Board Policy 0420.41 Charter School Oversight.

BACKGROUND: This policy has been updated to reflect a recommendation in the 2016 edition of CSBA's Charter Schools: A Guide for Governance Teams that the district not appoint a representative to serve on the board of directors of a nonprofit public benefit corporation that operates a charter school, but rather implement other means of fulfilling its oversight responsibilities. Section on "Monitoring Charter School Performance" updated to delete references to the Academic Performance Index and federal measure of Adequate Yearly Progress, and to reflect NEW LAW (SB 828, 2016) which requires charter schools to submit an annual update of their local control and accountability plan. The policy also has been revised to reflect the Every Student Succeeds Act (P.L. 114-95) which provides for a new system of school support and improvement for Title I schools, including charter schools, beginning in the 2017-18 school year.

CHARTER SCHOOL OVERSIGHT

The Board of Trustees recognizes its ongoing responsibility to ensure that any charter school the Board has authorized is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)

(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school authorized by the Board. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

The Superintendent or designee shall attend meetings of the charter school board whenever possible and shall periodically meet with a representative of the charter school.

Waivers

If the charter school wishes to request a general waiver of any state law or regulation applicable to it, it shall request that the district submit a general waiver request to the State Board of Education (SBE) on its behalf. Upon approval of the Board, the Superintendent or designee shall submit such a waiver request to the SBE on behalf of the charter school.

(cf. 1431 – Waivers)

Provision of District Services

The charter school may purchase administrative or other services from the district or any other source. (Education Code 47613)

Whenever the district agrees to provide administrative or support services, the district and charter school shall develop a memorandum of understanding which clarifies the financial and operational agreements between the district and charter school.

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The district may charge the charter school for the actual costs of the reporting services, but shall not require the charter school to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

CHARTER SCHOOL OVERSIGHT (continued)**Material Revisions to Charter**

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to establish or move operations to one or more additional sites, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision of the approved charter.

Monitoring Charter School Performance

The Superintendent or designee shall monitor the charter school to determine whether it complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32. Any violations of law shall be reported to the Board.

The Board shall monitor each charter school to determine whether it is achieving both school wide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and on the charter school's annual review and assessment of its progress toward the goals and actions identified in its local control and accountability plan (LCAP).

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, the charter schools preliminary budget, an annual update of the school's LCAP, first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)

The district may charge up to one percent of a charter school's revenue for the actual costs of supervisory oversight of the school. However, if the district is able to provide substantially rent-free facilities to the charter school, the district may charge up to three percent of the charter school's revenue or actual costs of supervisory oversight or, if the facility is provided under Education Code 47614, the pro-rata share facilities costs calculated pursuant to 5 CCR 11969.7. If the district charges the pro-rata share, it may also charge one percent of the charter school's revenue in oversight fees. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

CHARTER SCHOOL OVERSIGHT (continued)

Technical Assistance/Intervention

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)

1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064-5.
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074.

If a charter school receiving federal Title I has been identified for program improvement, it shall implement improvements strategies in accordance with its existing school improvement plan.

(cf 0520.2 – Title I Program Improvement Schools)

In accordance with law, the Board may deny a charter's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regards to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 – Charter School Renewal)
(cf. 0420.43 – Charter School Revocation)

Complaints

Each charter school shall establish and maintain policies and procedures to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 – Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

CHARTER SCHOOL OVERSIGHT (continued)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school ceases operation for any reason, the Superintendent or designee shall, when applicable in accordance with the charter and/or a memorandum of understanding, provide assistance, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, if renewal of the charter is denied, the charter is revoked, or the charter school will cease operation for any reason.

Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference: See next page

CHARTER SCHOOL OVERSIGHT (continued)*Legal Reference:*EDUCATION CODE*215 Suicide prevention policy**220 Nondiscrimination**221.9 Sex equity in competitive athletics**222 Lactation accommodations for students**17280-17317 Field Act**17365-17374 Field Act, fitness for occupancy**35330 Field trips and excursions; student fees**38080-38086 School meals**39831.3 Transportation safety plan**39843 Disciplinary action against bus driver; report to Department of Motor Vehicles**42100 Annual statement of receipts and expenditures**44030.5 Reporting change in employment status due to alleged misconduct**44237 Criminal record summary**44691 Information on detection of child abuse**44830.1 Certificated employees, conviction of a violent or serious felony**45122.1 Classified employees, conviction of a violent or serious felony**47600-47616.7 Charter Schools Act of 1992**47634.2 Nonclassroom-based instruction**47640-47647 Special education funding for charter schools**48000 Minimum age of admission for kindergarten; transitional kindergarten**48010-48011 Minimum age of admission (first grade)**48850-48859 Educational placement of foster youth and homeless students**48907 Students' exercise of free expression; rules and regulations**48950 Student speech and other communication**[49011 Student fees]**49061 Student records**49110 Authority of issue work permits**49414 Epinephrine auto-injectors**49475 Health and safety, concussion and head injuries**51224.7 Mathematics placement policy**51225.6 Instruction in cardiopulmonary resuscitation**51745-51749.3 Independent study**52051.5-52052 Academic performance index, applicability to charter schools**52060-52077 Local control and accountability plans**52075 Uniform complaint procedures**56026 Special education**56145-56146 Special education services in charter schools**60600-60649 Assessment of academic achievement**60850-60859 High school exit examination**69432.9 Cal Grant program; notification of grade point average*CORPORATIONS CODE*5110-6910 Nonprofit public benefit corporations*GOVERNMENT CODE*1090-1099 Prohibitions applicable to specified officers**3540-3549.3 Educational Employment Relations Act**81000-91014 Political Reform Act of 1974*HEALTH AND SAFETY CODE*104420 Tobacco Use Prevention Education grant program**104559 Tobacco-free schools*

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.1 Classified Salary Schedules

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent
Mrs. Shelly King, Personnel Services Coordinator

RECOMMENDATION: It is recommended that the Board of Trustees consider approving the amended Classified Salary Schedule.

