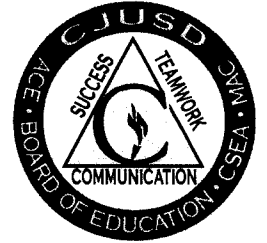


Colton Joint Unified School District

1212 Valencia Drive * Colton, CA 92324-1798 * (909) 580-5000



BOARD OF EDUCATION REGULAR MEETING

October 18, 2007

5:30 p.m. – Public Session

Public Comment to Precede Action Sessions

Closed Session to Commence following Action Sessions

***Location: Colton JUSD Student Services Center
Board Room
851 South Mt. Vernon Avenue
Colton, California***

AGENDA

I. CALL TO ORDER

Roll Call

Mr. Frank A. Ibarra (President)	_____
Mr. Kent Taylor (Vice President)	_____
Mrs. Marge Mendoza-Ware (Clerk)	_____
Mr. Mel Albiso	_____
Mr. Robert D. Armenta, Jr.	_____
Mr. Mark Hoover	_____
Mr. David R. Zamora	_____
Mr. James A. Downs	_____
Mr. Casey Cridelich	_____
Mr. Jerry Almendarez	_____
Mrs. Yolanda Cabrera	_____
Mr. Rick Dischinger	_____
Dr. Diane D'Agostino	_____
Mrs. Bertha Arreguín	_____
Mrs. Alice Grundman	_____
Mr. Roger Kowalski	_____
Mrs. Ingrid Munsterman	_____
Mrs. Julia Nichols	_____
Ms. Sosan Schaller	_____
Mr. Michael Townsend	_____
Ms. Katie Orloff	_____
Mrs. Chris Estrada	_____

II. PUBLIC SESSION 5:30 p.m. Renewal of the Pledge of Allegiance

Announcement Regarding Public Comment for Closed Session, Agendized Action Items and Non-Agendized Items (Gov. Code 54954.3[a])

Board President clarifies the process regarding public comment and requests that the appropriate "Public Comment Card" be filled out *completely*. At the appropriate time during the Hearing Session, each speaker will be invited to the podium and should begin by stating his or her name and residing city. *No more than three minutes will be allotted to any speaker and no more than fifteen minutes per subject unless authorized by the Board President* (BP 1245).

Blue card—Specific Closed Session, Agendized Consent, Action or Study and Information Item: Please list the specific agenda item number and subject

White card—Non-Agendized Items: Please list topic / subject

III. HEARING SESSION / PUBLIC SESSION

1. Student Reports—Slover Mt. Continuation High School
2. Proposed Single-Track Schedule (4M Track) -- Staff Presentation
3. Public Comment: Specific Closed Session Items
(blue card; list agenda item # and subject)
4. Public Comment: Specific Agendized Consent & Action Items
(blue card; list agenda item # and subject)
5. Public Comment: Non-Agendized Items or Other Subjects
(white card; list topic)

IV. ACTION SESSION

A. Consent Items

The following Consent Items are expected to be routine and non-controversial. They will be acted upon by the Board of Education at one time unless a Board Member, a staff member, or a member of the public requests that an item be held for discussion or deferred for separate action.

On motion of Board Member _____ and _____, the Board approved Consent Items #A-1 through #A-9.

1. Approval of Minutes (October 4, 2007)
2. Approval of Student Field Trips
3. Approval of Consultants for Assembly Presentations
4. Approval of Consultants for Staff Development
5. Approval to Apply for the Nell Soto Parent/Teacher Involvement Grant Program for Colton High School (2008-09)

6. Approval to Subscribe to AT & T Language Line Services, Inc. for K-12 School Sites (2007-08)
7. Approval of the Student Performance Plans for Categorical Programs (2007-08; All Sites)
8. Acceptance of Gifts
9. Authorization for the Superintendent or the Assistant Superintendent of Business to Enter into Agreements with Colleges and Universities for Student Teaching and/or Internships (University of Phoenix; Beginning October 2007)

B. Deferred Item(s)

C Action Items

10. Approval of Personnel Employment
11. Approval of Conference Attendance
12. Approval of Purchase Orders
13. Approval of Disbursements
14. Approval of Five-Year *Agreement with the San Bernardino County Superintendent of Schools Office for Fingerprint Services (July 1, 2007 through June 30, 2012; *No. 07/08-0545)
15. Ratification of Payment for Consultant Services at Crestmore Elementary School (August 22, 2007)
16. Adoption of New Board Policy (Business Services)
BP 3311 Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

V. STUDY, INFORMATION & REVIEW SESSION

1. Personnel -- Resignations
2. Associated Student Body (ASB) Financial Reports—as of September 30, 2007
3. Review of the July 1, 2007 GASB 45 Actuarial Retiree Benefits Valuation Report
4. Proposed Amendment by Substitution and Adoption of New Board Policy and Administrative Regulations (*Human Resources*)
BP 4112.21 Interns (replaces 6600)
AR 4112.21 Interns (new)
AR 4112.22 Staff Teaching Students of Limited English Proficiency (new)
AR 4212.22 Staff Teaching Students of Limited English Proficiency (new)
5. Proposed Amendment by Substitution of Board Policy
BP 3140 Use of Facilities

6. Board Bylaws (9000 Series)
7. Superintendent's Communiqué
8. ACE Representative
9. CSEA Representative
10. MAC Representative
11. ROP Board Members
12. Correspondence

VI. **CLOSED SESSION** Following action items: Board Room, Student Services Center, 851 So. Mt. Vernon Ave., Colton, California (Government Code 54950 et seq.)

1. Student Discipline

2. Personnel

- ◆ Public Employee: Discipline / Dismissal / Release / Reassignment (Gov. Code 54957)
- ◆ Public Employee: Superintendent's Evaluation Document / Contract
- ◆ Public Employee: Employment/Appointment
Title: Elementary Assistant Principal (2)

3. Inter-District Transfer — Appeal

4. Conference with Real Property Negotiator (Gov. Code 54956.8)

Property: APNs 1167-151-37; 1167-151-32, 33, 34; 1167-151-31, 43, 44;
1167-151-35, 36, 38, 39; 1164-151-65, 01, 02; 1167-151-45;
1167-151-59, 58, 60

District Negotiators: James Downs, Casey Cridelich, Alice Grundman
Under Negotiation: Relocation Issues

5. Conference with Labor Negotiator

Agency: Jerry Almendarez Assistant Superintendent, Human Resources
Ingrid Munsterman, Director, Human Resources
Employee Organizations: Association of Colton Educators (ACE)
California School Employees' Assoc. (CSEA)
Management Association of Colton (MAC)

VII. **PUBLIC SESSION -- ACTION REPORTED FROM CLOSED SESSION**

VIII. **ADJOURNMENT**

BOARD AGENDA

REGULAR MEETING
October 4, 2007

CONSENT ITEM

TO: Board of Education

PRESENTED BY: James A. Downs, Superintendent

SUBJECT:: Approval of Minutes (October 4, 2007)

GOALS: Student Performance, Personnel Development, Facilities/Support Services, Budget Planning, School Safety & Attendance, Community Relations, & Parent Involvement

RECOMMENDATION: That the Board approve the minutes of the Regular Board of Education Meeting held on October 4, 2007 as presented.

A-1

BOARD OF EDUCATION
Minutes

DRAFT

Regular Meeting
October 4, 2007
5:30 p.m.

The Board of Education of the Colton Joint Unified School District met in Regular Session on Thursday, October 4, 2007, 5:30 p.m. in the Board Room at the CJUSD Student Services Center, 851 So. Mt. Vernon Avenue, Colton, California.

Trustees Present

Mr. Frank A. Ibarra	President
Mr. Kent Taylor	Vice President
Mrs. Marge Mendoza-Ware	Clerk
Mr. Mel Albiso	
Mr. Robert D. Armenta, Jr.	
Mr. David Zamora	

Trustee Absent

Mr. Mark Hoover	(Unexcused)
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Staff Members Present / *Excused

Mr. James A. Downs	Mr. Roger Kowalski
Mr. Casey Cridelich	Mrs. Ingrid Munsterman
Mr. Jerry Almendarez	Mrs. Julia Nichols
Mrs. Yolanda Cabrera	Ms. Sosan Schaller
Mr. Rick Dischinger	Mr. Michael Townsend
Dr. Diane D'Agostino*	Ms. Katie Orloff
Mrs. Bertha Arreguín	Mrs. Chris Estrada
Mrs. Alice Grundman	

Call to Order: Board President Ibarra called the meeting to order at 5:30 p.m. Bloomington High School student Oscar Monroy led in the Renewal of the Pledge of Allegiance to the Flag of the United States of America.

Hearing Session

1. Bloomington High School ASB President Oscar Monroy provided a powerpoint presentation regarding academic programs, CAHSEE results, AVID, WASC six-year accreditation, two awards received by the Counseling Office, senior goals, and various student activities. He introduced Vice President Brandy Aceves and representatives Samantha Moss and Porsha Johnson. Board members and the Superintendent commended the students for their presentation.
2. Employee Recognition: Assistant Superintendent Jerry Almendarez announced the honorees for September, 2007, in recognition of their outstanding service to the District. Board members congratulated the honorees.
 - Cyndie Marksbury, Information Technology Specialist II, District Office (Classified)
 - Ronald Taylor, Athletic Director, Bloomington High School (Certificated)
 - Ernie Guillen, Graphics Supervisor, Print Shop, District Office (Management)
3. Building Success Through Communication and Team Work: Superintendent James Downs introduced Assistant Superintendent Rick Dischinger who provided an overview of several committees convened by the Superintendent when he began his term. He introduced members of the Emblem Committee, Dave Beeson, Julia Nichols, Judy Scates, Katie Orloff, and John Coke, and explained their task of utilizing the "pyramid of success" by John Wooden as a guideline to develop a District emblem to be placed on a lapel pin and distributed to all employees as a symbol representing an "era of change and unity." The emblem represents the Board of Education and the three District groups: ACE (Association of Colton Educators), CSEA (Classified School Employees Association), and MAC (Management Association of Colton). Lapel pins were distributed to Board members and President Ibarra commended the Administration for the "new beginning."

DRAFT

4. Public Input

- a) The following members of the *Kayos Kidz Core Club*, a community involvement youth group, shared information and concerns relative to their organization. The group is comprised of students from local schools that have been organized by a group of parents to positively work on school or youth related issues. They organize fund-raising activities for Bloomington High School, donate funds to various community projects, and address adult groups in various Districts to gain support for their ideas. Their current campaign focuses on safe-driving practices and policies that effect teenage drivers (aka *Forever Kids*), especially to and from school or school-related activities and on weekends.
- Michelle Hileman, a student at Serrano Middle School, shared her accomplishments as a recent member.
 - Robert Morrer, BHS student, spoke about the *Forever Kids Bill* awareness program and asked the Board and Administration to support the proposed bill that would provide funding to implement the program at high schools.
 - Mary Margaret Brewer, BHS student and co leader of the *Kayos Kidz Core Club* spoke about the need to establish school rules relative to transportation options.

By Board consensus, the Superintendent will schedule a meeting with representatives from the club, administration, and Board to discuss issues.

- b) Item A-8: School Instructional Time & Staff Development Reform Program for Wilson Elem. (2007-08): ACE President Ken Johnson stated that while he did not oppose the item he question whether the October 13, 2007 staff development day is in addition to the two buy-back days already authorized or would it replace one scheduled? By consensus, the Superintendent and/or the appropriate administrator will meet with Mr. Johnson to answer the question.
- c) Roberto Talavera, Wilson PTA President, reported that a PTA chapter has been reestablished and distributed membership envelopes. Board members Zamora and Armenta commended Principal Diana Carreon for supporting this effort. In addition, Board member Armenta commented on his recent visit to Wilson School and thanked the administration and staff for the positive experience.

Consent Items	#29	On a motion by Mr. Taylor, seconded by Mr. Albiso and carried on a 6-0 vote (Hoover absent), the Board approved Consent Items #A-1 through #A-11 as presented.
Minutes (9-20-07)	#29.1	The Board approved the Minutes of the Regular Board of Education Meeting held on September 20, 2007, as presented.
Field Trips	#29.2	The Board approved the field trips as listed and authorized the expenditure of funds: SBCP = School-Based Coordinated Program EIA = Economic Impact Aid

CHS (11/2-4/07, F/S/S) To Las Vegas High School in Nevada to compete in the annual *Las Vegas Marching Band Invitational*. Sixty-nine (69) band students (grades 9-12), one (1) certificated staff member and eleven (11) other adults will attend for a cost of \$14,825, to be paid by donations. (District transp. leave 11/2 at 7:30 am, return 11/4 at 5:00 pm)

CMS (11/29/07, Th) To San Bernardino High School for a stage performance of *The Adventures of Don Quixote*. Two hundred (200) students (grades 7-8), five (5) certificated staff members, and eight (8) other adults will attend for a cost of \$3,710, to be paid from SBCP funds (2,750), and Economic Impact Aid funds (\$960). (District transp. leave at 8:30 am, return at 12:30 pm)

Lewis (11/29/07, Th) To the Aquarium of the Pacific in Long Beach to visit the exhibits and become familiar with marine life in their natural habitats. Forty (40) 3rd grade students, two (2) certificated staff members, and two (2) other adults will attend for a cost of \$276, to be paid from SBCP funds. (District transp. leave at 7:40 am, return at 3:40 pm)

BHS (3/30/-4/3/08 S/M/T/W/Th) NJROTC students will travel to Hawaii to participate in the *Hawaii Excursion 2008* event to study the military history of the USA, visit Pearl Harbor, USS Arizona Memorial, Punchbowl National Cemetery, USS Missouri Battleship and Submarine. Twenty-five (25) students (grades 9-12), three (3) certificated staff members, and one (1) other adult will attend for a cost of \$21,000 to be paid by students and parents. (Air transp. leave 3/30 at 8 am, return 4/3 at 8 pm)

Consultants
• Assemblies & Programs

#29.3

The Board approved the assemblies and programs to be presented at District schools as listed and authorized the expenditure of funds:

SBCP = School-Based Coordinated Program

Grand Terrace (10/12/07) Narconon Drug Prevention and Education, Inc. of Los Angeles will provide students with an effective approach to keep kids off drugs by just saying "NO" and by understanding the true effects on the body and mind for a cost of \$550, to be paid by the PTA. (K-6)

Lincoln (10/25/07) Fantastikids, Inc. of Chino will present *Stay Safe from Drugs* to inform students to stay safe from drugs for a cost of \$750, to be paid from SBCP funds. (K-6)

Terrace View (10/29/07) Perfection on Wheels of La Jolla will present a *Red Ribbon Week* assembly to emphasize the importance of making smart choices and setting goals for a cost of \$1,397, to be paid from SBCP funds. (K-6)

Wilson (1/10/08) Children's Theatre Center of New Jersey will present *Arithmetickles* to teach students many ways math is used in everyday situations through creative problem solving for a cost of \$1,200, to be paid from Title 1 funds. (K-6)

Consultants
• Staff Development

#29.4

The Board approved the consultants to present at the District schools listed and authorized the expenditure of funds:

SBCP = School-Based Coordinated Program

District (2007-08, 10 days TBD): Representatives from the San Bernardino County Superintendent of Schools Office will provide training regarding the *District Program Improvement Support Process* for classroom walkthroughs, District School Liaison Team meetings and Resource & Professional Development, for a cost of \$26,660, to be paid from Professional Development funds.

CMS (10/9/07 & 12/4/07): Representatives from the Parent Institute for Quality Education of El Monte will provide parents with strategies to develop skills that will enable them to address the educational needs of their children, for a cost of \$5,250, to be paid from SBCP funds.

CHS (10/19/07): Representatives from Collaborative Learning Inc. of Illinois will provide teachers and administrators training regarding the *Webgrader* school-wide grading program, for a cost of \$4,600, to be paid from High Priority School Grant Program funds.

SSC/Assessment & Evaluation (10/29/07): Fred Britton from Statistical Programming for Social Services Consulting of Santa Monica will provide *Statistical Programming for Social Services (SPSS) Data Software* training to the *Director to use for a more in depth analysis of data results, for a cost of \$1,300, to be paid from Title III funds.
[*Assessment & Evaluation]

BHS Fall Homecoming Dance #29.5
• Castle Park, Riverside
• 10-27-07

The Board approved Bloomington High School's request to hold the fall homecoming dance at Castle Park in Riverside on October 27, 2007, at no cost to the District.

[7 p.m. to 11 p.m.; 10-15 staff members will chaperone approx. 350 students; \$40-\$45 per person—including refreshments; students will provide own transp.; District transp. on request per Board Policy 8265]

BHS Junior/Senior Prom #29.6
• Chandelier Room—Santa Anita
• 4-26-08

The Board approved Bloomington High School's request to hold the junior/senior prom on Saturday, April 28, 2008, in the Chandelier Room at the Santa Anita *race-track grounds at no cost to the District. Students must have a 2.0 GPA from the previous grading period in order to attend.
[*closed on that day]

[8 p.m. to 12 midnight; 10-15 staff members will chaperone approx. 400 students; \$65-\$70 per person—including refreshments; students will provide own transp. District transp. on request per Board Policy 8265]

Honor Music Groups & Choral Clinic Festivals (2007-08) #29.7
• SBCSS

The Board approved District participation in the San Bernardino County Schools honor music groups and choral clinic festivals for the 2007-08 school year as presented, for a cost of \$620, to be paid from General funds.

Instructional & Staff Development Reform Program #29.8
(Buy-Back Day)
• Wilson; 10-13-07
• Mathematics

The Board approved the Instructional Time and Staff Development Reform Program, *buy-back day* at Wilson Elementary School on October 13, 2007, for staff development offerings in mathematics as presented. The program provides compensation to eligible classroom teachers who participate in the trainings, to be paid from the Professional Development Block Grant funds.

Acceptance of Gifts #29.9

The Board accepted monetary gifts from donors (site discretion):

<u>BMS</u>	Target (Minneapolis, MN)	\$51.93
<u>Crestmore</u>	Target (Minneapolis, MN)	\$120.70
<u>D'Arcy</u>	Target (Minneapolis, MN)	\$211.05
<u>Jurupa Vista</u>	Jurupa Vista P.T.A.	\$100
	Target (Minneapolis, MN)	\$186.56

Rogers Target (Minneapolis, MN) : \$127.01 (site beautification)
Slover HS Target (Minneapolis, MN) : \$58.94
Wilson Target (Minneapolis, MN) : \$78.28
 Ecology Auto Parts (Cerritos,CA) \$500

Student Teacher/Intern Agreement #29.10
 • Cal State Poly Technical Univ., Pomona
 • Supt. and Asst. Supt., Business to sign
 • Begin Oct. 2007

The Board approved the agreement with California State Poly Technical University, Pomona, for student teachers/education intern-ship beginning Oct. 2007 as presented. Further, the Board authorized the Superintendent or the Assistant Superintendent, Business, to sign the agreement. Student teachers/interns are covered by the District's Worker's Compensation insurance at no cost to the universities. The agreement on file in the Business Office. [Other agreements were approved 8-16-07]

Unpaid Leave of Absence for Certificated Employee (EIN 3241) #29.11

The Board approved an unpaid leave of absence to the employee listed who will pay for any health insurance premiums, if applicable, as per the current ACE Agreement.

<u>Certificated</u>	<u>Leave</u>
EIN 3241	9-20-07 through 9-28-07

Action Items (C-12 through C-32) #30

On a motion by Mr. Albiso, seconded by Mrs. Mendoza-Ware and carried on a 6-0 vote (Hoover absent), the Board approved action items C-12 through C-32 as presented.

Personnel Employment #30.1

(C-12) The Board approved employment of personnel as presented.

Certificated

<u>Regular Staff</u>	
Brown, Sanya	Language Arts teacher - THMS
Fahring, Kathi	Pre-Kindergarten SDC/SH teacher - Wilson
Gilbert, Kristine	Language Arts teacher - CMS
Sidrys, Raymond	English teacher - CHS

<u>Substitute Teachers</u>	
Alvarez, Alexis	Johnston, Amber
Anderson, Ruth	Muro, Veronica
Brown, Jennifer	Newell, Patrick
Cooper, Rachael	Rodriguez, Magda
Fuzane, Patience	Rossano, Richard
Fuzane, Winnie	Scasserra, Cicely

Classified

<u>Regular Staff</u>	
Bustos, Claudette L.	Asst. Principal's Secretary - BHS
Cervantes, Jessica P.	Language Assistant - Crestmore
Escoto, Edgar A.	D.I.S. Tutor - Birney/Smith
Toledo, Juan A.	Custodian - CMS

<u>Hourly</u>	
Melendez, Lauren	AVID Tutor

Classified (cont.)

<u>Substitutes</u>	
Henderson, Laura	General Clerical
Hernandez, Lisa	General Clerical
Lopez, Patrick	General Laborer
Muro, Holly	Sub Nutrition Services Worker
Snowden, Christie	General Clerical
Thomas, Tifanie	General Clerical

DRAFT

- Assistant Superintendents' Contracts
▪ Curriculum & Instruction
▪ Student Services
- #32.2 (C-13) The Board approved the contracts for the staff members listed, in accordance with Government Code 53262(a):
- Assistant Superintendent, Curriculum and Instruction*
(August 17, 2007 through June 30, 2009)
- Assistant Superintendent, Student Services*
(August 17, 2007 through June 30, 2009)
- Assistant Superintendents' Amended Contracts
▪ Human Resources
▪ Business
- #32.3 (C-14) The Board amended the contracts for the staff members listed, in accordance with Government Code 53262(a):
- Assistant Superintendent, Human Resources*
(July 1, 2007 through June 30, 2009)
- Assistant Superintendent, Business Services*
(October 4, 2007 through June 30, 2009)
- Conference Attendance
- #32.4 (C-15) The Board approved conference attendance as presented, with all necessary expenses to be paid from funds indicated.
- | | |
|---|---|
| Todd Beal - SSC
Director, C.W.A. | CASCWA Truancy Prevention Conf.
(CA Assn. of School Child Welfare & Attend)
October 10-12, 2007 |
| Scott Boggs - BHS | Palm Springs, CA |
| Amanda Corridan - CMS | Homeless Project funds: \$3,739.78 |
| Lisa Mannes - Wilson | |
| Victor Schiro - CHS
Asst. Principal | |
| Susan Haney - CMS
Teacher | Physical Education Summit VII
Oct. 12-14, 2007
Sacramento, CA
Grant funds: \$758.97 |
| Rick Feinstein - DO
Director, Transportation | CalPERS Educational Forum 2007
October 22-24, 2007
Anaheim, CA
General funds: \$753.70 |
| James Western - BHS
Asst. Principal | Read 180 Intervention Convention
Oct. 24-26, 2007
Carlsbad, CA
CAHSEE funds: \$79.68 (mileage cost only) |
| Conferences (cont.) | |
| Angela Eddins - DO
Curriculum Prog. Specialist | Thinking Maps
October 29-30, 2007 |
| Lindy Ward - DO
Curriculum Prog. Specialist | Indio, CA
Title II funds: \$934.98 |
| Juanita Battistone - DO
Benefits Technician | High Desert & Inland Employee/Employer
Trust Annual Board Meeting |
| Rick Feinstein
Director, Transportation | November 1-3, 2007
Temecula, CA |
| Andrew Yasenovsky
Director, Risk Mgmt | General funds: \$840 |

Patrick McKee - **Birney**
Principal
Priya Morlock - **DO**
Curriculum Prog. Specialist

California Math Council-South
Nov. 2-3, 2007
Palm Springs, CA
Title II funds: \$456.77
Title I funds: \$468.74

William Reedy - **BHS**
Teacher

CAWEE Annual Fall Conference
(CA Assn. of Work Exper. Educators)
November 28-30, 2007
Napa, CA
VEA funds: \$1,097.23

- Purchase Orders #32.5 (C-16) The Board approved purchase orders issued as presented. All pertinent information is on file in the Business Office.
- Disbursements #32.6 (C-17) The Board approved payment of disbursements as summarized and listed. All pertinent information is on file in the Business Office.
Batch #0362 through Batch #0428 \$2,472,578.97
- First Apportionment: School Site Discretionary Block Grant #32.7 (C-18) The Board approved the first apportionment for the 2006-07 school site discretionary block grant for *one-time* funds for Crestmore Elementary School in the amount of \$39,030. As required, the School Site Council approved the site plan and accepted the funds.
• 2006-07; *one-time funds*
• Crestmore Elem.
- Agreement Extended for Calvary, the Brook Church #32.8 (C-19) The Board extended the agreement with Calvary, the Brook Church for facility use of Grand Terrace Elementary School from October 7, 2007 through December 2008 as presented. Applicant will continue to pay only the direct costs of operating the facility established at the Board Meeting of August 17, 2006. [Initial agreement approved May 2004; Board Policy 3140(b)(2)(a)]
• Facility Use—Grand Terrace Elem.
(Oct. 2007 through Dec. 2008)
- Agreement w/ HMC Architects for Architectural Services #32.9 (C-20) The Board approved the agreement with HMC Architects for architectural services for the installation of one portable classroom at Slover Mt. Continuation High School as presented, for a cost of \$24,102 for architect's fee, to paid from Fund 25; *reimbursables* in the amount of \$2,500.
• Installation of Portable Classroom
• Slover Mt. H.S.
- Award of Bid 07-10: #32.10 (C-21) The Board awarded *Bid 07-10 to the lowest responsible bidder, *Sturgeon Construction Co., dba SSC*, for installation of a relocatable classroom and site work at Grant Elementary School as presented, for a cost of \$46,000, to be paid from developer fees. (*Public Contract Codes 20111 and 20112)
• Portable Classroom Installation & Site Work (2007-08)
• Grant Elem.
• *Sturgeon Construction Co, dba SSC*
- Award of Bid 07-11: #32.11 (C-22) The Board awarded *Bid 07-11 to the lowest responsible bidder, *Westbrook Fence Company*, for the chain-link fencing project at Lewis Elem. and Colton High School, including additive alternate #1 (Lewis) and additive alternate #2 (CHS) as presented, for a cost of \$72,416, to be paid from deferred maintenance funds. (*Public Contract Codes 20111 and 20112)
• Chain Link Fencing Project
• Lewis & CHS
• Additive Alternate 1 & 2
• *Westbrook Fence Co.*
- Award of Bid 07-12: #32.12 (C-23) The Board awarded Bid 07-12 to the lowest responsible bidder, *Harris Steel Fence Company, Inc.*, for the wrought-iron fencing projects at three schools as presented, for a cost of \$68,302, to be paid from deferred maintenance funds (*Public Contract Codes 20111 and 20112)
• Wrought-Iron Fencing Project
• Rogers, BMS, THMS
• *Harris Steel Fence, Co., Inc*
Schools: Rogers, BMS, THMS

- Award of Bid 07-13: #32.13 (C-24) The Board awarded Bid 07-13 to the lowest responsible bidder, *Lark Construction, Inc.*, for *fire damage repairs at Rogers Elementary School as presented, for a cost of \$114,303, to be paid from Fund 67, Self Insurance Fund. (*Public Contract Codes 20111 and 20112; *sustained 12-24-06; rooms 6,7,8,9)
- Fire Damage
 - Rogers Elem.
 - *Lark Construction, Inc.*
- Resolution 07-14 AMENDED #32.14 (C-25) The Board amended Resolution 07-14, *Approval of Delegation of Authority to Sign Change Orders for Construction Projects for the 2007-08 Fiscal Year*, specifically, the delegation of authority to James A. Downs, Superintendent and Casey Cridelich, Assistant Superintendent, Business Services, to sign change orders to the extent of the lesser of \$80,000 or 10 percent of the original contract price for all District construction projects during the 2007-08 fiscal year as in accordance with Education Code 35161.
- Delegation of Authority to Sign Change Orders for Construction Projects (2007-08)*
- (Supt. & Asst. Supt, Business)
- Excerpt: "...The Board accepts its authority to review and ratify all staff-approved change orders and will determine acceptable alternatives to exercise in the best interest of the District if it chooses to ratify any change order..."
- [Note: Item D-29 was approved on 9-20-07 with the contingency that Resolution 07-14 be amended to include the "specific language" requested and resubmitted for ratification at the subsequent meeting.]
- Resolution 07-19 #32.15 (C-26) The Board adopted Resolution 07-19, *Uniform Public Construction Cost Accounting Procedures (UPCCAP) until revoked*, in accordance with Public Contract Code 22000 et seq., to allow the District to streamline the bidding process by increasing the bid limit for public work projects to \$125,000, and allowing a contract to be let by an informal bid process. This resolution will maintain Public Contract Code contract protection, operate within the law, and will expedite needed services for the Facilities and Maintenance departments. All pertinent information is on file in the Business Office.
- Uniform Public Construction Cost Accounting Procedures (until revoked)*
- Also see Study & Info. Item #5:
Proposed Board Policy 3311
- Note: The resolution also must be adopted and later supported with a Board Policy (See Study Information item #5 -- *First Reading of proposed Board Policy 3311 – Informal Bidding.*)
- Ratification of Change Orders #32.16 (C-27) The Board ratified change orders approved since July 1, 2007, Approved Since 7-1-07 for modernization projects at Smith and Rogers Elementary Schools for a total amount of \$20,612.88 to be paid from Fund 35. All pertinent information is on file in the Business Office.
- Modernization Projects
 - Smith & Rogers Elem.
- | | |
|-----------------------------------|-------------|
| Net Additional construction costs | \$19,086.00 |
| Architect (8%) | 1,526.88 |
- Ratification of Change Orders #32.17 (C-28) The Board ratified change orders approved since July 1, 2007, Approved Since 7-1-07 for modernization projects at Smith and Rogers Elementary Schools for a total amount of \$16,311.24 to be paid from Fund 35. All pertinent information is on file in the Business Office.
- Modernization Project
 - BHS
- | | |
|-----------------------------------|-------------|
| Net Additional construction costs | \$15,103.00 |
| Architect (8%) | 1,208.24 |

Ratification of Change Orders #32.18 (C-29 The Board ratified change orders approved since July 1, 2007, for modernization projects at Smith and Rogers Elementary Schools for a total amount of \$165,204.36 to be paid from Fund 35. All pertinent information is on file in the Business Office.

- Approved Since 7-1-07
- Modernization Project
- CHS

Net Additional construction costs	\$152,967.00
Architect (8%)	12,237.36

Ratification of Change Orders #32.19 (C-30) The Board ratified change orders approved since July 1, 2007, for modernization projects at Smith and Rogers Elementary Schools for a total amount of \$279,739.44 to be paid from Fund 35. All pertinent information is on file in the Business Office.

- Approved Since 7-1-07
- Modernization Project
- CHS—Home Econ Bldg R
- Termite Damage

Net Additional construction costs	\$259,018.00
Architect (8%)	20,721.44

Budget Revision: *High Priority School Grant (HPSG)* #32.20 (C-31) The Board approved the budget revision for the High Priority School Grant for a reallocated amount of \$1,325,600, which will not net an increase cost to the District, as required by law if changes in the previously submitted High Priority Schools Grant budget amounts to more than 10% of the annual grant award. The School Site Council approved the budget revision on 9-13-07.

- CHS (2007-08)

Board member Albiso stressed the importance of guided spending and requested a follow-up report.

Amended by Substitution #32.21 (C-32) The Board amended by substitution and adopted the new Board Policy and Administrative Regulation as presented:

Policy & Admin. Regs (HR)

(Human Resources)

- BP 4112.2 Certification (replaces 6540)
- AR 4112.2 Certification (new)

- BP 4112.2 Certification (replaces 6540)
- AR 4112.2 Certification (new)

Study, Information and Review Session / Public Comment

1. Personnel -- Resignations
2. FMLA Leave for Certificated Employees (EINs 2648, 553)
3. Quarterly Uniform Complaint Report Summary for July, August, September, 2007 (Williams Settlement Legislation)
Information provided (The summary report for April, May and June 2007 was submitted to the Board on August 16, 2007.)
4. Consolidated Expenditure Report—distributed: The report is prepared on a quarterly basis and presented to the Bond Oversight Committee for review. Every facilities project is entered into the Colbi Accounting System, which is a detailed tracking system for all project expenditures. As of September 13, 2007, \$67,567,571 of the bond funds has been utilized for modernization projects at Bloomington, Colton, Smith and Rogers schools. These projects will be completed and closed out by December 2007; High School #3 will have ongoing expenses.

Measure B Reconciliation: -- Issued Bonds: \$102,000,000

Expenditures to Date: (Sept. 2007)

Completed Projects	\$22,385,325
Projects in Process	45,182,246

Designations to Date:

Projects in Process	3,432,429
High School #3	31,000,000

5. First Reading: Adoption of New Board Policy (*Business*; guidelines established by the State Controller's Office) Will be submitted for action at the Board meeting on October 18, 2007. Also see item # 32.15
BP 3311 Informal Bidding Procedures (Under the Uniform Public Construction Cost Accounting Act)
6. Superintendent's Communiqué: Superintendent Downs distributed information regarding an update to the Board log and an update regarding a "student information system" that is currently being researched for possible implementation district wide by July 2009. The program would contain a parental component to allow online access to their student's grades and other information. Additional information will be provided at a later date.
7. ACE President Ken Johnson congratulated the employees of the month, looks forward to working with District staff this new year, and thanked Superintendent Downs for the "employee lapel pin" and the effort set forth for employee unity. He shared concerns regarding the Miller-Pelosi Reauthorization Proposal for the *No Child Left Behind Act of 2001* and the negative impact it would create on certificated staff members. He distributed a copy of a sample resolution opposing the proposal and asked the Superintendent and Board to support their "opposition" stance. President Ibarra commended Ken Johnson for sharing the information, and by Board consensus, the Superintendent will research the issue and draft a sample resolution for Board consideration.
8. CSEA -- no report
9. MAC -- no report
10. ROP -- no report
11. Comments / Requests from Board Members

Mel Albiso requested the following information:

- The criteria described in the principals' evaluation document should be expanded and more specific;
- Review the staffing levels and organization of the Maintenance & Operations Department and develop a plan to decrease the number of deficiencies (Williams compliance issues);
- The number of counselors that are bilingual (AB 1802)
- A Board report regarding district wide procedures relative to handling funds (cash); how will the site recoup missing funds;
- Follow-up to Board Correspondence information regarding alternative programs; By Board consensus, a presentation will be provided regarding the number of students in alternative programs, what support was provided to at-risk students before they enrolled in a alternative program, and what other options are available?
- Research and/or develop a Board Policy to address Board member attendance/absence
- A follow-up report: guided spending relative to the High Priority School Grant budget revision (item #32.20).

David Zamora spoke about the importance of parental access to student grades and information online and is pleased to learn that the District is pursuing this capability. He commented on his visits to Rogers, Grant, Smith and Lewis Elementary Schools accompanied by Superintendent Downs and Board member Mendoza-Ware. He commended the staff for manicured campuses and thanked the school staff for their hospitality.

Robert Armenta commented on his visits to Wilson and Cooley Elementary Schools recently and is glad that the Parent Teacher Association has been reestablished at Wilson.

Marge Mendoza-Ware commented on her recent visits and looks forward to visiting Crestmore soon and plans to visit schools on a regular basis. She thanked Bloomington parent Pat Haro for attending the meetings, mentioned that the Bloomington Christmas parade will be held on December 1st, suggested that the District purchase plexi-glass to protect the quilt that hangs in the Board room, and stated that construction on the Riverside Avenue overpass would begin soon and the closure would impact student transportation for approximately nine months. Superintendent Downs stated that Transportation Director Rick Feinstein would provide an update on the issue.

Kent Taylor commented on his attendance at the Bloomington Middle School GATE parent night and thanked Pat Haro for her assistance in organizing the event. He thanked Assistant Superintendent Yolanda Cabrera for the comprehensive back-up information relative to agenda items.

Frank Ibarra thanked his fellow Board members for upholding the practice of visiting the schools to support the staff and programs, Rick Dischinger for the professionalism displayed by the campus security staff district wide, and Colton High Principal John Coke and Bloomington High School Principal Ignacio Cabrera for the information provided.

Closed Session

- Student Discipline
- Interdistrict Transfer—Appeal
- Personnel
- Real Property Issues
- Labor Negotiators

At 6:47 p.m., Board President Frank Ibarra announced that the Board would recess to Closed Session to discuss agenda items.

Reconvened

- Closed Session Items Reported

The Board meeting reconvened at 7:14 p.m. and Board President Ibarra reported on action taken in Closed Session:

Student Discipline

(Closed Session)

- Student Discipline (1)

#33

On a motion by Mr. Taylor, seconded by Mrs. Mendoza-Ware and carried on a 6-0 vote (Hoover absent), the Board approved *Student Discipline Item (1) 71412* as presented.

Student Discipline

(Closed Session)

- Readmission of 33 Students

#34

On a motion by Mr. Albiso, seconded by Mr. Zamora and carried on a 6-0 vote (Hoover absent), the Board approved the readmission of thirty-three (33) students who have met their plan of rehabilitation and are eligible for readmission in the Colton Joint Unified School District.

Interdistrict Transfer Appeal

(Closed Session)

- Denied

#35

On a motion by Mr. Zamora, seconded by Mr. Albiso and carried on a 6-0 vote (Hoover absent), the Board *denied* the interdistrict transfer appeal filed in the Office of Administrative Services on September 17, 2007.

Elem. Principal Reassignments

(Closed Session)

- Four (4) Principals

#36

On a motion by Mr. Taylor, seconded by Mr. Zamora and carried on a 6-0 vote (Hoover absent), the Board reassigned the elementary principals listed, effective November 1, 2007, as recommended.

Brian Butler	-- Lincoln Elementary
Joseph Adeyemo	-- Terrace View Elementary
Bedalia Valdes	-- Jurupa Vista Elementary
Celia Gonzales	-- Zimmerman Elementary

Administrative Appointment #37
(Closed Session)
• Elementary Principal—Paul J. Rogers
(Lisa Mannes)

On a motion by Mr. Zamora, seconded by Mr. Taylor and carried, the Board appointed the administrator listed:

Lisa Mannes, Principal, Paul J. Rogers Elementary School

Consensus—Contracts Signed #38
(Assistant Superintendents)

By Board consensus, Board President Ibarra will sign the contracts for the four Assistant Superintendents, which were approved as presented. See items C-13 and C-14.

Other Closed Session Items #39
No reportable action
(3 Items)

Other Closed Session Items—*No reportable action*

- ~~Personnel—Asst. Supt Contracts~~
- ~~Real Property Negotiator—High School #3 Issues~~
APNs ~~1167-151-37; 1167-151-32, 33, 34; 1167-151-31, 43, 44;~~
~~1167-151-35, 36, 38, 39; 1164-151-65, 01, 02; 1167-151-45;~~
~~1167-151-59, 58, 60~~
- Labor Negotiators

Superintendent Downs thanked the Board for their support of the administrative appointment and reassignments and President Ibarra congratulated the principals on their new assignments.

Adjournment

At 7:26 p.m., the Board adjourned to the next Regular Board of Education Meeting on October 18, 2007, at the Colton JUSD Student Services Center, 851 South Mt. Vernon Avenue, Colton, California.

BOARD AGENDA

**BOARD MEETING
October 18, 2007**

CONSENT ITEM

TO: Board of Education

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: Approval of Student Field Trips

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the field trips as listed and expend the appropriate funds.

A-2

FIELD TRIPS / Regular Meeting: October 18, 2007

Site	Date	Depart	Return	Destination	Background	Grade/ Target	Teacher	Cost	Funding
Terrace View	10-26-07 (Fri.)	8:00 a.m.	8:00 p.m.	Disney Adventure Park Anaheim, CA (District)	Disney Youth Education Series Students will participate in hands-on activities that enhance the visual and performing arts program	5	Dawn Plumb Denise Green (62) + 8	\$4,060.00	Donations
BHS	11-2-07 (Fri.)	5:30 p.m.	2:00 a.m.	Knott's Berry Farm Buena Park, CA (District)	Knott's Adventure in Education Program sponsoring "AVID Night." To encourage good dialogue and team building in a non-school setting in preparation for college.	9-12	Holly Todd Stacie Ziegler (85) + 5	\$2,790.00	AVID \$665.00 Students \$2,125.00
BHS	11-3-07 (Sat.)	7:30 a.m.	5:00 p.m.	Indio High School Indio, CA (District)	FFA students will participate in the Southern California FFA Leadership Conference	10-12	Marcos Ruiz (6)	\$145.00	Agriculture Incentive Grant
Grand Terrace	12-11-07 (Tues.)	9:00 a.m.	3:30 p.m.	Mission San Juan Capistrano San Juan Capistrano, CA (District)	Student will learn about the mission and how they impacted the social, political and cultural development in California.	4	Sherwin Junio Amy Kowalski Joseph Licon Deborah Manzo-Koontz (113) + 6	\$1,948.00	Donations
THMS	3-7-08 to 3-9-08 (F/S)	6:00 a.m.	2:00 p.m.	Catalina Island Marine Institute-Toyon Bay Catalina Island (District)	Students will study marine life in their natural habitats.	8	Virginia Strong Charisse Riser Rich Lane (62) + 1	\$14,622.00	Donations \$14,122.00 SBCP \$500.00

FIELD TRIPS / Board Meeting: October 4, 2007

Site	Date	Depart	Return	Destination	Background	Gd	Teacher	Cost	Funding
Grand Terrace	6-6-08 (Fri.)	6:45 a.m.	7:00 p.m.	Sea World San Diego, CA (District)	Sixth grade end-of-year activity.	6	Martha Eaton Renee Jones Josie Desmond Jessica Betcher (104) + 8	\$3,480.00	Donations

BOARD AGENDA

REGULAR MEETING
October 18, 2007

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: **Approval of Consultants for Assembly Presentations**

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the assemblies as listed and expend the appropriate funds.