BACKGROUND: The Classified salary schedule has been amended to be in compliance with the changes in minimum wage requirements affective January 1, 2017.

APPENDIX A
BLACK OAK MINE UNIFIED SCHOOL DISTRICT
CLASSIFIED SALARY SCHEDULE 2016-17
ARTICLE X

2.95% Retro July 1, 2015

1.0459

RANGE	I	II	III	IV	V	8th				13th				18th				23rd				CLASSIFICATION
						1.02				1.04				1.06				1.08				
18	10.50	11.02	11.56	12.13	12.74	12.99	13.25	13.50	13.76	18												
19	10.76	11.28	11.86	12.44	13.06	13.32	13.58	13.84	14.10	19												
20	11.02	11.56	12.16	12.76	13.40	13.67	13.94	14.20	14.47	20											Cafeteria Assistant	
21	11.30	11.87	12.45	13.08	13.72	13.99	14.27	14.54	14.82	21												
22	11.58	12.15	12.76	13.40	14.07	14.35	14.63	14.91	15.20	22											Campus Supervision	
23	11.87	12.45	13.08	13.75	14.42	14.71	15.00	15.29	15.57	23											Inst Aide I	
24	12.16	12.77	13.41	14.08	14.78	15.07	15.37	15.67	15.96	24												
25	12.45	13.08	13.74	14.43	15.15	15.45	15.76	16.06	16.36	25											Pupil Services Clerk, Inst. Aide II, Cook	
26	12.77	13.42	14.09	14.80	15.53	15.84	16.15	16.46	16.77	26											RSP Aide	
27	13.09	13.76	14.44	15.15	15.91	16.23	16.54	16.86	17.18	27											Inst Aide III, Worklity Job Coach, Computer Skills Aide, Office Asst., Library Clerk, Bus Attendent, SDC Aide	
28	13.42	14.09	14.80	15.53	16.31	16.63	16.96	17.28	17.61	28											Workability I Program Coordinator	
29	13.76	14.44	15.15	15.92	16.71	17.04	17.38	17.71	18.05	29											Art Specialist	
30	14.10	14.81	15.55	16.33	17.15	17.49	17.84	18.18	18.52	30											Cust. I, Utility M/T, Grounds Maint I, Courier, Pupil Pers. Secty, Library Tech	
31	14.45	15.17	15.93	16.73	17.58	17.93	18.28	18.63	18.99	31											Kitchen Manager	
32	14.81	15.55	16.33	17.16	18.00	18.36	18.72	19.08	19.44	32											Bus Driver, Custodian II	
33	15.16	15.94	16.74	17.59	18.46	18.83	19.20	19.57	19.94	33											Coordinating Kitchen Manager	
34	15.56	16.35	17.17	18.01	18.93	19.31	19.69	20.07	20.44	34											Maint I, Bus Driver Inst, School Secty, Career Specialist, /Ind. Study Office Mgr, Business Secretary, Grounds Maint. II	
35	15.94	16.74	17.59	18.48	19.38	19.77	20.16	20.54	20.93	35											Account Clerk	
36	16.36	17.17	18.03	18.94	19.88	20.28	20.68	21.07	21.47	36											Maintenance II, Dispatch and Operations Coordinator	
37	16.77	17.60	18.48	19.40	20.38	20.79	21.20	21.60	22.01	37												
38	17.11	17.96	18.87	19.79	20.88	21.30	21.72	22.13	22.55	38												
39	17.53	18.40	19.33	20.29	21.42	21.85	22.28	22.71	23.13	39											Mechanic I, Maintenance II:HVAC	
40	17.97	18.87	19.81	20.81	21.93	22.37	22.81	23.25	23.68	40												
41	18.41	19.34	20.31	21.32	22.51	22.96	23.41	23.86	24.31	41											Mechanic II	
42	18.89	19.82	20.82	21.86	23.05	23.51	23.97	24.43	24.89	42											Computer Technician/Nurse Specialist	
43	19.36	20.32	21.34	22.41	23.65	24.12	24.60	25.07	25.54	43												
44	19.83	20.82	21.86	22.96	24.11	24.59	25.07	25.55	26.04	44												
45	20.33	21.35	22.41	23.53	24.70	25.20	25.69	26.19	26.68	45											Information Technology Technician	
46	20.83	21.88	22.97	24.12	25.32	25.83	26.33	26.84	27.35	46												
47	21.36	22.42	23.54	24.73	25.96	26.48	27.00	27.52	28.04	47												
48	21.89	22.99	24.13	25.34	26.61	27.14	27.67	28.20	28.74	48												
49	22.43	23.56	24.74	25.97	27.28	27.82	28.37	28.91	29.46	49												
50	23.00	24.15	25.35	26.63	27.96	28.52	29.08	29.63	30.19	50												

LONGEVITY INCREASES

Beginning 8th year of service - 2% over base salary
Beginning 13th year of service - 4% over base salary
Beginning 18th year of service - 6% over base salary
Beginning 23rd year of service - 8% over base salary

BLACK OAK MINE UNIFIED SCHOOL DISTRICT IS AN EQUAL OPPORTUNITY EMPLOYER. NO PERSON SHALL BE DISCRIMINATED AGAINST BECAUSE OF RACE, COLOR, SEX, NATIONAL ORIGIN, AGE, OR HANDICAP.

Board approved

Amended: 01/01/2017

sk/class/2016-17 classified salary schedule

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.2 Second Reading and Adoption of the CSBA Board Bylaws and Board Policies

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees consider adopting the following CSBA updated/revised Board Bylaws and Policies.

BACKGROUND: This is the second reading for the following CSBA Board Bylaws/ Board Policies that have been updated / revised due to changes in laws and various other reasons:

Board Policy 0410 Nondiscrimination in District Programs and Activities

Board Policy 4151/4251/4351 Employee Compensation

Board Policy 6141.5 Advanced Placement

Board Policy 6142.94 History-Social Science Instruction

Board Policy 6173 Education for Homeless Children

Board Policy 6184 Continuation Education

Philosophy, Goals, Objectives, and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

The Board of Trustees is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a 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.