A-3

ASSEMBLIES/PROGRAMS Regular Meeting: October 18, 2007

SITE	DATE	TIME	PROGRAM/PURPOSE	LOCATION	CONSULTANT(S)	COST	FUNDS
CMS BMS THMS ROHMS	10-26-07	TBD	Laugh It Off / -Handling Bullies with Humor To lower the rate of bullying at the middle schools. <ul style="list-style-type: none"> • School-wide activities • Small group activities • One on one activities 	CMS BMS THMS R)HMS	Terry Brewer Presents Terry Brewer Los Angeles, CA	\$3,700.00	Mandated Costs
Crestmore	11-14-07 & 11-15-07	8:00 a.m. to 9:00 a.m. (both days)	Mobile Dairy Cow Classroom K-3 students will learn new vocabulary, life cycles and anatomy concepts. Grades 4-6 will learn the digestive system, lactation cycle and agriculture technology	Crestmore	Dairy Council of California San Bernardino, CA	No cost	No cost
Zimmerman	11-15-07 & 12-06-07	8:30 a.m. to 9:30 a.m.	The Nutcracker Students will see a theatrical version of "The Nutcracker"	Zimmerman	Open Window Entertainment Los Angeles, CA	\$1,540.00	Magnet
Birney	11-8-07 12-7-07 2-8-08 3-14-08	8:45 a.m. & 10:00 a.m.	Dry Ice & Matter of Fact To provide students an in class, hands-on and standards based scientific experience utilizing the scientific process.	Birney	Mad Science of the Inland Empire Riverside, CA	\$1,160.00	ELAP
Grand Terrace	12-17-07	9:15 a.m. & 10:00 a.m.	Mobile Dairy Cow Classroom Students will learn about agriculture's contribution to our food supply.	Grand Terrace	Dairy Council of California San Bernardino, CA	No cost	No cost

ASSEMBLIES/PROGRAMS Regular Meeting: October 18, 2007

SITE	DATE	TIME	PROGRAM/PURPOSE	LOCATION	CONSULTANT(S)	COST	FUNDS
Grand Terrace	1-17-08 & 2-5-08	2:15 p.m. & 3:15 p.m.	Zip's Great Day Students will learn about nutrition, exercise, safety gear, conflict resolution, and the dangers of smoking..	Grand Terrace	Kaiser Permanente Educational Theatre Programs Pasadena, CA	No cost	No cost
Crestmore	2-4-08 & 2-8-08	8:00 a.m. & 9:00 a.m.	The Amazing Food Detective Students will participate in an interactive program designed to educate students about the importance of good nutrition and exercise.	Crestmore	Kaiser Permanente Educational Theatre Programs Pasadena, CA	No cost	No cost
Wilson	2-26-08	8:00 a.m. & 9:00 a.m.	Student Writing by the Imagination Machine Student writings will be performed in a play format.	Wilson	The Imagination Machine Orange, CA	\$935.00	Title I

BOARD AGENDA

**BOARD MEETING
October 18, 2007**

CONSENT ITEM

TO: Board of Education

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: Approval of Consultants for Staff Development

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the consultants for staff development
as listed and expend the appropriate funds.

A-4

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

CONSENT ITEM

- TO:** Board of Education
- PRESENTED BY:** Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction
- SUBJECT:** Approval to Apply for the Nell Soto Parent/Teacher Involvement Grant for Colton High School (2008-2009)
- GOAL:** Improved Student Performance
Community Relations
- BACKGROUND:** Colton High School will apply for the Nell Soto Parent/Teacher Involvement Grant Program. Funding will go to schools ranked in Academic Performance Index deciles 1-5 with priority to schools ranked in the lowest two API deciles. The 2006-2007 State Budget Act made available the one-time-only funds, and the California State Department of Education opened another round for eligible schools to apply. The program requires that at least 50% of teachers at the school have voluntarily agreed to participate in home visits; and at least 50% of parents or guardians of students enrolled at the school have voluntarily signed a school/parent/student compact to participate in home visits. Training will be provided for teachers about strategies for communicating effectively with parents for periodic home visits.
- BUDGET IMPLICATIONS:** Up to \$35,000 to be received based on enrollment for Colton High School.
- RECOMMENDATION:** That the Board approve the application for the Nell Soto Parent/Teacher Involvement Grant for Colton High School. (2008-2009)

A-5

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

CONSENT ITEM

TO: Board of Education

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: Approval to Subscribe to AT&T Language Line Services, Inc. for
K-12 School Sites (2007-08)

GOAL: Improve Student Performance/Parent Involvement

BACKGROUND: The AT&T Language Line Services will accommodate the growing need for interpretations required at the school sites for various languages spoken throughout the District. The 2006-07 Language Census indicates the District has over 6,000 English learner students who speak over 31 different languages. Staff will be trained on how to use the Language Line.

**BUDGET
IMPLICATIONS:** \$7,534 —to be paid from EIA.

RECOMMENDATION: That the Board approve subscription to AT&T Language Line Services, Inc. for K-12 school sites. (2007-08)

A-6

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: **Approval of the Student Performance Plans for Categorical Programs (2007-2008)**

GOAL: Improved Student Performance

BACKGROUND: Staffs at all sites wrote new or updated Student Performance Plans, including Program Improvement Schools, High Priority Schools Grant Program (HPSGP) and Quality Education Investment Act (QEIA) sites. Abstract summaries of the 2007-2008 school plans were submitted for Board review and approval on June 21, 2007. Complete plans will be on file at the schools and the Special Projects office for review.

BUDGET IMPLICATIONS: None

RECOMMENDATION: That the Board approve the 2007-2008 school plans for categorical programs for all 26 schools: Birney, Cooley Ranch, Crestmore, D'Arcy, Grand Terrace, Grant, Grimes, Jurupa Vista, Lewis, Lincoln, McKinley, Reche Canyon, Rogers, Smith, Sycamore Hills, Terrace View, Wilson, Zimmerman, Bloomington Middle School, Colton Middle School, Ruth Harris Middle School, Terrace Hills Middle School, Bloomington High, Colton High, Slover Mountain High and Washington High.

A-7

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Acceptance of Gifts**

GOAL: Community Relations

RECOMMENDATION: That the Board accepts the gifts as listed on the attached matrix.

A-8

Donations Matrix

Board Meeting - October 18, 2007

SITE	DONOR	DONATION / PURPOSE	CASH
Alice Birney Elementary	Target "Take Charge of Education" P.O. Box 59214 Minneapolis, MN 55459-0214	Check #1755092	\$110.15
Colton High School	Cor-o-Van Moving & Storage 12375 Kerran Street Poway, CA 92064	Check #16859	\$450.00
Colton Middle School	Target "Take Charge of Education" P.O. Box 59214 Minneapolis, MN 55459-0214	Check #1753486	\$103.72
D'Arcy Elementary	D'Arcy Elementary P.T.A. 11645 Elm Avenue, Fontana, CA 92337	Check #101	\$3,400.00
Grand Terrace Elementary	Target "Take Charge of Education" P.O. Box 59214, Minneapolis, MN 55459-0214	Check #1750361	\$91.76
Grand Terrace Elementary	Wal Mart 702 S.W. 8 th Street, Bentonville, Arkansas 72716	Check #1364398 --- \$250 Check # 438511 ---- \$500	\$750.00
Grant Elementary	Target "Take Charge of Education" P.O. Box 59214, Minneapolis, MN 55459-0214	Check #1758240	\$124.90
Grimes Elementary	Arrowhead United Way 646 North D Street, P.O. Box 796 San Bernardino, CA 92402	Check #45585	\$3,000.00
Harris Middle School	Edison International - Employee Gifts Marie Fangoni 2370 Huff Street, Colton, CA 92324	Check #84863 - \$60 Check #136632 - \$60 Check #88057 - \$60	\$180.00
Lewis Elementary	Target "Take Charge of Education" P.O. Box 59214, Minneapolis, MN 55459-0214	Check #1752615	\$100.22
McKinley Elementary	Target "Take Charge of Education" P.O. Box 59214, Minneapolis, MN 55459-0214	Check #17641041	\$159.04
Wilson Elementary	Ecology Auto Parts 14150 Vine Place, Cerritos, CA 90703	Check #85772	\$500.00

BOARD AGENDA

REGULAR MEETING
October 18, 2007

CONSENT ITEM

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Authorization for the Superintendent or the Assistant Superintendent of Business to Enter into Agreements with Colleges and Universities for Student Teaching and/or Internships (University of Phoenix, beginning October 18, 2007, until cancelled)**

BACKGROUND: During the year the District is approached by many colleges and universities for placement of student teachers or interns in our classrooms. This practice is a benefit to the District and for the colleges and universities. To accommodate the request, an agreement between the District and the university must be signed. All agreements are similar in form.

Approval of **internship agreement** with **University Phoenix** attached, effective October 18, 2007 and to continue for an indefinite period, unless terminated in writing by either party with a 60 day prior notice.

BUDGET IMPLICATIONS: Student teachers and interns are to be covered by the District's Worker's Compensation Insurance at no cost to the Colleges and Universities. This practice is customary in all Districts.

RECOMMENDATION: That the Board authorize the Superintendent or Assistant Superintendent of Business to enter into agreements with colleges and universities for student teaching and/or internships (*University of Phoenix, beginning October, 2007, until cancelled*).

A-9

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

ACTION ITEM

TO: Board of Education
PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources
SUBJECT: Approval of Personnel Employment
GOAL: Human Resources Development

I-A Certificated -- Regular Staff

1. Diaz, Eduardo Math teacher - CHS
2. Johnston, Amber Elementary teacher - Zimmerman
3. Richardson, Ronald Math teacher - Slover

I-B Certificated -- Substitute Teacher

1. Berk, Claire
2. Estrada, Kalina
3. Guerrero, Olivia
4. Johnston, Amber
5. Rashad, Aaliyah
6. Rasmussen, Brett
7. Rogers, Christina

II-A Classified -- Regular Staff

1. Alcaraz, Juan Custodian - Reche Canyon Elementary

II-C Classified -- Hourly

1. Diaz, Elizabeth AVID Tutor - CMS
2. Gonzales, Iris AVID Tutor - BMS
3. Gurpreet, Kaur AVID Tutor - RHMS

II-D Classified -- Substitute

1. Ames, Susan General Clerical
2. Faoro, David Substitute Campus Supervisor

RECOMMENDATION: That the Board approve employment of personnel as presented.

ACTION: On motion of Board Member _____, the Board approved the recommendations for employment.

C-10

BOARD AGENDA

REGULAR MEETING
October 18, 2007

ACTION ITEM

TO: Board of Education

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: Approval of Conference Attendance

GOAL: Human Resources Development

Marcela Cook, teacher - CHS
Linda Faulk, teacher - CHS

NCTM Regional Conference (Nat'l
Council of Teachers of Math) --
Presenting "Math Strategies Using
Powerpoint Presentations"
October 24-27, 2007
Kansas City, MO
HPSG funds: \$2,088.36

Roger Kowalski, Director III,
Administrative Services - SSC

Fall Coordinators Meeting: Homeless
Education
Oct. 29-30, 2007
Sacramento, CA
Homeless Grant funds: \$488.23

Ignacio Cabrera, Principal - BHS
Diana Carreon, Principal - Wilson
Celia Gonzales, Principal - Rogers
Chris Marin, Principal - CMS

"Motivating Latino Students to
Achieve Excellence" (Assn. of
Mexican American Educators)
District exhibitor
November 1-4, 2007
Santa Maria, CA
General funds: \$2,538.80

Leilani Bautista, teacher - BHS
Ray Brown, teacher - BHS
Ignacio Cabrera, Principal - BHS
Marc Howard, teacher - BHS
Steve Padilla, teacher - BHS
Xochitl Setlich, Counselor - BHS
Holly Todd, teacher - BHS
Sally Torres, Asst. Principal - BHS
Denise Tshida, teacher - BHS
Matthew Welzel, teacher - BHS
Simona Welzel, Counselor - BHS
James Western, Asst. Principal - BHS
Dora Zaragosa, Counselor - BHS
Stacie Ziegler, Counselor - BHS

AVID Site Team Conference
Nov. 26-27, 2007
Rancho Mirage, CA
APIP funds: \$4,210

Continued . . .

0-11

**Board Agenda
October 18, 2007
Conferences continued**

Diane D'Agostino, Director III - PPS Janet Nickell, Director II, Special Education - PPS Laurie Wellner, Director II, Special Education - PPS	2008 Student Services, Special Education & Diversity Symposium Jan. 16-18, 2008 Monterey, CA MAA funds: \$3,860.71
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Carlos Baeza, teacher - Wilson Sherra Bragger, teacher - Wilson Jennifer Fose, teacher - Wilson Cecilia Lillie, teacher - Wilson	California Kindergarten Conference Jan. 19-20, 2007 Santa Clara, CA HPSG funds: \$2,447.18 Lottery funds: \$307.30
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Total : \$15,940.58

RECOMMENDATION: That the Board approve conference attendance as presented.

ACTION: On motion of Board Member _____ and
_____, the Board approved the above
recommendation.

BOARD AGENDA

REGULAR MEETING

October 18, 2007

ACTION ITEM

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Approval of Purchase Orders

GOAL: Student Performance / Personnel Development

RECOMMENDATION: That the Board approve Purchase Orders in excess of \$1,000 for a total of \$317,040.91 as listed.

ACTION: On motion of Board Member _____ and _____, the Board approved purchase orders as recommended.

C-12

Attachment to Board Agenda

<u>P.O.</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>RESOURCE CODE*</u>	<u>AMOUNT</u>
082297	Fun Corner	Other Supp./THMS	0000	\$1,000.00
082398	Unisource	Paper/Purchasing	0000	\$29,565.91
082399	Houghton Mifflin	Software/Lang. Supp.	4203	\$49,625.00
082402	Inland Lighting Supplies	Light Tubes/Purchasing	0000	\$1,538.67
082406	Office Depot	Speedy Inst. Matls./CHS	7250	\$1,000.00
082409	AAA Lead Consultants	Repairs/CHS	8150	\$2,097.00
082420	Curriculum Associates	Inst. Matls./McKinley	7158	\$2,037.47
082425	Intelli Tech	Copier/Print Shop	0000	\$1,027.94
082430	Office Depot	Speedy Inst. Matls./Lewis	3010	\$1,000.00
082431	Southwest Office Supply	Speedy Inst. Matls./Lewis	3010	\$1,000.00
082432	Farmer Brothers Coffee	Other Supp./Bus. Svs.	0000	\$1,616.25
082435	Houghton Mifflin	Txtbks./THMS	7156	\$6,485.88
082438	Ken's Sporting Goods	Uniforms/BHS	1100	\$2,415.22
082440	Houghton Mifflin	Other Bks./CMS	7156	\$7,949.22
082445	Stater Bros.	Refreshments/CHS	7250	\$1,000.00
082447	Office Depot	Off. Supp./C & I	4203	\$1,091.04
082452	Spectrum Communications	Tech. Eq./R. Canyon	0110	\$4,858.94
082459	Sunrise Ford	New Vehicles/Transportation	0000	\$25,213.31
082462	G/M Business Interiors	Off. Furn./C & I	4203/4035	\$1,175.60
082472	Link Line Communications	Computers/Transportation	7230	\$2,265.82
082474	Sax Arts & Crafts	New Eq./BHS	7396	\$1,460.82
082476	JZ's Party Charm	Misc. Rental/BHS	1100	\$1,129.88
082492	America's Pride Group	New Eq./CHS	1100	\$2,070.93
082493	Emerson Music	Inst. Matls./CHS	1100	\$1,000.00
082500	McGraw Hill	Inst. Matls./CMS	7156	\$13,608.82
082504	Toshiba Business Solutions	Inst. Matls./Crestmore	7250	\$1,005.31
082505	Farmer Brothers Coffee	Refreshments/Grimes	0790	\$1,000.00
082508	Corporate Express	Inst. Matls./R. Canyon	7250	\$2,074.37
082509	Houghton Mifflin	Txtbks./R. Canyon	7156	\$3,447.96
082514	Woodwind & Brasswind	Inst. Matls./RHMS	6760	\$4,157.00
082529	Xerox Corp.	Copier Lease/Bus. Svs.	0000	\$7,624.11
082532	Office Depot	Speedy Off. Supp./SSC	0750	\$2,000.00
082536	Spectrum Communications	Bldg. Impr./Smith	0110	\$1,219.66
082539	Dell	Liab. Claims/BHS	9878	\$7,254.26
082541	School Savers	Liab. Claims/BHS	9878	\$2,506.70
082552	Sargent's Sporting Goods	Sports Eq./Purchasing	0000	\$1,075.92
082554	Unisource Corp.	Off. Supp./Print Shop	0000	\$22,352.35

082558	Renaissance Learning	Tech. Supp./Zimmerman	7258	\$2,806.89
082564	Spinitar	Inst. Matls./McKinley	7250	\$1,120.28
082568	Dell	Computers/CMS	7250	\$7,303.94
082573	Office Depot	Inst. Matls./McKinley	6286	\$2,461.27
082574	Office Depot	Inst. Matls./CHS	7250	\$3,824.05
082576	Office Depot	Speedy Inst. Matls./Grant	3010	\$2,500.00
082587	Sparkletts	Bottled Water/Dist. Off.	0000	\$1,500.00
082591	Corwin Press	Inst. Matls./BHS	5850	\$1,008.54
082592	Scholastic	Inst. Matls./Grant	3010	\$2,022.94
082593	Follett Software	Online Subsc./Crestmore	3010	\$1,034.40
082599	Demco	Inst. Matls./Grimes	3010	\$2,708.03
082606	HL Corporation	Inst. Matls./CHS	1100	\$1,000.16
082611	Spectrum Communications	Tech. Eq./I.T.	0000	\$5,857.31
082613	Troxell Communication	Liab. Claims/BHS	9878	\$1,506.34
082614	Amazon.com	Other Bks./CHS	7156	\$4,605.24
082625	Harcourt Assessment	Other Supp./PPS	6500	\$2,975.00
082644	Link Line Communications	Liab. Claims/BHS	9378	\$1,112.44
082651	Office Depot	Inst. Matls./Crestmore	7250	\$1,723.12
082657	Dave Bang Associates	Grounds Supp./Purchasing	9878	\$48,112.94
082675	Imed	Inst. Matls./BMS	7258	\$2,906.66

Total \$317,040.91

LEGEND

0000	General Fund/Unrestricted
0001	Child Dev. Facilities
0750	Mandated Costs
0790	Donations, Misc.
3010	Title 1
3025	Title 1 N&D
3405	Sp. Ed Workability
3175	NCLB
3550	Vocational Ed.
3710	Drug Free Schools
4035	Title II Part A
4110	Title VI
4203	Title III Part A LEP
5035	Child Dev. Block Grant
4045	Title II Part D
5210	Head Start
5640	Medi-Cal Billing Option

6055	State Preschool
6060	Childcare and Development
6092	Cal Safe Childcare & Dev.
6205	Deferred Maintenance
6285	Community Based Eng. Tutor
6286	English Language Learner
6500	Special Ed.
7090	Economic Impact Aid: LEP
7010	Agricultural Vocational Ed.
7101	Ed. Tech. Digt. Hi Staff Dev.
7156	Block Grant
7158	Inst. Matls./Williams' Case
7230	Transportation- Home to School
7240	Sp. Ed. Transportation
7250	School Based Coord. Program
7255	Immediate Intervention UPSP
7265	School Improvement 7-12
7270	Staff Development/Mentor Teac
7271	CA Peer Asst & Review
8150	Ongoing Major Maintenance
9002	AB466 Site Reimbursement
9286	Special Project Adm.
9701	School Facility Fund
9705	School Facility Fund
9707	School Facility Fund
9737	CHS Mod.
9812	Capital Facilities
9878	Uninsured Losses/Liability
9884	Workmens Comp. Ins.

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

ACTION ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Approval of Disbursements**

GOAL: Budget Planning

RECOMMENDATION: That the Board approve disbursements paid as listed, 2007-2008 from Batch #0429 through Batch #0498 or the sum of \$3,746,928.98

◆ **Board of Trustees Payment Report is available at the Board of Education Meeting for review.**

ACTION: On motion of Board Member _____ and _____, the Board approved the disbursements as listed.

0-13

BOARD AGENDA

REGULAR MEETING
October 18, 2007

ACTION ITEM

TO: **Board of Education**

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: **Approval of Agreement No. 07/08-0545 for Fingerprint Services with the Office of the San Bernardino County Superintendent of Schools (July 1, 2007 to June 30, 2008; four subsequent years until June 30, 2012)**

GOAL: Personnel Development

BACKGROUND: The San Bernardino County Superintendent of Schools must renew the agreement for fingerprint services originally placed in districts in October, 1998. Contract billing agreements are required for districts that San Bernardino County Superintendent of Schools bill for fingerprinting services. This new agreement includes the Cooperative Program as well as the full fingerprint process for all potential employees.

A copy of the Agreement for Fingerprinting Services (Agreement No. 07/08-0545) is attached. The term of this agreement is from July 1, 2007, to June 30, 2008, continuing for one-year periods (July 1-June 30) for up to four (4) additional one year terms.

RECOMMENDATION: That the Board approve the Agreement for Fingerprinting Services (Agreement No. 07/08-0545) for the 2007-2008 school year and for four (4) subsequent years until June 30, 2012.

ACTION: On motion of Board Member _____ and _____, the Board approved the above recommendation.

C-14

BOARD AGENDA

**BOARD MEETING
October 18, 2007**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Yolanda Cabrera , Assistant Superintendent
Curriculum and Instruction

SUBJECT: Ratification of Payment for Consultant Services at Crestmore
Elementary School (August 22, 2007)

GOAL: Improved Student Performance

BACKGROUND: Judy Bearden, Project GLAD consultant, co-presented GLAD strategies to teachers on August 22, 2007. The consultant contract approved by the District on May 24, 2007 did not include the second consultant, Judy Bearden.

BUDGET IMPLICATIONS: \$850.00 – Total cost to be paid from High Priority School Grant funds.

RECOMMENDATION: That the Board ratify payment for consultant services at Crestmore Elementary school. (August 22, 2007)

ACTION: On the motion of board member _____ and _____, the Board ratified the payment for consultant services at Crestmore Elementary school. (August 22, 2007)

0-15

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Adoption of New Board Policy (Business Services)

**BP 3311 Informal Bidding Procedures under
the Uniform Public Construction
Cost Accounting Act (new)**

GOAL: Support Services/Budget Planning

BACKGROUND: The proposed Board policy was presented for study and information on October 4, 2007, and is now submitted for adoption.

The Business Office is proposing to update the Board Policies and Administrative regulations under the guidelines of the State of California State Controller's Office. County Counsel has reviewed and approved this policy.

To ensure competition in this informal bid process, specific requirements are outlined in this proposed Board policy.

**BUDGET
IMPLICATIONS:**

Although the public work bid limit will be increase from \$15,000 to \$125,000, there is no cost the District to participate in this program. The Uniform Public Construction Cost Accounting Act would reduce operational costs related to the formal bid process.

RECOMMENDATION: That the Board adopt the new board policy as listed.

ACTION: On motion of Board Member _____ and _____, the Board adopted the board policy as presented.

0-16

**INFORMAL BIDDING PROCEDURES UNDER THE
UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

BP 3311

*Revised
Title*

Informal Bidding Procedures. Public projects, as defined by the Act and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.

Contractors List. A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Construction Cost Accounting Commission.

Notice Inviting Informal Bids. Where a public project is to be performed which is subject to the provisions of this Board policy, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list of contractors developed, and to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the Public Contract Code. Additional contractors and/or construction trade journals may be notified at the discretion of the department soliciting bids, provided however:

1. If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice inviting informal bids shall be sent only to the construction trade journals specified by the Commission.
2. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

Award of Contracts. The Superintendent, Assistant Superintendent of Business Services and the Director of Purchasing are each authorized to award informal contracts pursuant to this Board Policy.

Legal Reference:

PUBLIC CONTRACT CODE

22000 et seq. Uniform Public Construction Cost Accounting Act

Guidelines established by the State Controller's Office

New Board Policy

BOARD AGENDA

REGULAR MEETING
October 18, 2007

INFORMATION ITEM

TO: **Board of Education**

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: **Resignations**

I. Classified

1. Hernandez, Erika

Nutrition Services Worker I - RHMS
Employed September 18, 2006; resignation
effective October 13, 2007. Accepted
employment elsewhere.

SS.1

BOARD AGENDA

**REGULAR MEETING
October 18, 2007**

STUDY, INFORMATION and REVIEW

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Associated Student Body (ASB) Financial Reports
as of September 30, 2007

GOAL: Budget Planning

BACKGROUND: Attached are summary of financial reports as of 9/30/07. These reports are presented to the Board of Education to keep the Board apprised of the District's ASB activities and fiscal status.

Elementary and middle school financial activities are handled centrally at the district office. High schools are each allocated a full-time ASB Account Technician position to maintain ASB fiscal activities at the site and report to the District Office.

SS.2

Elementary Schools

Date Range: 7/1/2007 through 9/30/2007

	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
BIRNEY	1,147.19	151.50	0.00	(2.78)	1,295.91
COOLEY	1,164.81	0.00	0.00	(2.78)	1,162.03
CRESTMORE	15,361.77	0.00	500.00	(2.78)	14,858.99
D'ARCY	2,901.54	0.00	0.00	(2.78)	2,898.76
GRAND TERRACE	7,352.13	0.00	0.00	(2.78)	7,349.35
GRANT	0.00		0.00	0.00	0.00
GRIMES	9,583.03	0.00	2,277.20	44.48	7,350.31
JURUPA	1,103.95	0.00	0.00	(2.78)	1,101.17
LEWIS	8,584.45	0.00	0.00	(2.78)	8,581.67
LINCOLN	2,574.93	0.00	0.00	(2.78)	2,572.15
MCKINLEY	16,781.48	0.00	1,036.00	(2.78)	15,742.70
RECHE CANYON	14,440.25	14,063.50	72.00	(2.78)	28,428.97
ROGERS	1,135.84	0.00	0.00	(2.78)	1,133.06
SAN SALVADOR	87.39	0.00	0.00	0.00	87.39
SLOVER	16,645.69	0.00	1,818.76	(2.78)	14,824.15
SMITH	7,748.90	0.00	0.00	(2.78)	7,746.12
SYCAMORE	27,909.21	5,337.05	7,697.54	(2.78)	25,545.94
TERRACE VIEW	(733.17)	733.17	0.00	0.00	0.00
WASHINGTON	490.79	0.00	0.00	0.00	490.79
WILSON	18,097.44	0.00	0.00	(2.78)	18,094.66
ZIMMERMAN	6,676.29	598.75	3,241.35	(2.78)	4,030.91
TOTAL	159,053.91	20,883.97	16,642.85	0.00	163,295.03

Colton Middle School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
120-300 INVENTORY-PE CLOTHES	(1,096.50)				(1,096.50)
125-300 EQUIPMENT	(2,619.55)				(2,619.55)
125-305 ACCUM. DEPREC.-EQUIPMENT	374.22				374.22
126-300 MARQUEE	(11,808.63)				(11,808.63)
128-300 ACCUM DEPREC.-MARQUEE	2,624.14				2,624.14
203-300 DJ	50.00				50.00
207-300 FALCON ATHLETICS	2,439.51				2,439.51
208-300 KNOWLEDGE BOWL CLUB	1.16				1.16
210-300 SOLID ROCK	1,047.18				1,047.18
235-300 NATIONAL JR. HONOR SOCIETY	191.35				191.35
245-300 SCIENCE CLUB	2,884.28				2,884.28
260-300 YEARBOOK	7,952.56				7,952.56
265-300 CHILSON AWARD	3,611.73				3,611.73
270-300 THRASHER SCHOLARSHIP	1,740.31				1,740.31
280-300 ACCOUNTS PAYABLE	3,220.00				3,220.00
300-300 GENERAL ASB	42,582.41				42,582.41
TOTAL	53,194.17	0.00	0.00	0.00	53,194.17

Bloomington Middle School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
100-100 INVENTORY	(3,563.73)		10,867.67		(14,431.40)
100-110 INVENTORY - LOCKS	(4,853.06)				(4,853.06)
300-000 GENERAL ASB	15,589.37	14,569.11	1,915.15	0.00	28,243.33
310-000 ANNUAL/YEARBOOK	5,918.95				5,918.95
311-000 AVID	469.66				469.66
313-000 BUILDERS CLUB	64.81				64.81
315-050 CRAFTS CLUB	6.25				6.25
315-070 GERMAN CLUB	279.77				279.77
330-000 SCHOLARSHIP SOCIETY/NJHS	60.87				60.87
TOTAL	13,972.89	14,569.11	12,782.82	0.00	15,759.18

Ruth O. Harris Middle School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
200-1100 INVENTORY - PE CLOTHES	(2,312.37)	50.00	12,829.79		(15,092.16)
200-1150 INVENTORY - LOCKS	0.00		6,735.00		(6,735.00)
200-1175 INVENTORY - STAFF SHIRTS	(135.39)				(135.39)
200-1201 NEW EQUIPMENT	(7,554.77)				(7,554.77)
200-1401 ACCUM DEPREC. - EQUIPMENT	4,317.00				4,317.00
200-2000 GENERAL ASB	34,307.03	7,960.83			42,267.86
200-2010 ACCOUNTS PAYABLE	1,600.00				1,600.00
200-3000 ART CLUB	296.78				296.78
200-3010 AVID	1,566.63	150.00			1,716.63
200-3020 BAND CLUB	114.75				114.75
200-3042 CHOICE	1,115.61	1,043.12			2,158.73
200-3045 CHORUS	76.00				76.00
200-3055 COMPUTER CLUB	306.10				306.10
200-3060 FHA - HEROS	416.25	179.00			595.25
200-3070 CRAFTS CLUB	247.81				247.81
200-3080 ENRICHMENT CLUB	371.90				371.90
200-3090 KATRINA RELIEF	300.78				300.78
200-3110 NATIONAL JR HONOR SOCIETY	1,063.41				1,063.41
200-3120 PEP SQUAD	0.17				0.17
200-3130 SCHOLARSHIP	139.31				139.31
200-3145 SOCCER CLUB	26.00				26.00
200-3150 WEIGHT TRAINING	12.37				12.37
200-3160 YEARBOOK	6,694.57	830.00			7,524.57
TOTAL	42,969.94	10,212.95	19,564.79	0.00	33,618.10

Terrace Hills Middle School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
100-1800 INVENTORY - PE CLOTHES	(5,739.95)		6,918.90		(12,658.85)
100-1805 INVENTORY-SPIRIT SHIRTS	(322.17)				(322.17)
100-1850 EQUIPMENT	(1,016.54)				(1,016.54)
100-1855 ACCUM. DEPR.-EQUIPMENT	203.31				203.31
100-1900 TEMP CLEARING ACCOUNT	40.00	1,900.00		20.00	1,960.00
100-2000 GENERAL ASB	12,693.10	17,202.43	3,912.85	150.00	26,132.68
100-2010 ACCOUNTS PAYABLE	3,200.00				3,200.00
100-2015 DEFERRED REVENUE	290.00			(290.00)	0.00
100-3025 AVID	140.77	1,836.00			1,976.77
100-3027 BAND	409.95				409.95
100-3035 CHESS CLUB	205.53				205.53
100-3036 CIA	602.69				602.69
100-3040 COMPUTER CLUB	174.95				174.95
100-3045 COREVETTE	726.28				726.28
100-3048 DRAMA CLUB	1,128.03				1,128.03
100-3050 FUTURE CORE	93.38				93.38
100-3051 HOME ECONOMICS CLUB	148.00				148.00
100-3052 GOVERNMENT CLUB	9.15				9.15
100-3054 GARDENING CLUB	25.70				25.70
100-3058 MULTICULTURAL CLUB	129.75				129.75
100-3060 NAT'L JR. HONOR SOCIETY	15.00				15.00
100-3067 PHD	37.60				37.60
100-3075 SATURDAY ADVENTURE CLUB	709.41				709.41
100-3077 SPIRIT CLUB	5.60				5.60
100-3078 STAR CORE	41.40				41.40
100-3300 YEARBOOK	3,641.49	10,054.40	68.00	120.00	13,747.89
TOTAL	17,592.43	30,992.83	10,899.75	0.00	37,685.51

BLOOMINGTON HIGH SCHOOL

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
9609 BISH EDWARDS SCHOLARSHIP	979.06		500.00		479.06
9610 ASB GENERAL RESERVE	78,322.37	38,888.03	17,862.27	31,324.62	130,672.75
9611 ALVAREZ, K & S SCHOLARSHIP	9,054.15	27.26			9,081.41
9612 JACKSON SCHOLARSHIP	14,000.19				14,000.19
9613 IDDINGS, GEO SCHOLARSHIP	3,854.26				3,854.26
9614 SCHOLARSHIP FUND	21,751.10	1,100.00	16,285.00	561.00	7,127.10
9615 AGAPE	76.57				76.57
9616 AVID	3,456.54	283.00			3,739.54
9617 CLOSE OUT ACCOUNT	0.00				0.00
9618 WALKER, REED SCHOLARSHIP	5,010.09	17.73			5,027.82
9619 ANIMATION	278.82	56.00			334.82
9620 BAND	2,301.00	600.00	750.00		2,151.00
9621 ADVANCED PLACEMENT ENGLISH	648.73			(261.00)	387.73
9623 ACADEMIC COMPETITION	23.06				23.06
9631 BEST BUDDY	321.87				321.87
9632 BRUIN PRO BUTTONS	86.35	83.80	130.59		39.56
9635 BLACK STUDENT UNION	301.62				301.62
9636 BASEBALL	3.24				3.24
9637 BOY SOCCER	924.31				924.31
9638 BOY BASKETBALL	692.34	929.75	1,727.64		(105.55)
9639 BOY TENNIS	0.00				0.00
9640 BOY CROSS COUNTRY	5,700.93	2,743.50	1,901.78		6,542.65
9643 COMPUTER CLUB	48.59				48.59
9644 CALIF SCHOLARSHIP FEDERATION	2.20	526.95			529.15
9645 CHOIR	5,448.46	2,134.10	923.74		6,658.82
9647 COLTON JOINT UNIFIED SCH DIST	0.00	5,578.90	1,031.14		4,547.76
9648 VANGELDER, GEO SCHOLARSHIP	1,270.00				1,270.00
9650 CLASS OF 2011	10,334.40	407.30		(10,741.70)	0.00
9651 CLASS OF 2010	0.00				0.00
9652 CLASS OF 2009	(2,964.00)				(2,964.00)
9653 CLASS OF 2008	1,893.41				1,893.41
9655 DECA	711.18				711.18
9656 DRAMA VIDEO	379.58	1,015.00			1,394.58
9657 FASHION CLUB	0.00				0.00
9658 FRENCH	0.00				0.00
9659 FUTURE FARMERS OF AMERICA	4,039.23	1,050.59	466.31		4,623.51
9661 GAY STRAIGHT ALLIANCE	174.50	15.00			189.50
9662 KAYOS KIDZ	0.00				0.00
9663 JV GIRL SOCCER CLUB	115.40				115.40
9664 POLYNESIAN CLUB	392.08	640.00			1,032.08
9665 LATIN CLUB	833.83	105.00	203.59		735.24
9666 KAPATIRAN CLUB	120.00				120.00
9667 FOOTBALL	1,847.76	9,751.00	2,604.61		8,994.15
9668 FROSH FOOTBALL	134.56				134.56
9669 GERMAN CLUB	2,159.48	132.70			2,292.18
9670 SKILLS	11,105.35	85.00			11,190.35
9671 GIRL CROSS COUNTRY	2,642.90		416.72		2,226.18
9672 GIRL BASKETBALL	11.81				11.81
9673 GIRL SOCCER	209.11	215.00			424.11
9674 SOFTBALL	164.09				164.09
9675 VOLLEYBALL	0.00				0.00
9676 VIDEO GAME CLUB (VGC)	0.00				0.00

BLOOMINGTON HIGH SCHOOL

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
9677 GOLF	817.33				817.33
9678 SCIENCE CLUB	190.98	561.89	199.53		553.34
9679 HOME EC	963.03	10.00	185.65	200.00	987.38
9680 KEY CLUB	578.13	132.00			710.13
9681 JOURNALISM	2,738.35	3,736.20	3,241.04		3,233.51
9682 KILN CLUB	1,552.60				1,552.60
9683 NATIONAL HONOR SOCIETY	609.05				609.05
9684 STEP 2 IT	0.00				0.00
9685 NAVY CLUB	1,425.85	6,669.00	534.63	(6,149.00)	1,411.22
9686 PERFORMING ARTS (DRAMA)	28,385.29	910.00	1,729.01	(300.00)	27,266.28
9687 NAVY MAINTENANCE	2,339.01	1,355.00	6,486.91	5,949.00	3,156.10
9688 SPANISH CLUB	3,056.76	107.00			3,163.76
9689 PEPSTERS	0.00	10,005.42	112.04	(9,809.50)	83.88
9690 RENAISSANCE	2,506.10				2,506.10
9691 SENIOR GIFT	28,475.68		6,960.56	(10,773.42)	10,741.70
9692 TRACK - GIRLS	4.49				4.49
9693 SWIM CLUB	319.88				319.88
9694 PEER COUNSELING	287.85	131.00			418.85
9695 YEARBOOK	536.53	880.00			1,416.53
9696 TRACK - BOYS	29.44				29.44
9697 MATH CLUB	764.37				764.37
9698 WRESTLING	1,663.09	662.06	1,248.99		1,076.16
9699 SPECIAL NEEDS FUND	524.00				524.00
Total Other Accounts	266,628.33	91,545.18	65,501.75	0.00	292,671.76

Colton High School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
9510-000 ACCOUNTS PAYABLE	0.00	1,314.44		(277.20)	1,037.24
9511-000 ACCOUNTS PAYABLE -CJUSD	0.00	5,477.50			5,477.50
9511-100 A/P LOST TEXT BKS.	0.00	3,754.38	324.44		3,429.94
9511-110 A/P LOST LIBRARY BKS.	0.00	32.12			32.12
9511-200 A/P TRANSCRITS, DIPLOMAS	0.00	35.00			35.00
9511-300 A/P VENDALISM ABAT.	0.00	45.00			45.00
9530-000 SALES TAX PAYABLE	0.71				0.71
9610-000 ASB GENERAL	115,244.10	94,971.56	45,486.87	122.90	164,851.69
9611-000 AP CLUB	150.50				150.50
9612-000 ANIMAL RIGHTS & ENVIRONMENT	249.91				249.91
9613-000 BELIEVERS	558.41				558.41
9614-000 ASIAN CLUB	744.08				744.08
9615-000 CSF	495.00				495.00
9616-000 A.V.I.D.	763.86	560.00			1,323.86
9617-000 BAND	1,154.34	3,110.00	4,222.65		41.69
9618-000 YOUNG DEMOCRATS	379.29				379.29
9619-000 BASEBALL CLUB	93.97				93.97
9620-000 BIOLOGICAL SCIENCE CLUB	992.11		40.00		952.11
9622-000 BLACK STUDENT UNION	275.78				275.78
9623-000 BOYS SOCCER CLUB	321.78				321.78
9624-000 BOWLING CLUB	47.50				47.50
9626-000 CHS PossAbilities	575.33				575.33
9627-000 ENVIRONMENTAL STUDIES CLUB	10.00				10.00
9631-000 GSA THE OTHER CHOICE	2,617.30				2,617.30
9632-000 DRUG FREE ZONE PROJECT	14.32				14.32
9633-000 CHEERLEADERS	0.57				0.57
9634-000 ASSOCIATED SCIENCE STUDENTS	9.65				9.65
9635-000 FEVER	258.94				258.94
9635-208 CLASS OF 2008	21,913.48	195.00			22,108.48
9635-209 CLASS OF 2009	21,003.33	1,939.00	12,725.15		10,217.18
9635-210 CLASS OF 2010	133.00	30.00			163.00
9637-000 COLTON HARRIERS	2,467.56	3,339.00	2,263.25		3,543.31
9637-101 COLTON HIGH EURO CLUB	56.00				56.00
9638-000 CLAY CLUB	138.05				138.05
9639-000 COLTON HIGH INFANT CENTER	364.21				364.21
9641-000 COLTON ROP DECA	0.00	30.00			30.00
9641-101 CHS BUSINESS LEADERS	2,324.44				2,324.44
9642-000 THE CHESS CLUB	715.32				715.32
9643-000 COLTON SWIM CLUB	10.62	50.00		86.32	146.94
9644-000 GRIDIRON CLUB	3,848.91	4,200.00	5,055.94		2,992.97
9645-000 FRENCH CLUB	808.38				808.38
9648-000 FHA - HERO	4,115.71	69.00			4,184.71
9649-101 GAA - BADMINTON	1,323.68	30.00			1,353.68
9649-103 GAA - TENNIS	1,364.32				1,364.32
9649-104 GAA - VOLLEYBALL	58.65	2,095.00	2,136.09		17.56
9649-106 GAA - SOCCER	407.64				407.64
9650-000 E-SMART	194.28				194.28
9651-000 BOYS GOLF CLUB	2,303.17				2,303.17
9651-100 CHS GIRL'S GOLF CLUB	164.71				164.71
9655-000 COLTON HIGH CHOIR	2,017.24				2,017.24
9657-000 KEY CLUB	981.39				981.39