(cf. 1240 – Volunteer Assistance)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6145 – Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals At School)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

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

Legal Reference:

EDUCATION CODE

200-262.4 *Prohibition of discrimination*
48985 *Notices to parents in language other than English*
51007 *Legislative intent: state policy*

GOVERNMENT CODE

11000 *Definitions*
11135 *Nondiscrimination in programs or activities funded by state*
11138 *Rules and regulations*
12900-12996 *Fair Employment and Housing Act*
54953.2 *Brown Act compliance with Americans with Disabilities Act*

PENAL CODE

422.55 *Definition of hate crime*
422.6 *Interference with constitutional right or privilege*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*
4900-4965 *Nondiscrimination in elementary and secondary education programs*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities in Education Act*
1681-1688 *Discrimination based on sex or blindness, Title IX*
2301-2415 *Carl D. Perkins Vocational and Applied Technology Act*
6311 *State plans*
6312 *Local education agency plans*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*
2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*
2000h-2000h-6 *Title IX*

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

36.303 *Auxiliary aids and services*

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 *Nondiscrimination in federal programs, effectuating Title VI*
104.1-104.39 *Section 504 of the Rehabilitation Act of 1973*
106.1-106.61 *Discrimination on the basis of sex, effectuating Title IX, especially:*
106.9 *Dissemination of policy*

Management Resources: See next page

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

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

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

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment

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

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010

Dear Colleague Letter: Electronic Book Readers, June 29, 2010

Notice of Non-Discrimination, January 1999

Protecting Students from Harassment and Hate Crime, January 1999

Nondiscrimination in Employment Practices in Education, August 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

2010 ADA Standards for Accessible Design, September 2010

Accessibility of State and Local Government Websites to People with Disabilities, June 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS

Web Content Accessibility Guidelines, December 2008

WEB SITES

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

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

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific ADA Center: <http://www.adapacific.org>

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

U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: <http://www.ada.gov>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

World Wide Web Consortium, Web Accessibility Initiative: <http://www.w3.org/wai>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

All Personnel

BP 4151(a)

4251

EMPLOYEE COMPENSATION

4351

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Trustees recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

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

(cf. 4000 - Concepts and Roles)

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

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for review at the district office. (Education Code 45022, 45023, 45160, 45162)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Each certificated employee, except an employee in an administrative or supervisory position, shall be classified on the salary schedule on the basis of uniform allowance for years of training and years of experience, unless the Board and employee organization negotiate and mutually agree to a salary schedule based on different criteria. Certificated employees shall not be placed in different classifications on the schedule, nor paid different salaries, solely on the basis of the grade levels at which they teach. (Education Code 45028)

(cf. 4030 - Nondiscrimination in Employment)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent or designee.

(cf. 4140/4240/4340 - Bargaining Units)

(cf. 4312.1 - Contacts)

The Board shall determine the frequency and schedule of salary payments, including whether payments for employees who work less than 12 months per year will be made over the course of the school year or in equal installments over the calendar year. (Education Code 45038, 45039, 45048, 45165)

The Superintendent or designee shall post a notice explaining the Fair Labor Standards Act's wage and hour provisions in a conspicuous place at each work site. (29 CFR 516.4)

EMPLOYEE COMPENSATION (continued)

Overtime Compensation

A district employee shall be paid an overtime rate of not less than one and one-half times his/her regular rate of pay for any hours worked in excess of eight hours in one day or 40 hours in one work week. However, employees shall be exempt from overtime rules if they are employed as teachers or school administrators or if they qualify as being employed in an executive, administrative, or professional capacity and are paid a fixed salary at or above the salary level established by federal regulations. (Labor Code 510; 29 USC 213; 29 CFR 541.0-541.710, 553.27, 553.32)

When authorized in a collective bargaining agreement or other agreement between the district and employees, an employee may take compensatory time off in lieu of overtime compensation, provided he/she has not accrued compensatory time in excess of the limits specified in 29 USC 207. An employee who has requested the use of compensatory time shall be allowed to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt district operations. (29 USC 207; 29 CFR 553.20-553.25)

For each nonexempt employee, the Superintendent or designee shall maintain records on the employee's wages, hours, and other information specified in 29 CFR 516.5-516.6.

(cf. 3580 - District Records)

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

Legal Reference: See next page

EMPLOYEE COMPENSATION (continued)

Legal Reference:

EDUCATION CODE

45022-45061.5 *Salaries, especially:*
45023 *Availability of salary schedule*
45028 *Salary schedule for certificated employees*
45160-45169 *Salaries for classified employees*
45268 *Salary schedule for classified service in merit system districts*

GOVERNMENT CODE

3540-3549 *Meeting and negotiating, especially:*
3543.2 *Scope of representation*
3543.7 *Duty to meet and negotiate in good faith*

LABOR CODE

226 *Employee access to payroll records*
232 *Disclosure of wages*
510 *Overtime compensation; length of work day and week; alternative schedules*

UNITED STATES CODE, TITLE 26

409A *Deferred compensation plans*

UNITED STATES CODE, TITLE 29

201-219 *Fair Labor Standards Act, especially:*
203 *Definitions*
207 *Overtime*
213 *Exemptions from minimum wage and overtime requirements*

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 *Definitions and covered plans*

CODE OF FEDERAL REGULATIONS, TITLE 29

516.4 *Notice of minimum wage and overtime provisions*
516.5-516.6 *Records*
541.0-541.710 *Exemptions for executive, administrative, and professional employees*
553.1-553.51 *Fair Labor Standards Act; applicability to public agencies*

COURT DECISIONS

Flores v. City of San Gabriel, 9th Cir., June 2, 2016, No. 14-56421

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>
Internal Revenue Service: <http://www.irs.gov>
School Services of California, Inc.: <http://www.sscal.com>
U.S. Department of Labor, Wage and Hour Division: <https://www.dol.gov/whd>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

ADVANCED PLACEMENT

To encourage district students to challenge themselves academically, develop college-level skills, and be more competitive when applying for admission to postsecondary institutions, the Board of Trustees shall provide opportunities to high school students to take Advanced Placement (AP) courses and pass Advanced Placement (AP) examinations.