Colton High School

Date Range: 7/1/2007 through 9/30/2007

ACCOUNT # AND DESCRIPTION	BEG BALANCE	INCOME	EXPENSE	TRANSFERS	BALANCE
9659-000 LADY JACKETS	171.92	90.00			261.92
9661-000 LEADERSHIP FUND	2,414.45	140.00	2,385.00		169.45
9661-401 ACADEMIC COMPETITION	1,135.96				1,135.96
9661-402 STUDENT RECOGNITION FUND	986.32				986.32
9661-403 RECOGNITION FUND STAFF	715.00				715.00
9661-404 FOOD BASKETS	1,410.63				1,410.63
9661-405 BEAUTIFICATION	4,761.88				4,761.88
9661-409 STUDENT RECOGNITION FUND AAA	1.84				1.84
9662-000 MATH CLUB\COLTON HIGH SCHOOL	640.61				640.61
9663-000 MECHA	860.72				860.72
9664-000 MOVIE CLUB	171.10				171.10
9665-000 NHS	15,751.53	200.00	1,864.50		14,087.03
9666-000 PEER ASSISTANCE	1.41				1.41
9666-101 SECULAR STUDENT ALLIANCE	29.50				29.50
9672-000 SPANISH CLUB	620.42				620.42
9673-000 STANDARD INTERACT CLUB	0.00	40.00			40.00
9675-000 TRACK CLUB	0.13				0.13
9677-000 TROUPERS CLUB	4,459.38	72.00	1,375.90		3,155.48
9681-000 VICA	134.17				134.17
9683-000 WRESTLING CLUB	4,559.28	295.00	850.00	67.98	4,072.26
9685-000 YELLOW JACKET REBOUNDERS	1,459.26				1,459.26
9686-000 YOUNG REPUBLICANS	819.37				819.37
9688-000 RENAISSANCE	1,841.30				1,841.30
9689-000 SCRAPBOOK CLUB	15.83				15.83
9692-000 THE OTHER CHOICE	86.52				86.52
9694-000 NATE HELMAN	5.00				5.00
9695-000 NJROTC	3,374.58	118.35	821.22		2,671.71
9698-000 CUHS 1965 REUNION COMMITTEE	361.00				361.00
9699-000 PUBLICATIONS	1,947.33				1,947.33
9704-000 SCHOLARSHIP FUND - RESERVE	29,991.20				29,991.20
9729-000 SCHOLARSHIP FUND	74,208.88		30,550.00		43,658.88
Total	344,608.06	122,232.35	110,101.01	0.00	356,739.40

BOARD AGENDA

REGULAR MEETING
October 18, 2007

STUDY, INFORMATION and REVIEW

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Review of the July 1, 2007 GASB 45 Actuarial Retiree Benefits Valuation Report

GOAL: Budget Planning

BACKGROUND: Attached is an executive summary of the District's July 1, 2007, GASB 45 Actuarial Retiree Benefits Valuation Report. Below are important aspects of the Liability and Annual Payment:

<u>Employee Group</u>	<u>Present Value of Past Service Benefits Earned</u>	<u>Present Value of Past & Future Service Benefits</u>	<u>Annual Required Contribution</u>	<u>Number of Eligible Employees</u>
ACE	\$ 7,921,114	\$ 20,481,762	\$ 1,226,428	1,717
CSEA	8,092,359	15,960,799	1,127,290	1,141
Certificated Mgt	613,467	1,183,427	79,531	98
Classified Mgt	689,510	1,097,606	84,990	77
Retirees	3,018,488	3,018,488	191,625	99
Total at 7-1-07	<u>\$ 20,334,938</u>	<u>\$ 41,742,082</u>	<u>\$ 2,709,864</u>	<u>3,132</u>

The certificated group's (ACE and management) liability reflects the recent negotiations wherein members receive 5 years maximum of dual coverage ending at age 65. Current employees are grand fathered into the 10-year benefit if they retire within the next 5 years and are age 50 by June 30, 2007. In CALSTRS, the usual retirement age is 60 because of members taking advantage of near maximized retirement benefits for 30 years of service. The Annual Required Contribution is charged to the various programs at 1.41% of certificated salaries.

The classified group's (CSEA and management) liability reflects the standard 10 years maximum of dual coverage ending at age 65. The Annual Required Contribution is charged to the various programs at 3.58% of classified salaries. The reason this is higher than certificated is because the same per employee insurance premium is being spread over lower classified salaries.

The current retiree group's assets of \$3,018,488 have been set aside and charged to past year's operations and reside in Fund 67 reserves where their premiums are being paid.

SS.3

A. PLAN OVERVIEW

Colton Joint Unified School District ("*Colton*") provides post-employment benefits other than pensions ("OPEB") to employees who meet certain criteria. As a result of offering such benefits, Colton will be required to report the value of such benefits and the associated costs according to the accounting requirements of Governmental Accounting Standards Board Statement No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions ("GASB 45").

Colton provides medical, dental and vision benefits to retirees and their covered eligible dependents. Colton pays a portion of the cost for eligible retirees, spouses and dependents. All active employees who retire directly from Colton and meet the eligibility criteria may participate.

This summary identifies the value of benefits at July 1, 2007 and costs for the 2007-2008 Fiscal Year according to the accounting requirements of GASB 45.

Note that implicit rate subsidies as required by GASB 45 are factored into all relevant values in this report.

The following table summarizes actuarial valuation results by Colton's active and retired employee groups:

July 1, 2007	
Present Value of Future Benefits	
Actives	\$38,723,593
Retirees	<u>3,018,489</u>
Total	\$41,742,082
Actuarial Accrued Liability	
Actives	\$17,316,449
Retirees	<u>3,018,489</u>
Total	\$20,334,938
GASB 45 Measures	2007-2008 FY
Annual Required Contribution (ARC)	\$2,709,864
Annual OPEB Cost	\$2,709,864
Employer Contributions, reflecting implicit rate subsidies (Pay-As-You-Go)	\$805,324

B. LIABILITIES AND NORMAL COST

The Actuarial Accrued Liability is the liability or obligation for benefits earned through the valuation date, based on certain actuarial methods and assumptions. The Plan's Actuarial Accrued Liability (at July 1, 2007) is \$20,334,938. The Actuarial Accrued Liability represents approximately 48.72% of the present value of future benefits.

Liabilities and Normal Cost	July 1, 2007
Actuarial Accrued Liability	\$20,334,938
Plan Assets	0
Unfunded Actuarial Accrued Liability	\$20,334,938
Normal Cost	\$1,384,730

The Normal Cost for the plan is the amount that the liabilities are expected to increase during the year based on increased eligibility and service.

Normal Cost is the value of benefits expected to be earned during the year, again based on certain actuarial methods and assumptions. The 2007-2008 Fiscal Year Normal Cost is \$1,384,730.

The results were calculated based upon plan provisions and census data, as provided by Colton, along with certain demographic and economic assumptions as recommended by SMART with guidance from the GASB statement and approved by Colton.

C. DEMOGRAPHIC INFORMATION

Data was provided by Colton as of July 1, 2007.

Participant Information	July 1, 2007
Active Participants	3,033
Inactive Participants	99
Total	3,132
Employer Contributions	2007-2008 FY
Expected OPEB Contributions:	\$0
Active Participants	805,324
Inactive Participants	
Total Contribution	\$805,324

D. ASSETS

As of the valuation date, Colton does not set aside assets in trust to pay future benefits.

Assets	July 1, 2007
Market Value of Assets	\$0
Actuarial Value of Assets	\$0
Investment Return	N/A

According to GASB 45, an employer has made a contribution to pay for future benefits only if it meets one of these criteria:

- The employer has made benefit payments directly to or on behalf of a retiree or beneficiary.
- The employer has made premium payments to an insurer.
- The employer has made contributions to an OPEB plan to fund payments of benefits as they come due in the future, and all the following apply:
 - The employer no longer has ownership or control of the assets.
 - The plan is effectively a legally separate entity under the stewardship of a board of trustees.
 - The plan assets provide benefits to retirees and their beneficiaries in accordance to the terms stated in the plan.
 - The plan assets are legally protected from creditors of the employer.

E. ECONOMIC ASSUMPTIONS

GASB 45 requires that the discount rate used to calculate the actuarial present value of projected plan benefits should be the estimated long-term yield on the “investments that are expected to be used to finance the payments of benefits”. Since Colton does not pre-fund plan liabilities, the discount rate should be based on “employer assets”, specifically, the long-term expected return on employer investments that are not restricted for other purposes and are expected to be used to finance benefit payments.

It is not clear how the general pool of assets used to finance Colton’s payment of OPEB premiums is invested for the long-term. Many public sector employers are using a rate closer to the required rate under the Financial Accounting Standards Board No. 106 (FAS 106) to value postretirement healthcare benefits for private employers or what their peers are using. A rate of 5.00% is reasonable and consistent with what other similarly situated governmental employers are using.

The trend assumption is used to project the growth of the expected claims over the lifetime of the healthcare recipients. The GASB statement does not require a particular source for information to determine healthcare trends, but it does recommend selecting a source that is “publicly available, objective and unbiased.”

Colton retained SMART Business Advisory and Consulting, LLC ("SMART") to perform a valuation of its postretirement welfare benefit plans for the purpose of determining its annual cost in accordance with GASB Statement No. 45 – Accounting and Financial Reporting by Employers for Post Employment Benefits Other Than Pensions. This valuation has been conducted in accordance with generally accepted actuarial principles and practices.

The consulting actuary is a member of the Society of Actuaries and other professional actuarial organizations, and meets their "General Qualification Standard for Public Statements of Actuarial Opinion" relating to postretirement welfare plans.

In preparing the results presented in this report, we have relied upon information provided to us regarding plan provisions, plan participants, and plan assets. We have reviewed this information for overall reasonableness and consistency, but have neither audited nor independently verified this information. The accuracy of the results presented in this report is dependent upon the accuracy and completeness of the underlying information.

Where reasonable, the actuarial assumptions and the accounting policies and methods employed in the development of the postretirement welfare cost have been selected by Colton, which relied upon actuarial audits and experience studies conducted for California Public Employees Retirement System (CALPERS) and California State Teachers Retirement System (CALSTRS). We did not independently study historic information to develop assumptions. The mortality table used for the valuation is RP-2000 projected to 2015. It was selected due to its relevance as a current mortality table and is also used by other governmental agencies to value their populations. The amortization of unfunded liabilities as a level dollar amount over 30 years was selected to comply with GASB 45 requirements for a Closed Group. Under a Closed Group Actuarial Cost Method, actuarial present values associated with future entrants are not considered. The selected discount rate is based on an expected return on assets for a pre-funded plan. The Unit Credit cost method was selected. When the benefit is pre-funded with an irrevocable trust, a method of valuing assets (e.g., market value or a smooth approach) will need to be selected.

The valuation has been conducted in accordance with generally accepted actuarial principles and practices. In our opinion, the actuarial assumptions and methods represent reasonable expectations of anticipated plan experience. To fulfill the applicable accounting requirements, each actuarial assumption should be management's "best estimate solely with respect to that individual assumption."

The information contained in this report was prepared for the internal use of Colton and its auditors in connection with the actuarial valuation of the postretirement welfare plan. It is neither intended nor necessarily suitable for other purposes. Colton may also distribute this actuarial valuation report to parties which have a legal right to require Colton to provide them with this report, in which case they will provide this report in its entirety including all assumptions, caveats and limitations.

We are available to answer questions on the material contained in the report or to provide explanations or further detail, as may be appropriate.



Robert L. Cohen, FSA, MAAA
Senior Manager, Compensation and Benefits
SMART Business Advisory and Consulting, LLC
October 2, 2007

BOARD AGENDA

REGULAR MEETING
October 18, 2007

STUDY, INFORMATION AND REVIEW

TO: **Board of Education**

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: **Proposed Amendment of Board Policy (Human Resources)**

BP 4112.21 Interns (6600)
AR 4112.21 Interns (new)
AR 4112.22 Staff Teaching Students of Limited English Proficiency (new)
AR 4212.22 Staff Teaching Students of Limited English Proficiency (new)

GOAL: Human Resources Development

BACKGROUND: The Administration is updating Board Policies and Administrative Regulations under the guidelines of the California School Boards' Association.

SS.4

INTERNS

BP 4112.21

The Governing Board supports the use of interns to fulfill the district's need for additional instructional resources and to enable future teachers to fulfill state credentialing requirements and link teaching theory with practice.

The Superintendent or designee may enter into an agreement with an accredited college or university to jointly provide supervised teaching experiences within the district as part of a teacher preparation program. He/she shall collaborate with the college or university in the selection, placement, support and performance assessment of interns.

Interns shall not be assigned to teach any classes outside the subject area, grade levels or classes authorized by their credential.

In order to be hired to teach core academic subjects, as defined in law, in a program supported by federal Title I funds, or to teach core academic subjects in any classroom after the end of the 2005-06 school year, an intern shall meet the definition of a "highly qualified" teacher adopted by the State Board of Education. (20 USC 6319, 7801; 5 CCR 6100-6112)

Terms of employment for interns shall be consistent with law and/or the district's collective bargaining agreement.

Interns shall be provided with ongoing feedback regarding their performance in order to enhance their skills and shall be formally evaluated at least once every year.

The Superintendent or designee shall coordinate services offered to interns with services offered to beginning teachers in the district in order to provide continuity of preparation, support and assessment.

Pre-Intern Teaching Program

The Superintendent or designee shall provide intensive preparation, support and assistance to individuals with pre-intern certificates issued by the California Commission on Teacher Credentialing in order to provide such employees with early, focused preparation in the subject matter they are assigned to teach and to assist them in progressing into a teacher internship program.

Pre-interns shall not be hired to teach core academic subjects in programs supported by federal Title I funds. By the end of the 2005-06 school year, pre-interns shall not be assigned to teach core academic subjects in any classroom. (20 USC 6319, 7801; 5 CCR 6115)

*Legal Reference:**EDUCATION CODE**300-340 English language education for immigrant children**44259 Minimum requirements for teaching credential**44279.1-44279.7 Beginning Teacher Support and Assessment System**44305-44308 Pre-Internship Teaching Program**44314 Diversified or liberal arts program**44321 CCTC approval of internship programs**44325-44329 District interns**44450-44468 Teacher Education Internship Act of 1967 (university interns)**44830.3 Employing district interns**44885.5 District interns classified as probationary employees**CODE OF REGULATIONS, TITLE 5*

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INTERNS - Continued

BP 4112.21

6100-6125 No Child Left Behind teacher requirements
13000-13017 New Careers Program
80055 Internship credential
UNITED STATES CODE, TITLE 20
6319 Highly qualified teachers
7801 Definitions, highly qualified teacher

Management Resources:

CCTC PUBLICATIONS

CCTC Credential Handbook, revised 1997

California's Future: Highly Qualified Teachers for All Students, November 1997 (contains California Standards for the Teaching Profession)

Standards of Program Quality and Effectiveness for District Intern Programs, revised 1996

CCTC CODED CORRESPONDENCE

03-0028 Changes in district intern programs as a result of Senate Bill 187, December 22, 2003

03-0006 Announcement of the availability of Individualized Internship Certificate, March 3, 2003

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance, revised January 16, 2004

CSBA ADVISORIES

New Law Amends District Intern Program, September 2003

WEB SITES

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

California Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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INTERN TEACHERS

6600

Intern teachers are specially credentialed personnel who are working under the direct supervision of a university or college official. The year of internship is credited towards tenure. Placement of interns shall be in accordance with agreements between sponsoring colleges and universities and the District. Payment shall be based upon the current salary schedule at Step I, Class I.

Replaced
w/ BP 4112.21

ADMINISTRATIVE REGULATIONNew

AR 4112.21

INTERNS**University Internship Program**

The Governing Board may employ persons with an appropriate internship credential from the California Commission on Teacher Credentialing (CCTC) to provide the same service at the same levels as the regular credential authorizes. (*Education Code 44454*)

The Superintendent or designee shall seek the assistance of the college or university in coordinating the intern's program. (*Education Code 44465*)

The Superintendent or designee may enter into agreements to employ competent and qualified college and university staff members to supervise and guide interns as they pursue their district responsibilities. (*Education Code 44461*)

A university intern may choose an early completion option leading to a five-year preliminary credential by demonstrating competence through assessments and observations in accordance with Education Code 44468. (*Education Code 44468*)

Prior to enrollment in any college or university program to renew the internship credential, the appropriate personnel in the employing school district shall counsel with the intern and jointly plan a total program for the first and subsequent renewals. The program shall meet the instructional or service needs of the district with the primary objective being to increase the effectiveness of the intern in the district. (*Education Code 44457, 44458*)

Pre-Intern Teaching Program

The Superintendent or designee shall ensure that experienced teachers and other appropriate district personnel are involved in the preparation and support of pre-intern teachers. He/she also shall collaborate with college or university personnel to ensure the availability of courses needed by pre-interns.

Preparation for pre-interns shall begin before or during the first semester of the pre-internship and shall include, but not be limited to, lesson planning, classroom management and organization.

No later than the second year of employment, the program for each pre-intern shall reflect the California Standards for the Teaching Profession jointly developed by the CCTC and the California Department of Education.

(10/96 6/98) 3/04

ADMINISTRATIVE REGULATION

AR 4112.22

STAFF TEACHING STUDENTS OF LIMITED ENGLISH PROFICIENCY**Definitions**

Instruction for English language development means instruction designed specifically for limited-English-proficient students to develop their listening, speaking, reading, and writing skills in English. (*Education Code 44253.2*)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of limited-English-proficient students. (*Education Code 44253.2*)

Content instruction delivered in the primary language means instruction in a subject area delivered in the primary language of the student. (*Education Code 44253.2*)

Teacher Qualifications

The Superintendent or designee shall ensure that a teacher providing instruction for English language development, specially designed academic instruction in English (SDAIE), and/or content instruction in any student's primary language possesses the appropriate authorization(s) issued by the California Commission on Teacher Credentialing (CCTC).

A teacher may be provisionally assigned to provide instruction for English language development or SDAIE during the period that he/she is pursuing training to complete a Certificate of Completion of Staff Development pursuant to Education Code 44253.10.

*Legal Reference:**EDUCATION CODE**10600-10610 California Education Information System**44225 Duties of the Commission on Teacher Credentialing**44253.1-44253.10 Certification for bilingual-crosscultural competence**44258.9 County superintendent review of teacher assignment**44259.5 Standards for teachers of all students, including English language learners**44380-44386 Alternative certification**44760-44763 Teacher supply and demand reporting**52160-52178 Bilingual-Bicultural Act of 1976**52180-52186 Bilingual teacher training assistance program**62001-62005.5 Evaluation and sunseting of programs**CODE OF REGULATIONS, TITLE 5**6100-6125 Teacher qualifications, No Child Left Behind Act**80016 Certificate of completion of staff development to teach English learners**UNITED STATES CODE, TITLE 20**1701-1704 Equal educational opportunities**6319 Highly qualified teachers**6601-6651 Training and recruiting high-quality teachers**6801-7014 Language instruction for English learners and immigrant students**7801 Definitions, highly qualified teacher**CODE OF FEDERAL REGULATIONS, TITLE 34**200.55-200.57 Highly qualified teachers**COURT DECISIONS**Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698*

ADMINISTRATIVE REGULATION - Continued

AR 4112.22

STAFF TEACHING STUDENTS OF LIMITED ENGLISH PROFICIENCY - Continued

Management Resources:

CDE PROGRAM ADVISORIES

0300.97 Programs for English learners

CTC PUBLICATIONS

Languages Other than English Single Subject Matter Standards for the Single Subject Teaching Credential, May 2004

CL-622 Serving English Learners, February 2004

CTC CODED CORRESPONDENCE

04-0001 Clarification of authorizations to teach English learners, January 12, 2004

02-0006 Authorization to teach English learners pursuant to SB 2042, April 24, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants Title II, Part A Non-Regulatory Draft Guidance, revised January 16, 2004

WEB SITES

California Association for Bilingual Education: <http://www.bilingualeducation.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

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

(3/00 3/04) 11/04

ADMINISTRATIVE REGULATION

AR 4212.22

STAFF TEACHING STUDENTS OF LIMITED ENGLISH PROFICIENCY

The Superintendent or designee shall ensure compliance with state staffing requirements for serving English language learners by:

Demonstration of Educational Results

The district providing data demonstrating that limited English proficient (LEP) or former LEP students are performing at a level equal to or above that of all students statewide, or that current LEP students are learning at a sufficiently rapid pace to close the gap between their performance and that of all students.

Instruction by Credentialed Teachers

Education Code 44259.5 further requires that, starting July 1, 2003, approved programs of beginning teacher induction must satisfy standards developed by the CCTC and Superintendent of Public Instruction for teachers for all students, including English language learners. Starting July 1, 2005, the CCTC may issue clear credentials only to candidates who have completed such programs. Candidates for either type of credential may alternatively obtain authorization to provide services to English language learners pursuant to Education Code 44253-44253.4 and 44253.10.

Appropriately credentialed teachers providing English language development and/or primary language instruction.

Any district, county office of education or regionally accredited college or university may sponsor this staff development, which could be included in the district's remedial plan (CDE Option 4 below) as well as being used under CDE Option 2. The staff development must meet content and quality standards set forth in guidelines adopted by the CCTC (5 CCR 80680-80690.1). SB 395 amended Education Code 44253.10 to require the CCTC to align these guidelines to the teacher preparation leading to the CLAD certificate and, by January 1, 2002, to review in relation to these guidelines all programs not approved by January 1, 2001.

Pursuant to Education Code 44253.10, a teacher may satisfy the staff development requirement by completing an equivalent three semester unit or four quarter unit class at a regionally accredited college or university.

Education Code 44253.10 provides that the certificate of completion awarded to each teacher who completes the staff development is valid in all California public schools, and requires that the sponsoring agency provide to the CCTC a copy of each certificate of completion within 90 days of issuing it.

A teacher shall be considered qualified to provide specially designed content instruction delivered in English if he/she meets both of the following conditions: (*Education Code 44253.10*)

1. The teacher, as of January 1, 1999, is a permanent employee of the district or was previously a permanent employee and then was employed in any California public school district within 39 months of the previous permanent status.

ADMINISTRATIVE REGULATION - Continued

AR 4212.22

STAFF TEACHING STUDENTS OF LIMITED ENGLISH PROFICIENCY - Continued

2. The teacher completes, prior to January 1, 2005, 45 hours of staff development in methods of specially designed content instruction delivered in English.

A teacher who has completed the above training may provide specially designed content instruction delivered in English and English language development in any departmentalized teaching assignment consistent with the teacher's basic credential. The teacher may provide instruction for English language development in a self-contained classroom if he/she has accomplished one or both of the following: (*Education Code 44253.10*)

1. Has taught for at least nine years in California public schools, certified that he/she has had experience or training in teaching LEP students, and authorized verification by the entity that issued a certificate of completion for the staff development
2. Has completed, within three years of completing the staff development described above, an additional 45 hours of staff development, including specially designed content instruction delivered in English and English language development training

During the period when the teacher is pursuing training in instruction for English language development or specially designed content instruction delivered in English, he/she may be provisionally assigned to provide that instruction. (*Education Code 44253.10*)

Local Designation of Qualified Teachers

Teachers providing English language development and/or primary language instruction meeting district criteria for teacher proficiencies which have been approved by the California Department of Education.

Plan to Remedy the Shortage of Qualified Teachers

The Superintendent or designee developing a plan to remedy the district's shortage of qualified teachers in accordance with law and with California Department of Education approval.

This plan shall include an appropriate staff development program designed to provide training in English language development teaching methodology, bilingual cross-cultural teaching methodology, and the acquisition of the primary languages of LEP students. As part of this plan, appropriately qualified bilingual paraprofessionals may be teamed with regular teachers. The plan shall specify the number of teachers to be trained and the number expected to meet certification or local designation standards each year. The training program also shall address the needs of teachers who instruct LEP students on an interim basis.

General Waiver Authority

When the district is unable, after good faith efforts, to obtain the human and material resources necessary to provide instructional and support services for LEP students, the district requesting a waiver from the State Board of Education under the General Waiver Authority. (*Education Code 33050*)

ADMINISTRATIVE REGULATION - Continued*New*

AR 4212.22

STAFF TEACHING STUDENTS OF LIMITED ENGLISH PROFICIENCY - Continued**Specially Designed Services and Training**

Whenever there are fewer than 51 students of a particular language group in the district or fewer than 21 students of a particular language group in any school, the Superintendent or designee designing special instructional services and staff training programs in concert with the California Department of Education's Bilingual Education Office.

*Legal Reference:**EDUCATION CODE**10600-10610 California Education Information System**33050 Request for waiver of code provisions**44225 Duties of the Commission on Teacher Credentialing**44253.1-44253.10 Certification for bilingual-crosscultural competence**44259.5 Standards for teachers of all students, including English language learners**44380-44386 Alternative certification**44760-44763 Teacher supply and demand reporting**52160-52178 Bilingual-Bicultural Act of 1976**52180-52186 Bilingual teacher training assistance program**62001-62005.5 Evaluation and sunseting of programs**CODE OF REGULATIONS, TITLE 5**80680-80690.1 Staff development programs for teachers of English learners**UNITED STATES CODE, TITLE 20**1701-1704 Equal Educational Opportunities**COURT DECISIONS**Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698**Management Resources:**CDE PROGRAM ADVISORIES**0300.97 Programs for English Learners**0210.89 Changes Regarding Limited-English Proficient Program**0520.88 State Program for Students of Limited English Proficiency, CCP: 87/8-14**CDE PUBLICATIONS**Remedying the Shortage of Teachers for LEP Students, 1991**Option 1 Alternatives: Technical Standards and Recommended Practices for Development of Outcome-Based Assessment of District Services to LEP Students, 1991**Local Designation of Qualified Teachers, LEP Staffing Option 3, 1989**A Resource Guide, Plan to Remedy the Shortage of Qualified Teachers (Option 4), 1991*

(6/95 6/9) 3/00

BOARD AGENDA

REGULAR MEETING
October 18, 2007

STUDY, INFORMATION and REVIEW

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Proposed Amendment of Board Policy by Substitution
(Business Services)

BP 3140 Use of Facilities

GOAL: Facility, Support Services, Budget Planning

BACKGROUND: This existing Board Policy is being brought forward to amend for the following reasons:

1. Update for changes in the law found during a recent Use of Facilities workshop while maintaining the character of the existing. Because the existing policy was not as understandable as preferred, the amended version is written to follow the existing for ease in comparison. The amendments are in gray highlight.
2. Create a Joint Use with Other Agencies policy that will address the needs of the District. In particular, the District desires to only have such agreements extend to the end of the current Board's term as well as give the subsequent Board the flexibility to extend such agreements. All likely sources for wording were searched and none were found, so the attached were written by staff and are waiting for County Counsel to review and opine.
3. Update the Facility Rental Fees (attached) for inflation and stay in line with neighboring districts. The Business Office is in the process of working with Community Youth Sports Groups to determine a mutually beneficial rate to charge for use of school fields. The concept is to charge only a per participant amount that would cover 50% of the cost of renovating such fields (see the schedule on the website) on a periodic basis. The District's Grounds budget would cover the other 50%. This will be brought forward at a later date when work with the groups is completed.

BUDGET IMPLICATIONS: See attached Draft Facility Rental Fee Schedule

SS.5

A. GENERAL PROVISIONS

1. The Board of Education may grant the use of school facilities in conformity with the laws of the State of California.
2. The use of all school buildings, facilities, and grounds shall be regulated by the Superintendent or designee, acting for the Board of Education and in accordance with the policies adopted by the Board.
3. Any individual or organization using school property shall hold the District, its Board, the individual members thereof, and all District officers, agents, and employees free and harmless from any loss, damage, liability, or expense that may arise during, or be caused in any way, by such use.
4. No use shall be inconsistent with the building or grounds for school purposes, or interfere with the regular conduct of schoolwork.
5. No use shall be granted to any club, organization, or association, or church or religious group for a period in excess of six months, or beyond the end of a school year. No use shall be granted in such a manner as to constitute a monopoly for the benefit of any person or organization, and any privilege granted shall be renewable and revocable at the discretion of the Board at any time.
6. School facilities may be used for mass care and welfare centers during disasters or other emergencies affecting the public health and welfare. The District shall cooperate with relief agencies in furnishing and maintaining such services, as the Board may deem necessary to meet the needs of the community.
7. Use of facilities may be granted without charge to the following, provided that said buildings or facilities are to be used for supervised recreational activities or for the discussion of subjects and questions pertaining to the educational, political, economic, artistic, or moral interests of the citizens of the District.
 - a. Parent Teacher Associations
 - b. Senior Citizen Organizations
 - c. Boy Scouts, Girl Scouts and 4-H Clubs
 - d. Farmers' Organizations
 - e. Student clubs and organizations.
 - f. Fund raising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District.

- g. School-Community Advisory Councils
 - h. Other public agencies
 - i. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes. In the instance of conflict, sports organization shall be required to provide an attendance roster prior to final approval to assure the majority of the players are from within the District boundaries.
8. The Governing Board may charge those organizations and activities listed in "7" above an amount not to exceed the following:
- a. The cost of opening and closing the facilities, if no school employees would otherwise be available to perform that function as a part of their normal duties.
 - b. The cost of a school employee's presence during the organization's use of the facilities, if the Business Office determines that the supervision is needed, and if that employee would not otherwise be present as part of his or her normal duties.
 - c. The cost of custodial services, if the services are necessary, and would not have otherwise been performed as part of the custodian's normal duties.
 - d. The cost of utilities directly attributable to the organization's use of facilities.
9. In all other cases not hereinafter specifically prohibited by law or School Board Policy, such use may be granted for public, literary, scientific, recreational or educational meetings or for the discussion of matters of general or public interest upon the pre-payment of the following rental fees:

	<u>Minimum Charge Use</u>	<u>Fair Market Use</u>
Classrooms	\$ 32 per hour	\$ 55 per hour
Cafeteria/Multi-purpose room	\$ 75 per hour	\$125 per hour
Auditorium	\$130 per hour	\$195 per hour
700-1,200 capacity		
Gymnasium	\$210 per hour	\$225 per hour
Shower and Locker Rooms	\$210 per hour	\$ 35 per hour
HS Stadium		
without lights	\$250 per hour	\$548 per hour
with lights	\$300 per hour	\$592 per hour
HS Baseball field		
without lights	\$121 per hour	\$140 per hour
with lights	\$181 per hour	\$190 per hour
Swimming Pool (certified lifeguard required for use of	\$ 75 per hour	\$200 per hour

Proposed in Grey

all pools)

10. The fees do not include:



- a. **District employee assistance.**
- b. Setup for track events, football games, etc.
- c. Audio or loud speaking system.
- d. Audio spots, use of dimmer boards and stage equipment.
- e. Motion picture projectors or other visual aid equipment except existing screens in the facility rented.

e. Use of school kitchens.

Where preliminary preparation is involved or school equipment is to be used, operation of kitchen equipment requires written approval by Food Services Director prior to any use of school facilities. A fee of \$10 per hour is charged in addition to the regular rental fee.

f. Use of swimming pools.

(i) Qualified adult personnel shall be present at all times the pool is in use.

(ii) Authorized swim clubs may use the pool without charge at such time that it will not interfere with school or recreational usage, providing they have a qualified adult and/or lifeguard in charge who will serve without cost to the District during such times that the clubs make use of the pool.

g. Use of fields for recreational activities shall not be approved unless sufficient necessary sanitary facilities are provided **for the estimated attendance as supplied by applicant or** as determined by the Colton Joint Unified School District.

B. REQUIREMENTS FOR USE OF FACILITIES

1. Requests

An application for use of school facilities shall be submitted through the **Facilities** Office of the District at least two weeks prior to the time facilities are requested. Any person(s) applying for the use of school property on behalf of any society, group or organization shall be **an authorized officer** of the applicant group.

2. Limitation of Time


a. The Governing Board may limit the use of the facility to no more than five separate or consecutive calendar days or portions thereof in each fiscal year. This is done in accordance with Education Code 38131. This limitation does not apply to school activities including adult education, PTA, and the park and recreation district.

School facilities shall not be available for use on holidays (See Annual District Calendar) unless prior approval is given by the Superintendent or designee.

Use of Facilities by church or other religious organizations

- b. Use of school facilities for religious services may be granted to organized church groups for a temporary period not to exceed six months, with the option to renew for one additional six-month period. A renewal request for use beyond the second six-month period shall be subject to approval by the Board. Use of a school facility for religious services shall be guided by the following criteria:
 - i. Religious organizations requesting use of school facilities must declare or demonstrate their intent to provide, their own facilities; and
 - ii. Religious organizations requesting use of school facilities must make good-faith efforts toward providing their own facilities. In the event that a religious organization requests approval to use a school facility beyond the second six month period, evidence of such good faith efforts (e.g. development/building applications, property deeds, etc.) shall be submitted to the Board for its consideration before approval of a third six month period.

3. Description of Activity

 A description of the activity to take place shall accompany the application if the information provided on the form itself is not completely self-explanatory. A review by the District Facilities **Staff** shall be conducted to ensure compliance with appropriate safety, insurance, and fire regulations.

4. Advertisement of Activity

If a requester intends to advertise the proposed activity, copies of all advertising material shall be cleared with the District Communications Office prior to release. The purpose is to ensure that the requester is clearly identified as the sponsoring agent and to ensure that the District will not incur indirect costs attributed to the advertising material.

5. Supervision

All juvenile groups or organizations seeking use of school facilities must be supervised by adults. In most cases, at least one supervisor for each twenty minors.

6. Protection of School Property

- a. All users of school facilities shall assume full responsibility for damage or abuse thereof, and shall ensure the maintenance and cleanliness of facilities. The Board shall charge the amount necessary to repair any damages. Further use of school facilities may be denied the applicant.
- b. Specialized equipment, such as movie projectors, etc., owned by the District shall be approved for use only when an applicant demonstrates the ability to properly operate the requested equipment. Otherwise, such equipment shall be operated only by District personnel.

7. Liability and Insurance

The District will require a Certificate of Insurance to indemnify the District in the event of a liability lawsuit.

8. Cancellation

If a meeting or event is postponed or cancelled, the school and the Facilities office shall be so notified at least twenty-four (24) hours in advance. Failure of an organization to provide this notice to the District will result in the organization being billed for the meeting/event at the scheduled rate.

9. Statement of Information



Every applicant organization or individual seeking use of school facilities shall complete the following statement of information on the application for use of facilities.

STATEMENT OF INFORMATION

The undersigned, as duly authorized representative for _____, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act, which is prohibited by law.

The undersigned further declares that _____ the organization on whose behalf he/she is applying for use of school property, upholds and defends the Constitutions of the United States and the State of California.

(Signed)

(Date)

10. Use of Kitchens

Whenever any group or organization is given permission to use the school kitchen for the preparation and/or serving of food, a school cafeteria worker must be

present during such use. The function of this worker is to supervise the cafeteria use, furnish instructions concerning the use and care of equipment, and to see that the facility is left in condition for its school use the following school day. If the group or organization wishes to use a cafeteria worker directly in the preparation of food or the operation of cafeteria equipment, the group or organization shall pay the wages of such worker. Arrangements for use of a cafeteria worker in this manner shall be between the group or organization and the Food Services Director.

If a group or organization is given permission to use the cafeteria for the serving of light refreshments (such as coffee, punch, cookies), no cafeteria worker need be present.

Applicants for the use of school facilities who wish to use the cafeteria for the preparation and/or serving food other than light refreshments must so stipulate on their applications. Such applications shall be sent to the Food Services Director.

The Food Services Director will assign the cafeteria worker if one is required.

11. Denial of use of School Facilities

a. Organizations Not Permitted Use

No use of school facilities shall be granted any person or organization for the commission of any crime, or any act which is prohibited by law.

b. Termination of Privileges

The Governing Board may terminate any agreement for use of school property by public or religious groups, for good cause, at any time.

c. Restrictions

Use of school grounds will be at the risk of the user. Skateboarding, golfing, and motorized vehicles are strictly prohibited.

JOINT USE WITH OTHER AGENCIES

The governing Board recognizes that agencies at all levels of government share its concern and responsibility for the health, safety and welfare of youth. The Superintendent or designee shall initiate and maintain good working relationships with these agencies in order to help make better use of the resources available, which other governmental agencies can provide.

The District may enter into agreements with other agencies, which involve the exchange of funds or reciprocal services. Such agreements shall be approved by the Board and executed in writing for only five-years for the initial period and include options for mutual renewal in five-year increments.

Facility Usage Insurance Requirements

1. Minimum Limits of Coverage:

General liability of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, wither the general aggregate limit shall apply separately to this usage period or the general aggregate limit shall be twice the required occurrence limit and in effect 30 days prior to use.

2. Certificate of Insurance with Colton Joint Unified School District endorsement as Additional Insured Party must come directly from the Insurance provider and list the name of the organization and team name if applicable.

3. Application and permit for use of Facilities must be completed and returned to Facilities at least 10 days before scheduled event.

**COLTON JOINT UNIFIED SCHOOL DISTRICT
APPLICATION AND PERMIT FOR USE OF SCHOOL FACILITIES**
(PLEASE SUBMIT ALL THREE COPIES TO THE FACILITIES OFFICE)

DRAFT

Today's Date _____ Organization _____ School _____
 Date(s) of use _____ Time: _____ Purpose of use _____
 (six month maximum)

FACILITY (Please circle) Auditorium / Multi-Purpose Room / Classroom / Resource Room / Kitchen / Restrooms / Football Stadium / Basketball Courts /
 Ken Hubbs Gym / Macintosh Gym / BHS Gym / Fields (please specify) _____ / Other _____

Will school equipment be needed? If so, please list and contact Principal or Director of Activities prior to event _____
 Estimated Total Attendance _____ Admission Fee \$ _____ Collection? Yes ___ No ___ Will event be non-exclusive and open to the public?
 Is the organization making application a religious creed, church, or sectarian denomination? Yes ___ No ___ Is it in any way connected with or giving support
 or aid to a religious group, church creed, or sectarian denomination? Yes ___ No ___

REASONS FOR REVOCATION OF PERMIT: This permit shall be revocable without notice and at any time by District if District decides, in its sole discretion,
 that either (1) it is in the best interest of the District to revoke Organization's Permit or (2) the Organization's use of the Facility is in violation of any provision of
 the District's Civic Center Rules and Regulations, including, but not limited to, failing to follow parking restrictions, filing to clean the Facility and/or conducting
 activities at the Facility outside the scope of the Permit. If the Permit is revoked pursuant to section (2) above, the District will not refund any fees paid to the
 District by the Organization.

The undersigned acknowledges that he/she has read and agrees to abide by the District's Civic Center Rules and Regulations and acknowledges and agrees that
 District's Civic Center Rules and Regulations are incorporated into this Permit. The undersigned applicant hereby agrees to be personally responsible, on behalf
 of the above-named organization: (1) for any damage sustained by the school building or appurtenances thereof, accruing through the occupancy of said
 organization; (2) to conform to all the rules and regulations of the Colton Joint Unified School District Board of Education governing the use of facilities; and (3) to
 pay promptly all invoices for services, including food services, if any, furnished by the District.

HOLD HARMLESS AGREEMENT: The applicant for the use of Colton Joint Unified School District facilities agrees to and does hereby indemnify and hold
 harmless the District, its officers, agents, and employees from every claim or demand made and every liability, loss, damage, or expense of any nature
 whatsoever, which may be incurred by reason of use of such facilities.

NO LOTTERY SHALL BE CONDUCTED ON ANY SCHOOL GROUNDS OR IN ANY WAY CONNECTED WITH THIS PERMIT.