(cf. 0200 - Goals for the School District)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

The Board desires to provide at least four AP courses at each high school. The Superintendent or designee shall recommend subject areas for AP courses at each school based on student interest and the availability of qualified certificated staff, instructional materials, and other resources. The Superintendent or designee shall also explore alternative methods of delivering AP courses, such as online courses or distance learning.

The Superintendent or designee may consult and collaborate with feeder schools to ensure that students are offered the opportunity to take coursework that will prepare them for AP courses.

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6143 - Courses of Study)

(cf. 614.11 - Alternative credits Toward Graduation)

All students who meet course prerequisites shall have equal access to AP courses.

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

Grades for AP courses shall be assigned in accordance with Board policy and administrative regulation.

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

The Superintendent or designee shall make efforts to encourage students to participate in AP courses and to take end-of-course AP exams by creating support systems for AP students, such as resource centers and programs to recognize student accomplishments. In addition, the Superintendent or designee shall explore partnerships with colleges and universities to help encourage students to pursue postsecondary education.

(cf. 5126 - Awards for Achievement)

(cf. 6164.2 - Guidance/Counseling Services)

ADVANCED PLACEMENT (continued)

To increase the capacity of district schools to offer AP courses, the Superintendent or designee shall provide staff development and support to teachers of such courses. This professional development may include, but not be limited to, opportunities for teachers to obtain information on the curriculum of specific courses, instructional methods, and data-driven decisions making; mentoring for prospective teachers of AP courses; and opportunities for staff within the district to share course syllabi and practices.

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

(cf. 4113 - Assignment)

(cf. 4131 - Staff Development)

The Board desires that every district AP course receive authorization to use the AP designation by the College Board. To that end, the Superintendent or designee shall coordinate the process for submitting courses for approval as part of the AP course audit.

Legal References: See Next Page

ADVANCED PLACEMENT (continued)

Legal Reference:

EDUCATION CODE

52240-52244 [3] Advanced Placement program

CODE OF REGULATIONS, TITLE 5

3840 Advanced Placement as program option for gifted and talented students

UNITED STATES CODE, TITLE 20

6534 Advanced Placement exam fee program

Management Resources:

WEB SITES

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

Advancement Via Individual Determination: <http://www.avid.org>

California Colleges.edu: <http://californiacolleges.edu>

California Department of Education

<http://www.cde.ca.gov>

College Board: <http://www.collegeboard.org/ap>

International Baccalaureate: <http://www.ibo.org>

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

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

HISTORY-SOCIAL SCIENCE INSTRUCTION

The Board of Trustees believes that the study of history and other social sciences is essential to prepare students to engage in responsible citizenship, comprehend complex global interrelationships, and understand the vital connections among the past, present, and future. The district's history-social science education program shall include, at appropriate grade levels, instruction in American and world history, geography, economics, political science, anthropology, psychology, and sociology.

(cf. 6115 - Ceremonies and Observances)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)
(cf. 6142.3 - Civic Education)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)

The Board shall adopt academic standards for history-social science which meet or exceed state content standards and describe the knowledge and skills students are expected to possess at each grade level.

(cf. 6011 - Academic Standards)

The Superintendent or designee shall develop and submit to the Board for approval a comprehensive, sequential curriculum aligned with the district standards and is consistent with the state's curriculum framework.. The curriculum shall be designed to develop students' core knowledge in history and social science and their skills in chronological and spatial thinking, research, and historical interpretation. History-social science instruction shall also include an explicit focus on developing students' literacy in reading, writing, speaking, listening, and other language skills.

(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 9000 - Role of the Board)

The Board shall adopt standards-aligned instructional materials for history-social science in accordance with applicable law, Board policy, and administrative regulation. In addition, teachers are encouraged to supplement the curriculum by using biographies, original documents, diaries, letters, legends, speeches, other narrative artifacts, and literature from and about the period being studied.

(cf. 0400 - District Technology Plan)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 6163.1 - Library Media Centers)

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

Personal testimony from persons who can provide first-hand accounts of significant historical events is encouraged and may be provided through oral histories, videos, or other multimedia formats. If oral history is used for instruction related to the role of Americans in World War II or the Vietnam War, such testimony shall exemplify the personal sacrifice and courage of the wide range of ordinary citizens who were called upon to participate in the war, provide views and comments concerning reasons for participating in the war, and provide commentary on the aftermath of the war in Eastern Europe and the former Soviet Union. (Education Code 51221.3, 51221.4)

The Superintendent or designee shall provide a standards-based professional development program designed to increase teachers' knowledge of adopted instructional materials and instructional strategies for teaching history-social science.

(cf. 4131 - Staff Development)

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation and effectiveness of the history-social science curriculum at each grade level, including, but not limited to, the extent to which the program is aligned with state standards, any applicable student assessment results, and feedback from students, parents/guardians, and staff regarding the program.

(cf. 0500 - Accountability)

(cf. 6162.51 - Standardized Testing and Reporting Program)

Legal Reference:**EDUCATION CODE**

- 33540 History-social science curriculum framework
- 51008-51009 Instruction on farm labor movement
- 51204 Course of study designed for student's needs
- 51204.5 History of California; contributions of men, women, and ethnic groups
- 51210 Course of study, grades 1-6
- 51220 Course of study, grades 7-12
- 51220.2 Instruction in legal system; teen or peer court programs
- 51221 Social science course of study, inclusion of instruction in use of natural resources
- 51221.3-51221.4 Instruction on World War II and Vietnam War; use of oral histories
- 51225.3 High school graduation requirements
- 51226.3 Instruction on civil rights, genocide, slavery, Holocaust, and deportation to Mexico
- 51226.7 Ethnic studies
- 60040-60051 Criteria for instructional materials
- 60119 Public hearing on the sufficiency of instructional materials
- 60200-60206 Instructional materials, grades K-8
- 60400-60411 Instructional materials, grades 9-12
- 60420-60424 Instructional Materials Funding Realignment Program
- 60640-60649 Standardized Testing and Reporting Program
- 99200-99206 Subject matter projects