APPLICANTS NAME (PLEASE PRINT OR TYPE) _____ SIGNATURE _____ TITLE _____
 ADDRESS _____ CITY _____ ZIP CODE _____ PHONE NUMBER _____

DISTRICT OFFICE USE ONLY

Verified by: _____ Date: _____ Is there a charge? \$ _____ Portable Restroom(s)? _____
 Insurance Required? _____

Approved By _____ Title _____ Date _____ Phone Number _____
 DISTRIBUTION: WHITE - Facilities Office YELLOW - School PINK - Applicant

DRAFT FACILITY RENTAL FEES COLTON JOINT UNIFIED SCHOOL DISTRICT



	COLTON JT. USD FEES *	PROPOSED NEW FEES*	FONTANA USD FEES	SAN BERNARDINO CITY USD FEES	YUCAIPA-CALIMESA USD FEES	MORENO VALLEY USD
CLASSROOMS/LIBRARY	\$25 PR HR	\$ 32 PR HR	\$114 2-HR MIN \$ 57 EA. ADDL HR	\$31.70 PR HR	\$20 PR HR	\$25 HR CLSRM
CAFETERIA MULTI-PURPOSE ROOMS	\$30 PR HR	\$75 PR HR	\$244 2-HR MIN \$122 EA. ADD HR	\$94.30 PR HR \$83.70 PR HR	\$60 PR HR	\$36 HR LIB \$42 HR MP RM
KITCHEN	N/A	N/A	\$194 2-HR MIN \$ 97 EA ADD HR	N/A	\$80 PR HR	\$36 HR COOK \$25 HR SERVE
AUDITORIUM: 700 - 1,200 CAPACITY	\$35 PR HR	\$130 PR HR	\$394 2-HR MIN \$197 EA. ADD HR	\$283.94 PR HR TO \$189.65 PR HR	\$40 PR HR	\$71 HR
GYMNASIUM SHOWER & LOCKER ROOM	\$35 PR HR \$30 PR HR	\$210 PE RHOURE	\$426 2-HR MIN \$213 EA ADD HR	\$225.67 PR HR	\$150 PR HR	\$118 HR \$25 HR SHOWER
TENNIS COURTS	N/A	\$43 PR HR	\$50 2-HR MIN \$25 EA ADD HR	\$37.00 PR HR	N/A	\$25 HR
BUS TRANSPORTATION (TO OTHER GOVERNMENTAL ENTITIES ONLY)	\$40-\$60 PR HR	N/A	N/A	N/A	N/A	N/A
HS STADIUM - NO LIGHTS WITH LIGHTS	\$30 PR HR \$50 PR HR	\$250 PR HR \$300 PR HR	\$1,900 2-HR MIN \$ 950 EA ADD HR	\$141.97 PR HR		\$118 HR \$25 HR LIGHTS
HS BBALL FIELD - NO LIGHTS WITH LIGHTS	\$20 PR HR \$40 PR HR	\$121 PR HR \$181 PR HR	\$244 2-HR MIN \$122 EA ADD HR	N/A	\$100 PR HR \$200 PR HR	\$36 HR W/O
SWIMMING POOL (CERTIFIED LIFEGUARD REQUIRED FOR USE OF ALL POOLS)	\$35 PR HR	\$75 PR HR	\$494 2-HR MIN \$247 EA ADD HR	\$45.56 PR HR	N/A	\$8 HR W/LIGHTS
PARKING LOTS	N/A	\$50 PR HR	\$150 2-HR MIN \$ 75 EA ADD HR	N/A	\$35 PR HR	N/A
OTHER BBALL FIELD LIGHTS OTHER FBALL FIELD LIGHTS	\$12 PR HR \$16 PR HR	\$25 PR HR \$35 PR HR	\$25 PR HR \$35 PR HR			

10/11/07

PERSONNEL FEES

CUSTODIAL OVERTIME	\$20 PR HR	\$24 PR HR	\$22 PR HR	\$23.76 PR HR	\$32 PR HR	\$35 PR HR
KITCHEN WORKER OVERTIME	\$18 PR HR	\$21.50 PR HR			\$25 PR HR	\$30 PR HR
AUDIO/VISUAL TECHNICIAN			\$41.52 PR HR			\$42 PR HR

*PLUS CHARGE FOR ON-SITE SERVICE OF A DISTRICT EMPLOYEE AT REGULAR OR OVERTIME RATE (DEPENDING ON WHETHER EMPLOYEE WOULD NORMALLY BE SCHEDULED TO ON CAMPUS).

BUSINESSAmended by Substitution

3000

USE OF SCHOOL FACILITIES

3140

A. GENERAL PROVISIONS

1. The Board of Education may grant the use of school facilities in conformity with the laws of the State of California.
2. The use of all school buildings, facilities, and grounds shall be regulated by the Superintendent, acting for the Board of Education and in accordance with the policies adopted by the Board.
3. Any individual or organization using school property shall hold the District, its Board, the individual members thereof, and all District officers, agents, and employees free and harmless from any loss, damage, liability, or expense that may arise during, or be caused in any way, by such use.
4. No use shall be inconsistent with the building or grounds for school purposes, or interfere with the regular conduct of school work.
5. No use shall be granted to any club, organization, or association, or church or religious group for a period in excess of six months, or beyond the end of a school year. No use shall be granted in such a manner as to constitute a monopoly for the benefit of any person or organization, and any privilege granted shall be renewable and revocable at the discretion of the Board at any time.
6. School facilities may be used for mass care and welfare centers during disasters or other emergencies affecting the public health and welfare. The District shall cooperate with relief agencies in furnishing and maintaining such services as the Board may deem necessary to meet the needs of the community.
7. Use of facilities may be granted without charge to the following, provided that said buildings or facilities are to be used for supervised recreational activities or for the discussion of subjects and questions appertaining to the educational, political, economic, artistic, or moral interests of the citizens of the District.
 - a. Parent Teacher Associations
 - b. Senior Citizen Organizations
 - c. Campfire Girls, Boy Scouts, Girl Scouts and 4-H Clubs

USE OF SCHOOL FACILITIES

3140

- d. Farmers' Organizations
 - e. Clubs & Associations formed for recreational, scientific, educational, political, cultural, economic, artistic, and moral activities.
 - f. Student Clubs and Organizations.
 - g. Fund raising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District.
 - h. School-Community Advisory Councils
 - i. Other public agencies
 - j. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing).
8. The Governing Board may charge those organizations and activities listed in "7" above an amount not to exceed the following:
- a. The cost of opening and closing the facilities, if no school employees would otherwise be available to perform that function as a part of their normal duties.
 - b. The cost of a school employee's presence during the organization's use of the facilities, if the Business Office determines that the supervision is needed, and if that employee would not otherwise be present as part of his or her normal duties.
 - c. The cost of custodial services, if the services are necessary, and would not have otherwise been performed as part of the custodian's normal duties.
 - d. The cost of utilities directly attributable to the organization's use of facilities.
9. In all other cases not hereinafter specifically prohibited by law or School Board Policy, such use may be granted for public, literary, scientific, recreational or educational meetings or for the discussion of matters of general or public interest upon the pre-payment of the following rental fees:

USE OF SCHOOL FACILITIES -- Continued

3140

Note: Minimum Rental Period is 3 hours

	<u>*Minimum Charge Use *</u>	<u>*Fair Market Use</u>
Classrooms	\$25 per hour	\$35 per hour
Cafeteria/Multi-purpose Rooms	\$30 per hour	\$35 per hour
Auditorium: 700-1,200 capacity	\$35 per hour	\$65 per hour
Gymnasium	\$35 per hour	\$50 per hour
Shower & Locker Rooms	\$30 per hour	\$35 per hour
Bus Transportation (to other governmental entities only)	\$40-\$60 per hour	
Stadium without lights	\$30 per hour	\$50 per hour
with lights	\$50 per hour	\$75 per hour
Baseball Field -		
without lights	\$20 per hour	\$35 per hour
with lights	\$40 per hour	\$55 per hour
Swimming Pool (certified lifeguard required for use of all pools)	\$35 per hour	\$46 per hour

Field Lighting Only (No District Personnel):

<u>Facility</u>	<u>Utility</u>	<u>Charge per hour</u>
Baseball Field	Lights	\$12
Football Field	Lights	\$15

11. The preceding fees do not include:

- a. Setup for track events, football games, etc.**
- b. Audio or loud speaking system.**
- c. **Audio spots, use of dimmer boards and stage equipment.****
- d. **Motion picture projectors or other visual aid equipment except existing screens in the facility rented.****

* Plus on-site service of a District employee at regular or overtime rate (depending on whether employee would normally be scheduled to be on campus).

** Desired arrangement of furniture and need for any equipment (microphone, projector, etc.) must be indicated on the application, when applicable.

Redistributed 4/4/2000
Amended 6/25/96

USE OF SCHOOL FACILITIES - Continued

3140

e. Use of school kitchens.

Where preliminary preparation is involved or school equipment is to be used, operation of kitchen equipment requires written approval by Food Services Director prior to any use of school facilities. A fee of \$10 per hour is charged in addition to the regular rental fee.

f. Use of swimming pools.

(i) Qualified adult personnel shall be present at all times the pool is in use.

(ii) Authorized swim clubs may use the pool without charge at such time that it will not interfere with school or recreational usage, providing they have a qualified adult and/or lifeguard in charge who will serve without cost to the District during such times that the clubs make use of the pool.

g. Use of fields for recreational activities shall not be approved unless necessary sanitary facilities are provided as determined by the Colton Joint Unified School District.

12. Fee schedule for Swimming Pool Usage

Recreational - Students and Children	\$.50	
Adults	\$ 2.00	
Instructional - per class	\$ 7.50	Student
	\$10.00	Adult

13. Schedule for Computer Time

Per hour plus cost of supplies needed (Scanner \$35.00 per hour - District supplies the operator - forms extra)	\$60.00
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Redistributed 4/4/2000
Amended 6/25/96

BUSINESS

3000

USE OF SCHOOL FACILITIES - Continued

3140

B. REQUIREMENTS FOR USE OF FACILITIES

1. Requests

An application for use of school facilities shall be submitted through the Business Office of the District at least two weeks prior to the time facilities are requested. Any person(s) applying for the use of school property on behalf of any society, group or organization shall be a member of the applicant group, and, unless he/she is an officer of the group, must present written authorization from the applicant group to make the application.

2. Limitation of Time

- a. The Governing Board may limit the use of the facility to no more than five separate or consecutive calendar days or portions thereof in each fiscal year. This is done in accordance with Education Code 39379. This limitation does not apply to school activities including adult education, PTA, and the park and recreation district.

School facilities shall not be available for use on holidays (See Annual District Calendar) unless prior approval is given by the Superintendent or designee.

Use of Facilities by Church or Other Religious Organizations

- b. Use of school facilities for religious services may be granted to organized church groups for a temporary period not to exceed six months, with the option to renew for one additional six-month period. A renewal request for use beyond the second six month period shall be subject to approval by the Board. Use of a school facility for religious services shall be guided by the following criteria:

- i. Religious organizations requesting use of school facilities must declare or demonstrate their intent to provide their own facilities; and

USE OF SCHOOL FACILITIES - Continued

- ii. Religious organizations requesting use of school facilities must make good-faith efforts toward providing their own facilities. In the event that a religious organization requests approval to use a school facility beyond the second six month period, evidence of such good faith efforts (e.g. development/building applications, property deeds, etc.) shall be submitted to the Board for its consideration before approval of a third six month period.

3. Description of Activity

A description of the activity to take place shall accompany the application if the information provided on the form itself is not completely self-explanatory. A review by the District Facilities Coordinator shall be conducted to ensure compliance with appropriate safety, insurance, and fire regulations.

4. Advertisement of Activity

If a requester intends to advertise the proposed activity, copies of all advertising material shall be cleared with the District Communications Office prior to release. The purpose is to insure that the requester is clearly identified as the sponsoring agent and to ensure that the District will not incur indirect costs attributed to the advertising material.

5. Supervision

All juvenile groups or organizations seeking use of school facilities must be supervised by adults. In most cases, at least one supervisor for each twenty minors.

6. Protection of School Property

- a. All users of school facilities shall assume full responsibility for damage or abuse thereof, and shall ensure the maintenance and cleanliness of facilities. The Board shall charge the amount necessary to repair any damages. Further use of school facilities may be denied the applicant.

USE OF SCHOOL FACILITIES - Continued

b. Specialized equipment, such as movie projectors, etc., owned by the District shall be approved for use only when an applicant demonstrates the ability to properly operate the requested equipment. Otherwise, such equipment shall be operated only by District personnel.

7. Liability and Insurance

Depending upon the nature of the proposed use and the number of persons attending an activity, the District may require a Certificate of Insurance to indemnify the District in the event of a liability lawsuit.

8. Cancellation

If a meeting or event is postponed or cancelled, the school and the Facilities office shall be so notified at least twenty-four (24) hours in advance. Failure of an organization to provide this notice to the District will result in the organization being billed for the meeting/event at the scheduled rate.

9. Statement of Information

Every applicant organization or individual seeking use of school facilities shall submit the following statement of information.

STATEMENT OF INFORMATION

The undersigned, as duly authorized representative for _____, states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any crime or any act which is prohibited by law.

The undersigned further declares that _____, the organization on whose behalf he/she is applying for use of school property, upholds and defends the Constitutions of the United States and the State of California.

(Signed)

(Date)

USE OF SCHOOL FACILITIES - Continued

10. Use of Kitchens

Whenever any group or organization is given permission to use the school kitchen for the preparation and/or serving of food, a school cafeteria worker must be present during such use. The function of this worker is to supervise the cafeteria use, furnish instructions concerning the use and care of equipment, and to see that the facility is left in condition for its school use the following school day. If the group or organization wishes to use a cafeteria worker directly in the preparation of food or the operation of cafeteria equipment, the group or organization shall pay the wages of such worker. Arrangements for use of a cafeteria worker in this manner shall be between the group or organization and the Food Services Director.

If a group or organization is given permission to use the cafeteria for the serving of light refreshments (such as coffee, punch, cookies), no cafeteria worker need be present.

Applicants for the use of school facilities who wish to use the cafeteria for the preparation and/or serving food other than light refreshments must so stipulate on their applications. Such applications shall be sent to the Food Services Director.

The Food Services Director will assign the cafeteria worker if one is required.

11. Denial of use of School Facilities

a. Organizations Not Permitted Use

No use of school facilities shall be granted any person or organization for the commission of any crime or any act which is prohibited by law.

b. Termination of Privileges

The Governing Board may terminate any agreement for use of school property by public or religious groups, for good cause, at any time.

c. Restrictions

Use of school grounds will be at the risk of the user. Skateboarding, golfing, and motorized vehicles are strictly prohibited.

BUSINESS

USE OF SCHOOL FACILITIES - Continued

3000

COMMUNITY BUILDING AT GRAND TERRACE

3140.1

This building will operate under the contractual arrangement entered into with the City of Grand Terrace December 18, 1980, for a twenty-year (20) lease.

BUSINESS

3000

USE OF FACILITIES BY PERSONNEL

3150

No school facilities may be used by school personnel for the performance of work where charges are to be made by the individual for services performed.

Colton Joint Unified School District

Dennis Byas, Ed.D., Superintendent

Casey Cridelich, Assistant Superintendent, Business Services

Alice Goldman, Director, Facilities, Planning, and Construction



Joining Together to Go the Extra Mile

BOARD OF EDUCATION

Mr. Frank A. Ibarra, *President*

Mr. Kent Taylor, *Vice-President*

Mrs. Marge Mendoza-Ware, *Clerk*

Mr. Mel Albiso

Mr. Robert D. Armenta, Jr.

Mr. Mark Hoover

Mr. David R. Zamora

Facility Usage Insurance Requirements

1. **Minimum Limits of Coverage:**

General liability of at least \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, wither the general aggregate limit shall apply separately to this usage period or the general aggregate limit shall be twice the required occurrence limit.

2. **Certificate of Insurance with Colton Joint Unified School District endorsement as Additional Insured Party.**

3. **Application and permit for use of Facilities must be completed and returned to Facilities at least 10 days before scheduled event.**

copy of original

COLTON JOINT UNIFIED SCHOOL DISTRICT APPLICATION AND PERMIT FOR USE OF SCHOOL FACILITIES

(PLEASE SUBMIT ALL THREE COPIES TO THE FACILITIES OFFICE)

Today's Date _____ Organization _____ School _____

Date(s) of use _____ Time: _____ Purpose of use _____

FACILITY (Please circle) Auditorium / Multi-Purpose Room / Classroom / Resource Room / Kitchen / Restrooms
Football Stadium / Basketball Courts / Ken Hubbs Gym / Macintosh Gym / BHS Gym
Fields (please specify) _____ / Other _____

Will school equipment be needed? If so, please list and contact Principal or Director of Activities prior to event _____

Estimated Attendance _____ Admission Fee \$ _____ Collection? Yes ___ No ___ Will event be non-exclusive and open to the public? _____

Is the organization making application a religious creed, church, or sectarian denomination? Yes ___ No ___ Is it in any way connected with or giving support or aid to a religious group, church creed, or sectarian denomination? Yes ___ No ___

The undersigned applicant hereby agrees to be personally responsible, on behalf of the above-named organization: (1) for any damage sustained by the school building or appurtenances thereof, accruing through the occupancy of said organization; (2) to conform to all the rules and regulations of the Colton Joint Unified School District Board of Education governing the use of facilities; and (3) to pay promptly all invoices for services, including food services, if any, furnished by the District.

HOLD HARMLESS AGREEMENT: The applicant for the use of Colton Joint Unified School District facilities agrees to and does hereby indemnify and hold harmless the District, its officers, agents, and employees from every claim or demand made and every liability, loss, damage, or expense of any nature whatsoever, which may be incurred by reason of use of such facilities.

NO LOTTERY SHALL BE CONDUCTED ON ANY SCHOOL GROUNDS OR IN ANY WAY CONNECTED WITH THIS PERMIT.

The undersigned states that, to the best of his/her knowledge, the school property for use of which application is hereby made will not be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the Government of the United States by force, violence, or other unlawful means:

That _____, the organization on whose behalf is making application for use of school property, does not, to the best of your knowledge, advocate the overthrow of the Government of the United States or of the State of California by force, violence, or other unlawful means, and that, to the best of your knowledge, it is not a communist-action organization or communist-front organization required by law to be registered with the Attorney General of the United States. This statement is made under penalties of perjury.

APPLICANT'S NAME (PLEASE PRINT OR TYPE) _____ SIGNATURE _____ TITLE _____

ADDRESS _____ CITY _____ ZIP CODE _____ PHONE NUMBER _____

DISTRICT OFFICE USE ONLY

Verified by: _____ Date: _____ Is there a charge? \$ _____ Insurance Required? _____

Approved By _____ Title _____ Date _____ Phone Number _____

DISTRIBUTION: WHITE - Facilities Office YELLOW - School PINK - Applicant

BOARD AGENDA

REGULAR MEETING

October 18, 2007

Study, Information & Review

TO: **Board of Education**

PRESENTED BY: James A. Downs, Superintendent

SUBJECT:: **Board Bylaws (9000 Series)**

GOALS: Student Performance, Personnel Development, Facilities/Support Services, Budget Planning, School Safety & Attendance, Community Relations, & Parent Involvement

BACKGROUND: As a result of direction from the Board on October 4, 2007, the Board Bylaws are provided for discussion and review.

SS.6

INDEX

**BOARD BYLAWS
BB 9000**

Roles of the Board (Powers and Responsibilities)	BB 9000
Governance Standards	BB 9005
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Remuneration, Reimbursement and Other Benefits	BB 9250

As of 11/17/05

SS.6

ROLES OF THE BOARD (POWERS AND RESPONSIBILITIES)**BB 9000**

The Governing Board is elected by the community to provide leadership and citizen oversight of the District's schools. The Board shall work with the Superintendent to fulfill its major roles, which include:

1. Setting a direction for the District
2. Providing a basic organizational structure for the District by establishing policies
3. Ensuring accountability
4. Providing community leadership on behalf of the District and public education

To fulfill these basic responsibilities, the Board shall:

1. Involve the community, parents/guardians, students and staff in developing a common vision for the District focused on learning and achievement and responsive to the needs of all students
2. Adopt, evaluate and update policies consistent with the law and the District's vision and goals
3. Maintain accountability for student learning by adopting the District curriculum and monitoring student progress
4. Hire and support the Superintendent so that the vision, goals and policies of the District can be implemented
5. Conduct regular and timely evaluations of the Superintendent based on the vision, goals and performance of the District, and ensure that the Superintendent holds District personnel accountable
6. Adopt a fiscally responsible budget based on the District's vision and goals, and regularly monitor the fiscal health of the District
7. Ensure that a safe and appropriate educational environment is provided to all students
8. Establish a framework for the District's collective bargaining process and adopt responsible agreements
9. Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state and federal levels
10. Convene as a judicial and appeals body and serve as the final decision-maker in accordance with law, Board policies and negotiated agreements

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (*Education Code 35160*)

**Adopted 11/6/03
(Reprinted 7/06)**

ROLES OF THE BOARD (POWERS AND RESPONSIBILITIES) - continued

Legal Reference:

EDUCATION CODE

5304 Duties of governing board (re school district elections)

12400-12405 Authority to participate in federal programs

17565-17592 Board duties re property maintenance and control

33319.5 Implementation of authority of local agencies

35000 District name

35010 Control of district; prescription and enforcement of rules

35020-35046 Officers and agents

35100-35351 Governing boards, especially:

35160-35185 Powers and duties

35291 Rules

Management Resources:

CSBA PUBLICATIONS

Professional Governance Standards, November 2000

Maximizing School Board Leadership, 1996

WEB SITES

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

(10/95 2/97) 3/01

GOVERNANCE STANDARDS**BB 9005**

The Governing Board believes that its primary responsibility is to act in the best interests of every student in the District. The Board also has major commitments to parents/guardians, all members of the community, employees, the state of California, laws pertaining to public education, and established policies of the District. To maximize Board effectiveness and public confidence in District governance, Board members are expected to govern responsibly and hold themselves to the highest standards of ethical conduct.