HISTORY-SOCIAL SCIENCE INSTRUCTION (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

History-Social Science Framework for California Public Schools, Kindergarten Through Grade Twelve, rev. 2016

Common Core State Standards for English Language Arts and Literacy in History-Social Studies, Science, and Technical Subjects, 2013

California English Language Development Standards, 2012

Model Curriculum for Human Rights and Genocide, 2000

History-Social Science Content Standards for California Public Schools, Kindergarten Through Grade Twelve, October 1998

NATIONAL COUNCIL FOR THE SOCIAL STUDIES PUBLICATIONS

College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History, 2013

WEB SITES

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

California Council for History Education: <http://www.csus.edu/al/cche>

California Humanities: <http://www.calhum.org>

California Council for the Social Studies: <http://www.ccss.org>

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

California History-Social Science Course Models: <http://www.history.ctaponline.org>

California Subject Matter Project: <http://csmf.ucop.edu>

National Association for Multicultural Education: <http://www.nameorg.org>

National Council for History Education: <http://www.nche.net>

National Council for the Social Studies: <http://www.socialstudies.org>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

EDUCATION FOR HOMELESS CHILDREN

The Board of Trustees desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students.

(cf. 6011 – Academic Standards)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines. (42 USC 11432)

(cf. 3250 - Transportation Fees)

(cf. 3260 - Fees and Charges)

(cf. 5113.1 - Chronic Absence and Truancy)

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students (Education Code 52052, 52060)

(cf. 0460 – Local Control and Accountability Plan)

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, include the district liaison's contact information on the district and school web sites, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

(cf. 1113 - District and School Web Sites)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

EDUCATION FOR HOMELESS CHILDREN

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g. (42 USC 11432)

(cf. 5125 - Student Records)

(cf. 5125.1 - Release of Directory Information)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6174 - Education for English Language Learners)

(cf. 6177 - Summer Learning Programs)

(cf. 6178 - Career and Technical Education)

(cf. 6179 - Supplemental Instruction)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students. (42 USC 11432, 11433)

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

(cf. 3553 - Free and Reduced Price Meals)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related

EDUCATION FOR HOMELESS CHILDREN

support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other interdistrict activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

(cf. 1020 - Youth Services)

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness. (42 USC 11432)

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement, test results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

(cf. 0500 - Accountability)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference: see next page

EDUCATION FOR HOMELESS CHILDREN

Legal Reference:

EDUCATION CODE

2558.2 *Use of revenue limits to determine average daily attendance of homeless children*

39807.5 *Payment of transportation costs by parents*

48850 *Educational rights; participation in extracurricular activities*

48852.5 *Notice of educational rights of homeless students*

48852.7 *Enrollment of homeless students*

48915.5 *Recommended expulsion, homeless student with disabilities*

48918.1 *Notice of recommended expulsion*

51225.1-51225.3 *Graduation requirements*

52060-52077 *Local control and accountability plan*

CODE OF REGULATIONS, TITLE 5

4600-4687 *Uniform complaint procedures*

UNITED STATES CODE, TITLE 20

1087vv *Free Application for Federal Student Aid; definitions*

1232g *Family Educational Rights and Privacy Act*

6311 *Title I state plan; state and local educational agency report cards*

UNITED STATES CODE, TITLE 42

11431-11435 *McKinney-Vento Homeless Assistance Act*

12705 *Cranston-Gonzalez National Affordable Housing Act; state and local strategies*

Management Resources:

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CALIFORNIA DEPARTMENT OF EDUCATION

Homeless Education Dispute Resolution Process, January 30, 2007

NATIONAL CENTER FOR HOMELESS EDUCATION PUBLICATIONS

Homeless Liaison Toolkit, 2013

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Dear Colleague Letter, July 27, 2016

Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2016

WEB SITES

California Child Welfare Council:

<http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Homeless Children and Youth Education:

<http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

CONTINUATION EDUCATION

The Board of Trustees shall provide a continuation education program as an option for at-risk students who may need a flexible educational environment. The continuation education program shall be designed to meet the educational needs of each student, provide an opportunity for participating students to complete the required course of instruction necessary to graduate from high school, emphasize occupational orientation or a work study schedule, and offer intensive guidance services.

(cf. 6146.1 – High School Graduation Requirements)
(cf. 6146.1 – Alternative Credits Toward Graduation)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work Experience Education)

The continuation education program shall be aligned with the goals identified in the district's local control and accountability plan, designed and implemented in collaboration with other high schools within the district, and coordinated with other educational options available to district students.

(cf. 0420.4 – Charter School Authorization)
(cf. 0460 – Local Control and Accountability Plan)
(cf. 6158 – Independent Study)
(cf. 6172 – Gifted and Talented Student Program)
(cf. 6181 – Alternative School Programs of Choice)
(cf. 6183 – Home and Hospital Instruction)
(cf. 6183 – Community Day School)
(cf. 6200 – Adult Education)

The Superintendent or designee shall appoint a director of continuation education who shall be responsible for the organization and administration of the district's continuation education program and guidance, placement, and follow-up services for participating students. (5 CCR 11000, 11003)

The continuation high school shall be conducted for not less than 175 days during a school year. The Board may maintain continuation classes during the district's regular school hours, during special school hours for these classes established by the Board, or during such hours and for such length of time during the day or evening that adult education classes are maintained. (Education Code 48434; 5CCR 11004)

(cf. 6111 – School calendar)
(cf. 6112 - School Day)

Students eligible for continuation education classes shall be age 16 or 17 years at the time of their enrollment and shall not have graduated from high school. (Education Code 4800, 48413)

CONTINUATION EDUCATION (continued)

A student may be involuntarily transferred into a continuation education program in accordance with law and administrative regulation. (Education Code 48432.5)

The Superintendent or designee shall develop administrative regulations governing the involuntary transfer of students into the continuation education program in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes as in order to receive special attention such as individualized instruction. (Education Code 48432, 48432.3, 48432.5)

Priority for voluntary enrollment in continuation classes shall be given to students who need credit recovery in order to graduate with their peers and to students who, due to employment, pregnancy, parenting responsibilities, or other circumstances, are unable to attend a comprehensive high school. A student with disability shall be admitted only if his/her individualized education program specifically states that a continuation high school setting meets his/her needs.

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

(cf. 5147 – Dropout Prevention)

(cf. 6159 – Individualized Education Program)

Enrollment criteria shall be applied consistently throughout the district. (Education Code 48432.3)

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

Students may be enrolled in a regional occupational center or program within the county in lieu of, or in combination with, continuation education. (Education Code 48432)

(cf. 6178.2 – Regional Occupational Center/Program)

Students otherwise subject to compulsory attendance in continuation education classes may be exempted if they meet any of the conditions specified in Education Code 48410 and AR 5112.1 – Exemptions from Attendance.

(cf. 5112.1 - Exemptions from Attendance)

The Superintendent or designee shall regularly evaluate the effectiveness of district continuation education programs and report these evaluation results to the Board. Indicators may include, but not be limited to, disaggregated data on student enrollment, student assessment results, and graduation rates.

CONTINUATION EDUCATION (continued)

(cf. 0500 - Accountability)
(cf. 6162.5 – Student Assessment)
(cf. 6162.51 – State Academic Achievement Tests)
(cf. 6162.52 – High School Exit Examination)
(cf. 6190 – Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

46170 Minimum school day for continuation schools and classes
48400-48454 Compulsory continuation education in general, especially:
48400 Weekly minimum attendance requirements
48402 Minors not regularly employed
48410-48416 Compulsory continuation education
48430-48438 Continuation classes
48450-48454 Violation
48900 Grounds for suspension and expulsion
48900.5 Student discipline
48903 Limitations on days of suspension
51224-51225.3 Courses of study
60850-60856 High school exit examination

FAMILY CODE

7000-7002 Emancipation of minors law
7050 Purposes for which emancipated minor considered an adult

CODE OF REGULATIONS, TITLE 5

11000-11010 Continuation education

COURT DECISIONS

Nathan G v. Clovis Unified School District (2001) Cal.App.5th (No. F065485)

Management Resources:

John W. Gardner Center for Youth and Their Communities Publications
Raising the Bar, Building Capacity: Driving Improvement in California's Continuation High Schools, May 2012
Intake Processes at Continuation High Schools: Shaping School Climate Through Selection and Enrollment Strategies, February 2011

WEB SITES

California Continuation Education Association: <http://www/cceanet.org>
CDE: www.cde.ca.gov
John W. Gardner Center for Youth and Their Communities, Stanford School of Education: <http://jgc.stanford.edu>

Policy
adopted:

BLACK OAK MINE UNIFIED SCHOOL DISTRICT
Georgetown, California

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.3 Non-Public School Master Contract

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent
Dr. Cerrene Cervantes, Coordinator Student Services

RECOMMENDATION: It is recommended that the Board of Trustees consider taking action to approve the Non-Public School Master Contracts with Sierra Foothill Academy for the remainder of the 2016-17 School Year.

BACKGROUND: One student has been placed at Sierra Foothill Academy for the remainder of the 2016-17 School Year. This contract is provided to the Board under separate cover.

**MINUTES OF A REGULAR MEETING
OF THE BLACK OAK MINE UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
December 8, 2016**

<u>CALL TO ORDER</u>	19.4	The Meeting of the Board of Trustees was called to order by President Darcy Knight & Jeff Burch, at 6:30 P.M. at 6540 Wentworth Springs Road, Georgetown, California Present: Darcy Knight, Jeff Burch, Joe Scroggins,, Ronnie Ebitson and Jeremy Meyers, Superintendent. Bill Drescher arrived at 6:40P.M.
<u>SWEARING IN OF NEW OFFICERS</u>		Mr. Meyers swore in Board Members, Mrs. Darcy Knight and Mr. Joe Scroggins.
<u>PUBLIC COMMENT ON CLOSED SESSION AGENDA</u>		None
<u>CLOSED SESSION</u>		The Board met in Closed Session at 6:30 P.M. and discussed: 4.1 Public Employee Employment –Certificated Leave of Absence .2FTE, Teacher GSJSHS 4.2 Conferenced with Mr. Jeremy Meyers and Mrs. Shelly King, District Labor Negotiators, regarding labor negotiations with the Black Oak Mine Teachers Association and the California School Employee Association, Gold Chain Chapter #660 4.3 Superintendent Evaluation
<u>OPEN SESSION</u>		The Open Session of the Board convened at 7:10 P.M. Present: Board members, Members of the audience (including staff/community)
<u>DISCLOSURE OF ACTION TAKEN IN CLOSED SESSION</u>		4.1 Approved Leave of absence It was moved by Mrs. Knight, and seconded by Mr. Drescher, and carried unanimously to approve requested Leave of Absence for .2 FTE Teacher at GSJSHS. 4-0 Vote Mr. Drescher arrived after 4.1 4.2 Negotiations 4.3 Superintendent Evaluation
<u>PLEDGE OF ALLEGIANCE</u>		The Pledge of Allegiance was led by Mrs. Sally Dyck.
<u>ORGANIZATIONAL ACTIONS</u>		
2017 Board President ACTION M-16-104		It was moved by Mr. Ebitson, seconded by Mrs. Knight, and to elect Mr. Burch as the Board President for 2017 Calendar year beginning December 8, 2016. 3-1-1 Vote Scroggins N Knight Y Burch Y Drescher Abstained Ebitson Y At this point, Mr. Burch took over as President of the Board and led the rest of the Board meeting.
2017 Board Vice President ACTION M-16-105		It was moved by Mr. Scroggins, seconded by Mr. Ebitson, and carried unanimously to elect Mr. Drescher as the Board Vice President for 2017 Calendar year beginning December 8, 2016. 5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y
2017 Board Clerk ACTION M-16-106		It was moved by Mr. Scroggins, seconded by Mr. Drescher, and carried unanimously to elect Mrs. Knight as the Board Clerk for 2017 Calendar year beginning December 8, 2016. 5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y
2017 Representative to the El Dorado County School Board Association ACTION M-16-107		It was moved by Mr. Scroggins, seconded by Mr. Ebitson, and carried unanimously to elect Mrs. Knight as the Representative to the El Dorado County School Board Association for 2017 Calendar year beginning December 8, 2016. 5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y
2017 Representative to the LCAP Curriculum Council ACTION M-16-108		It was moved by Mrs. Knight, seconded by Mr. Ebitson, and carried unanimously to elect Mr. Drescher as the Representative to the LCAP Curriculum Council for 2017 Calendar year beginning December 8, 2016. 5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

2017 Representative to the
LCAP-BAC
ACTION M-16-109

It was moved by Mr. Scroggins, seconded by Mr. Knight, and carried unanimously to elect Mr. Burch as the Representative to the LCAP-BAC for 2017 Calendar year beginning December 8, 2016.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

2017 Representative to the
Citizen's Bond Oversight
Committee (CBOC)
ACTION M-16-110

It was moved by Mr. Knight, seconded by Mr. Drescher, and carried unanimously to elect Mr. Scroggins as the Representative to the CBOC for 2017 Calendar year beginning December 8, 2016.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

2017 Superintendent
Appointments
ACTION M-16-111

It was moved by Mr. Scroggins, seconded by Mrs. Knight, and carried unanimously to appoint Mr. Jeremy Meyers as Secretary to the Board of Trustees, representative to the Joint Powers Association and Coordinator for the District Regarding Compliance with Civil Rights, Title IX, Asbestos Abatement (ASHERA), Affirmative Action and regulations relative to disabled person for 2017 Calendar year beginning December 8, 2016.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

2017 Board Meeting Calendar
ACTION M-16-112

It was moved by Mr. Scroggins, seconded by Mrs. Knight, and carried unanimously to approve the 2017 Board Meeting Calendar.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

ADOPTION OF THE
AGENDA
ACTION M-16-113
COMMUNICATIONS

It was moved by Mr. Scroggins, seconded by Mr. Ebitson, and carried unanimously to adopt the agenda.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

Written Communications
Oral Communications

None

None

EXCELLENCE IN
EDUCATION

Tyler Witten was recognized for his help at GSJSHS with technical support to staff and students.

B.O.M.T.A. REPORT

President of BOMTA gave a report to the Board of Trustees.

C.S.E.A. REPORT

No CSEA representative present

STUDENT

Kealey Widman, Student Rep, was absent

REPRESENTATIVE TO THE
BOARD REPORT

FMOTC REPORT

Mark Koontz gave a report to the Board of Trustees

SITE ADMINISTRATORS

Administrators gave a report to the Board of Trustees

REPORT

SUPERINTENDENT'S

Superintendent Meyers gave a report to the Board of Trustees

REPORT

NEW BUSINESS

First Interim Report

Mrs. Tricia Kowalski presented the First Interim Report to the Board of Trustees.

ACTION M-16-114

It was moved by Mr. Knight, seconded by Mr. Drescher, and carried unanimously to certify the District's financial position as "Qualified," for the First Interim Report for the period ending October 31, 2016.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

District Student Calendars for
2017-18 & 2018-19

It was moved by Mr. Scroggins, seconded by Mrs. Knight, and carried unanimously to approve Option A calendar for 2017-18 and Option A calendar for 2018-19 with the amendment of moving Easter Break up one week on both calendars.

ACTION M-16-115

3-2 Vote Scroggins Y Knight Y Burch Y Drescher N Ebitson N

College Readiness Block Grant
Expenditure Plans

It was moved by Mr. Scroggins, seconded by Mr. Ebitson, and carried unanimously to approve the College Readiness Block Grant Expenditure Plans for BOMUSD and ARCS.

ACTION M-16-116

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

Special Board Meeting Minutes
ACTION M-16-117

It was moved by Mr. Scroggins, seconded by Mrs. Knight, and carried unanimously to approve the Board minutes for the Special Board Meeting on November 17, 2016.

4-1 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Abstained

INFORMATION AND
DISCUSSION

Golden Sierra Junior Senior
High School ASB Account
Update
CSBA Board Policy & Bylaw
Updates

CSBA Conference

CONSENT AGENDA
ACTION M-16-118

Second Reading and Adoption
of the CSBA Updated / Revised
Board Policy/Bylaws
MOU Between BOMUSD and
GTUSD for the Mental Health
Therapist
Board Meeting Minutes
Purchase Orders, Warrants,
Bids and Quotes

Gifts

Field Trips

REPORTS OF THE BOARD
OF TRUSTEES

FUTURE MEETINGS

ADJOURNMENT

Respectfully submitted,

Jeremy Meyers
Secretary to the Board

Mrs. Kowalski gave an update to the Board of Trustees on the Golden Sierra Junior Senior High School ASB Account.

The Board of Trustees will consider reviewing and revising CSBA Board Policy and Bylaws.

It was asked by the BOT to bring BP 420 back to vote as a separate item in Old Business in January.

The Board of Trustees shared about the 2016 Annual CSBA Conference.

The Board talked about a safety class that was very informative and how we need to practice an emergency drill involving parents and how they would pick up their students.

It was moved by Mrs. Knight, seconded by Mr. Scroggins and carried unanimously to approve the Consent Agenda.

5-0 Vote Scroggins Y Knight Y Burch Y Drescher Y Ebitson Y

Adopted the CSBA Updated / Revised following Board Policy/Bylaws:

1312.3, 3230, 5145.3 and 5145.7

Approved the MOU Between BOMUSD and GTUSD for the Mental Health Therapist

Approved the minutes for the Board Meeting on November 10, 2016

Approved the 2016-17 fiscal year Batch Numbers 7030-7036 dated November 1, 2016 through November 17, 2016 for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund for a total of \$1,258,594.68

Accepted the gifts donated

Approved the overnight field trips

The next regular meeting of the Board is January 12, 2017 7:00 PM District Office

The next Special meeting of the Board is January 19, 2017 6:00 PM District Office

The meeting was adjourned at 9:18 P.M.

Jeff Burch
President of the Board

Date

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.5 Purchase Orders, Warrants, Bids and Quotes

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that 2016-17 fiscal year Batch numbers 7037-7045 dated November 30, 2016 to December 21, 2016, for General Fund, Charter School Fund, Cafeteria Fund, Building Fund, and School Facilities Fund, for a total of \$563,434.84 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
General Fund 01	534,208.38
Charter School Fund 09	10,138.32
Cafeteria Fund 13	15,103.24
Deferred Maintenance Fund 14	3,949.05
Fund 75	35.85
Total	563,434.84

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.6 Gifts

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the board of trustees consider taking action to accept the gift(s) donated.

BACKGROUND: The following gift(s) were donated to the District:

1) Tucker Stapleton donated a \$200.00 cash donation to Northside School to be used as needed.

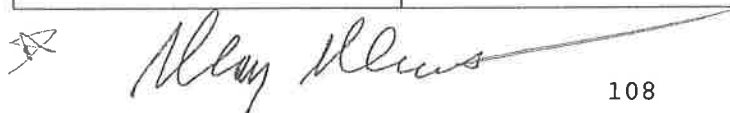
Pursuant to District practice, the Board of Trustees may accept on behalf of and for the District, any bequest, gift of money, or gift of property that is presented to the District. The donor may request that the donation be used for a specific program or at a specific school site. A letter of appreciation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

BLACK OAK MINE UNIFIED SCHOOL DISTRICT

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

Request for Board Acceptance of Gift

To:	Jeremy Meyers, Superintendent
From:	Northside
Re:	Request for Board Acceptance of Gift
Date:	11/29/16
Description of Gift:	check from Tucker Stapleton donation
Donor Estimated Value:	\$ 200.00
Donated By:	Tucker Stapleton
Mailing Address:	PO Box 144 Cool, CA 95614
Donor Requests Gift To Be Used At/For:	School Weeds



BLACK OAK MINE UNIFIED SCHOOL DISTRICT

AGENDA ITEM: 19.7 Field Trips

MEETING DATE: January 12, 2017

FROM: Mr. Jeremy Meyers, Superintendent

RECOMMENDATION: It is recommended that the Board of Trustees approve the overnight field trips.

BACKGROUND: Field trip request forms for trips over 200 miles radius one way or overnight are due to the district office 45 days prior to requested departure. These trips are required to have board approval.

The following trips are being requested:

The Golden Sierra Junior Senior High School Wrestling Team is requesting approval for (4) overnight Wrestling Tournaments to: Bakersfield on March 3-4, 2017

**BLACK OAK MINE UNIFIED SCHOOL DISTRICT
FIELD TRIP REQUEST FORM**

FOR LOCAL TRIPS, FORMS ARE DUE TO SCHOOL OFFICE AT LEAST 20 DAYS PRIOR TO DEPARTURE. FORMS FOR TRIPS OVER A 200 MILE RADIUS ONE WAY OR OVERNIGHT ARE DUE 45 DAYS PRIOR TO REQUESTED DEPARTURE. (Exceptions are made for league changes in athletic schedules and playoffs.)

Date leaving: 3/2/17 Destination: Bakersfield
 Date returning: 3/4/17 Time leaving: 8:00 am
 Est. time of return: 9:00 pm
 School: GSTIS Dept. Athletics Club or Org.: Wrestling
 Trip Supervisor: Arena # of Students: 2 # of Staff: 1 # of Chaperones: 1
 Place of Departure: GSTIS
 Mode of Transportation: Walking ☐ School Bus ☒ School Van ☐ Public Transportation ☐ Private vehicles ☒
 Total Estimated Cost of Trip: _____ Funding Source: _____

FOR TRIPS OTHER THAN EXTRA CURRICULAR

Educational purpose of trip and relationship to class or group curriculum: _____

 Lead up activities, trip activities, and follow up activities: _____

FOR TRIPS USING SCHOOL BUSES

Itinerary (Please include all stops, approximate times of stops and phone number of destination if bus parking needs to be arranged.) If unanticipated stops are needed, i.e. student sickness, rest stops, etc., bus driver has the authority to change the itinerary. SCHOOL BUSES ARE ALLOWED TO STOP ONLY AT DESIGNATED STOPS AS LISTED IN THE ITINERARY.

Dinner stop?

For Transportation Department Use Only

Driver: _____ Van# _____ Bus # _____
 Leave _____ A.M. _____ P.M. Leave _____ A.M. _____ P.M.
 Return _____ A.M. _____ P.M. Return _____ A.M. _____ P.M.
 Total Hours _____ Total Hours _____

BILLING:

Hours _____ O.T. _____ Miles _____
 Rate @ \$ _____ Rate @ \$ _____ Rate @ \$ _____
 Total \$ _____ \$ _____ \$ _____

Transportation Department Signature: _____
 Reason for Denial: _____

ODOMETER READING (MILEAGE)

Ending _____
 Beginning _____
 Total Miles _____

Total Wages \$ _____
 Total Mileage \$ _____
 TOTAL CHARGES \$ _____

Date _____ Approved _____ Denied _____

Requested by: Keith Bush Keith Bush Date: 11/16/16
 Print Name Signature

Principal/Site Administrator Signature: [Signature] Date: 11/17/16 Approved ☒ Denied ☐

Superintendent's Signature: [Signature] Date: 11/17/16 Approved ☒ Denied ☐

Date of Board Action (for overnight trips or over 200 mile radius one way): _____ Approved _____ Denied _____

Reason for Denial: _____