The Board expects its members to work with each other and the Superintendent to ensure that a high-quality education is provided to each student. Each individual Board member shall:

1. Keep learning and achievement for all students as the primary focus
2. Value, support and advocate for public education
3. Recognize and respect differences of perspective and style on the Board and among staff, students, parents and the community
4. Act with dignity, and understand the implications of demeanor and behavior
5. Keep confidential matters confidential
6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader
7. Understand the distinctions between Board and staff roles, and refrain from performing management functions that are the responsibility of the Superintendent and staff
8. Understand that authority rests with the Board as a whole and not with individuals

Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the Board shall have a unity of purpose and:

1. Keep the District focused on learning and achievement for all students
2. Communicate a common vision
3. Operate openly, with trust and integrity
4. Govern in a dignified and professional manner, treating everyone with civility and respect
5. Govern within Board-adopted policies and procedures
6. Take collective responsibility for the Board's performance
7. Periodically evaluate its own effectiveness
8. Ensure opportunities for the diverse range of views in the community to inform Board deliberations

**Adopted 11/6/03
(Reprinted 7/06)**

GOVERNANCE STANDARDS - continued

BB 9005

Legal Reference:

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35160 Board authority to act in any manner not conflicting with law

35164 Actions by majority role

GOVERNMENT CODE

1090 Financial interest in contract

1098 Disclosure of confidential information

1125-1129 Incompatible activities

54950-54962 The Ralph M. Brown Act

87300-87313 Conflict of interest code

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardmanship, 1996

WEB SITES

CSBA: www.csba.org

(7/84 9/89) 3/01

INTERNAL BOARD OPERATIONS**BB 9006****Protocols of the Board and Superintendent**

It is important to remember that a Board meeting is a public meeting and not a meeting of the public. It is a meeting held in public, not by the public, therefore, professionalism is a requirement.

Listed is a series of Protocols that govern appropriate role behavior for members of the Board of Education and the Superintendent. In no way are the Protocols intended to discourage any member of the staff or citizen of the community from speaking directly with an individual Board member or the Superintendent; rather, they are intended to give guidance and direction to response which either a Board member or the Superintendent give to question and/or concerns expressed to them.

In general, Protocols allow for everyone to define and understand the difference between policy making (the "what") and administration (the "how") as well as provide guidance to Board members, the Superintendent, members of the staff, and citizens of the community to understand and respect the differences between the roles.

Adherence to these Protocols by the members of the Board and the Superintendent will permit the District to operate efficiently and effectively. There is, however no intent to abridge the rights and obligations of Board members to oversee the operation of the District, nor to interfere with the Superintendent in his/her role as chief executive officer of the District.

Our authority, our power as a Board member, lies not with us as individuals, but rather as members of a team. Our actions and decisions, both individually and collectively, should always be guided by what is in the best interests of all the students of the District, and our personal commitment should never stray from the determination to provide the best possible education for each student.

Leadership

Ensuring the District is fiscally solvent is a primary responsibility of the Board. All Board members shall take the necessary steps to be well informed of all financial decisions that may fiscally impact the District.

Never is a member of the Board or the Superintendent to discuss confidential personnel or negotiations matters with members of the bargaining unit.

Unintentional mistakes may occur and should not be attributed to a unwillingness to be a team player.

Each member of the Board will devote the time necessary to become informed, reading agendas, pursuing needed information, attendance at workshops, and when possible county and state association conferences.

Each member of the Board will weigh all decisions with due consideration, hearing all aspects under deliberation, keeping an open mind and strive to avoid jumping to conclusions.

Board Relationships

During a meeting Board members, when interacting with the public, will not make statements that could be misinterpreted as having full Board concurrence.

No individual Board member will make or appear to make decisions that appropriately should be made by the entire Board.

Adopted 11/6/03

INTERNAL BOARD OPERATIONS - continued**BB 9006**

Board meeting attendance is to be given the highest priority.

Any complaint made to a Board member by a citizen or a member of the staff is to be referred directly to the Superintendent, who is to resolve it according to Board policy making certain all Board members are informed.

Loyalty to each other includes:

1. Giving one's opinion on all issues;
2. Respecting each individual's opinion; and
3. Accepting and living with actions of the majority of the members of the Board.

The Board will conduct a self-evaluation prior to the Superintendent evaluation.

Governance Team Relationship

All conversations taking place in closed sessions will remain absolutely confidential. Only appropriate items will be raised in closed sessions.

Individual requests for reports, surveys, projects, etc., will be directed only to the Superintendent.

Questions and clarification of Board agenda items are to be communicated through the Superintendent to the appropriate Cabinet member prior to a Board meeting.

Board members will not make derogatory or degrading comments about anyone in an open session of a Board meeting.

Each Board member and the Superintendent are dedicated to making the District and each other successful.

Under no circumstances will a matter be brought to a public meeting that is intended to surprise a Board member or the Superintendent.

All Board members are to be apprised in a timely manner of any incident which they may be called upon to answer or explain.

Each member of the Board and the Superintendent is to be treated with dignity and respect.

Promotional appointments and personnel changes are recommended by the Superintendent. Appointments are made by the Board.

Unsubstantiated rumor, innuendo and information from anonymous sources shall be processed through the Superintendent.

Irritations will not be allowed to fester. Disagreements and/or concerns should be communicated directly and immediately.

No one is to divide the Board members. All Board members and the Superintendent will seek accommodation and compromise, acting as a united governance team.

INTERNAL BOARD OPERATIONS - continued**BB 9006**

Any concern reported to the Superintendent by a Board member is to receive the highest priority, with the disposition of the matter communicated to all other members of the Board.

No individual Board member or the Superintendent will ever use the media as a forum.

All significant administrative actions are to be communicated regularly to all Board members.

All information, requests, comments, and actions shall be reported to all Board members via the Superintendent.

Staff Relationship

No individual Board member is to come between the Superintendent, his staff, and other members of the Board.

All substantive contacts between a Board member and a staff member are to be reported to the Superintendent as soon as possible.

Board members, as their time permits, are encouraged to visit school sites and attend school functions, but will avoid interrupting instruction or interrupting employees at work. The site administrator shall be contacted at the time of a visit and the Superintendent notified.

PUBLIC STATEMENTS

BB 9010

The Governing Board recognizes the rights of Board members to freely express their views and encourages open discussion of issues during the Board meeting. The Board believes that effective Board members have a responsibility to express themselves, whether in agreement or disagreement with the Board majority, in ways that promote the Board's ability to govern the district.

When speaking to community groups, the media, or other members of the public, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative.

Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

54960 Actions to stop or prevent violation of meeting provisions

(9/88 9/90) 6/94

**Adopted 11/6/03
(Reprinted 7/06)**

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION**BB 9011**

The Governing Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure. *(Government Code 54963)*

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. *(Government Code 54963)*

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is: *(Government Code 54963)*

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential

Other Disclosures

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member. *(Government Code 1098)*

Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities. *(Government Code 1098)*

**Adopted 11/6/03
(Reprinted 7/06)**

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION - continued**BB 9011***Legal Reference:***EDUCATION CODE***35010 Power of governing board to adopt rules for its own governance**35146 Closed session***EVIDENCE CODE***1040 Privilege for official information***GOVERNMENT CODE***1098 Public officials and employees re confidential information**3549.1 Meeting and negotiating in public educational employment**6250-6270 Inspection of public records**54950-54963 Brown Act, especially:**54956.8 Open meeting laws**54956.9 Closed meeting for pending litigation**54957 Closed session; "employee" defined; exclusion of witnesses**54957.1 Subsequent public report and rollcall vote; employee matters in closed session**54957.5 Public records**54957.6 Closed session; representatives with employee organization**54957.7 Reasons for closed session**54963 Confidential information in closed session***ATTORNEY GENERAL OPINIONS***80 Ops.Cal.Atty.Gen. 231 (1997)**Management Resources:***CSBA PUBLICATIONS***Professional Governance Standards, November 2000**Maximizing School Board Leadership, 1996***WEB SITES***CSBA: <http://www.csba.org>**(3/88 6/98) 11/02*

ORGANIZATION

BB 9100

Annual Organizational Meeting

The Governing Board shall hold an annual organizational meeting within the time limits prescribed by law. (*Education Code 35143*)

At this meeting the Board shall:

1. Elect a president and a clerk and/or vice president from its members
2. Appoint a secretary to the Board
3. Authorize signatures
4. Develop a schedule of regular meetings for the year
5. Develop a Board calendar for the year
6. Designate Board representatives

Election of Officers

When the only members who have not served as officers are new to the Board, the Board may elect as (clerk)/(vice president) a Board member who has served in office.

No Board member shall serve more than ____ consecutive year(s) in the same office.

Legal Reference:

EDUCATION CODE

5017 Term of office

35143 Annual organizational meeting date, and notice

35145 Public meetings

GOVERNMENT CODE

54953 Meetings to be open and public; attendance

ATTORNEY GENERAL OPINIONS

68 OPS. CAL. ATTY. GEN. 65 (1985)

59 OPS. CAL. ATTY. GEN. 619, 621-622 (1976)

9/92

**Adopted 11/6/03
(Reprinted 7/06)**

TERMS OF OFFICE

BB 9110

The Governing Board shall consist of 7 members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each odd-numbered year.

The term of office for members elected in regular elections shall be four years, commencing on the first Friday in December next succeeding their election. (*Education Code 5017*)

Board member terms expire four years after their initial election on the first Friday in December following the election of new members. (*Education Code 5000*)

A member whose term has expired shall continue to discharge the duties of the office until his/her successor has qualified by taking the oath of office. (*Government Code 1302, 1360; Education Code 5017*)

Legal Reference:

EDUCATION CODE

5000-5033 Election of school district board members

35010 Control of district

35012 Board members; number, election and terms

35107 Eligibility

GOVERNMENT CODE

1302 Continuance in office until qualification of successor

1303 Exercising functions of office without having qualified

1360 Necessity of taking constitutional oath

(12/90 12/92) 3/93

**Adopted 11/6/03
(Reprinted 7/06)**

PRESIDENT**BB 9121**

The Governing Board shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

The president shall preside at all Board meetings. He/she shall:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if it is not clear to every member
6. Restrict discussion to the question when a motion is before the Board
7. Rule on issues of parliamentary procedure
8. Put motions to a vote, and state clearly the results of the vote
9. Be responsible for the orderly conduct of all Board meetings

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board
2. Consulting with the Superintendent or designee on the preparation of the Board's agendas
3. Working with the Superintendent to ensure that Board members have necessary materials and information
4. Subject to Board approval, appointing and dissolving all committees
5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law
6. Representing the District as governance spokesperson, in conjunction with the Superintendent

The president shall have the same rights as other members of the Board, including the right to move, second, discuss and vote on all questions before the Board.

When the president resigns or is absent or disabled, the vice president shall perform the president's duties. When both the president and vice president are absent or disabled, the clerk shall perform the president's duties.

**Adopted 11/6/03
(Reprinted 7/06)**

PRESIDENT - continued

BB 9121

Legal Reference:

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

Board Presidents' Handbook, revised 2002

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

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

(7/84 9/89) 7/03

SECRETARY**BB 9122**

The Governing Board shall appoint the Superintendent to serve as secretary to the Board. The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute and maintain the Board agenda
2. Record, distribute and maintain the Board minutes
3. Maintain Board records and documents
4. Conduct official correspondence for the Board
5. As directed by the Board, sign and execute official papers
6. Perform other duties as assigned by the Board

Legal Reference:

EDUCATION CODE

35025 Secretary and bookkeeper

35143 Annual organizational meetings; dates and notice

35250 Duty to keep certain records and reports

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

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

(7/84 9/89) 7/03

**Adopted 11/6/03
(Reprinted 7/06)**

CLERK**BB 9123**

At the annual organizational meeting, the Governing Board shall elect a clerk from its own membership.
(*Education Code 35143*)

The duties of the clerk shall be to:

1. Certify or attest to actions taken by the Board when required
2. Maintain such other records or reports as required by law
3. Sign the minutes of Board meetings following their approval
4. Sign documents on behalf of the district as directed by the Board
5. Serve as presiding officer in the absence of the president and vice president
6. Perform any other duties assigned by the Board

Legal Reference:

EDUCATION CODE

17593 Repair and supervision of property (duty of district clerk)

35038 Appointment of clerk by county superintendent of schools

35039 Dismissal of clerk

35121 Appointment of clerk in certain city and high school districts

35143 Annual organizational meetings

35250 Duty to keep certain records and reports

38113 Duty of clerk (re provision of school supplies)

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Management Resources:

CSBA PUBLICATIONS

CSBA Professional Governance Standards, 2000

Maximizing School Board Leadership: Boardsmanship, 1996

WEB SITES

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

(7/84 9/88) 7/03

**Adopted 11/6/03
(Reprinted 7/06)**

ATTORNEY**BB 9124**

The Governing Board recognizes the complex legal environment in which school districts operate and desires reliable, dependable legal advice. The Board also supports collaborative legal efforts with other agencies and districts in order to promote the District's interests.

The Board may use the county counsel, district attorney, or private attorneys to meet the needs of the District.

The District's legal counsel may:

1. Render legal advice to the Board and the Superintendent or designee.
2. Serve the Board and the Superintendent or designee in the preparation and conduct of District litigation and administrative proceedings.
3. Render advice on school bond and tax increase measures and prepare the necessary forms for the voting of these measures.
4. Perform other administrative duties as assigned by the Board and Superintendent or designee.

The Superintendent may confer with the District's legal counsel at his/her discretion and shall provide the Board with desired legal information when so directed by a majority of the Board. The Board also may authorize a specific member to confer with legal counsel on behalf of the Board.

Legal Reference:

EDUCATION CODE

35041 Administrative adviser

35041.5 Legal counsel: Relieving duties of county counsel and district attorney

35204 Contract with attorney in private practice

35205 Contract for legal services

GOVERNMENT CODE

814-895.8 Liability of public entities and public employees

995-996.6 Defense of public employees

26520 Legal services to school districts

(1/85 6/91) 12/92

**Adopted 11/6/03
(Reprinted 7/06)**

BOARD REPRESENTATIVES**BB 9140**

The Governing Board may appoint any of its members to serve as its representatives on District committees or advisory committees of other public agencies or organizations. Due to open meeting law requirements, a majority of the Board shall not be appointed to serve on the same committee.

When making such appointments, the Board shall clearly specify, on a case-by-case basis, what authority and responsibilities are involved. Board representatives shall not grant District support or endorsement for any activity without prior Board approval.

If a committee discusses a topic on which the Board has taken a position, the Board member may express that position as a representative of the Board. When contributing individual ideas or opinions on other topics, he/she shall make it clear that he/she is speaking as an individual, not on behalf of the Board.

At its annual organizational meeting, the Board shall designate one Board member as its representative to elect members to the county committee on school district organization. (*Education Code 35023*)

The Board shall provide the representative with nominees to this committee.

A Board member is eligible to serve as a member of the county committee on school district organization. (*Education Code 4007*)

Legal Reference:

EDUCATION CODE

4000-4014 County committees on school district organization

35020-35046 School district officers and agents (power of governing board to employ or appoint)

35160 Authority of governing boards

GOVERNMENT CODE

54952.2 Meetings

(7/86 11/86) 10/95

**Adopted 11/6/03
(Reprinted 7/06)**

LIMITS OF BOARD MEMBER AUTHORITY**BB 9200**

The Governing Board is the unit of authority over the District. It has broad but clearly limited powers. The exercise of its authority is restricted to the functions required or permitted by law, and then only when it acts in a legally constituted meeting.

The Board member has no individual authority. Individually, the Board member may not commit the District to any policy, act or expenditure. The Board member cannot do business with the District served, nor should the Board member have an interest in any contract with the School District. The Board member represents and acts for the community as a whole and does not represent any factional segment of the community.

Individual members of the Board, by virtue of holding office, shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the Superintendent. At his/her discretion, the Superintendent may refer the request to the entire Board for consideration. If approved, the Superintendent or designee shall perform any necessary research associated with the request and report to the Board at a future meeting.

Because his/her position as a Board member may inhibit the performance of school personnel, a Board member shall not serve as a volunteer aide in the District without the approval of the Superintendent or designee.

Obligations of Board Members

Board members should hold the education of children and youth above any partisan principle, group interest, or personal interest.

Board members should understand their role and the programs offered by the District. They should study all agenda materials before the meeting, participate in the discussion of items which come before the Board, vote on motions and resolutions, and abstain only for compelling reasons.

Board members shall refer Board-related correspondence to the Superintendent or designee for forwarding to the Board or for placement on the Board's agenda.

Board members and persons elected to the Board are responsible for complying with the requirements of the state's open meeting laws.

The Superintendent or designee shall provide a copy of the Brown Act to each Board member and to anyone who is elected to the Board.

*Legal Reference:**EDUCATION CODE**7054 Use of district property**35010 Control of district; prescription and enforcement of rules**35100-35351 Governing boards, especially:**35160-35184 Powers and duties**35291 Rules**35292 Visits to schools (Board members)**GOVERNMENT CODE**54952.1 Member of a legislative body of a local agency**54952.7 Copies of chapter to members of legislative body**54959 Penalty for unlawful meetings***Adopted 11/6/03****(Reprinted 7/06)**

GOVERNING BOARD ELECTIONS

BB 9220

Any person is eligible to be a Governing Board member, without further qualifications, if he/she is 18 years of age or older, a citizen of the state, a resident of the school district, a registered voter and not legally disqualified from holding civil office. (*Education Code 35107*)

A District employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (*Education Code 35107*)

When possible, Board election procedures shall be conducted in accordance with the California Education Code and Elections Code.

Statement of Qualifications

The District shall assume no part of the cost of printing, handling, translating or mailing candidate statements filed pursuant to Elections Code 13307.

The Board secretary shall notify the county clerk of this policy on or before the 125th day before each Board member election. (*Elections Code 10509*)

Limitation of Campaign Contributions and Expenditures

The Board believes that the District and community will be best served by imposing reasonable limitations on the amount of money that may be contributed to or spent by any campaign for election to district office. The Board therefore has resolved that the following limits shall apply:

Maximum contribution from an individual to a candidate for district office: \$ _____.

Maximum contribution from an organization to a candidate for district office: \$ _____.

Maximum expenditure by a candidate for his/her campaign for election to district office: \$ _____.

Tie Votes in Board Member Elections

Before each election, the Board shall establish whether a potential tie is to be resolved by lot or with a runoff election. (*Education Code 5016*)

After an election for which the Board has decided to resolve a tie by lot, the Board shall immediately notify the candidates who received the tie votes of the time and place where lots shall be cast to determine the winner. (*Education Code 5016*)

After an election for which the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law.

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the times and place where lots shall be cast to determine the winner. (*Education Code 5016*)

**Adopted 11/6/03
(Reprinted 7/06)**

GOVERNING BOARD ELECTIONS - continued**BB 9220***Legal Reference:***EDUCATION CODE**5000-5033 *Elections*5300-5304 *General provisions (conduct of elections)*5320-5329 *Order and call of elections*5340-5345 *Consolidation of elections*5360-5363 *Election notice*5380 *Compensation (of election officer)*5390 *Qualifications of voters*5420-5426 *Cost of elections*5440-5442 *Miscellaneous provisions (re returns, recounts, etc.)*35107 *Eligibility; school district employees*35177 *Campaign expenditures or contributions***ELECTIONS CODE**1302 *Local elections, school district election*2201 *Grounds for cancellation*2220-2226 *Residency confirmation procedures*10400-10418 *Consolidation of elections*10509 *Notice of election by secretary*10600-10604 *School district elections*13307 *Candidate's statement*13309 *Candidate's statement, indigency***GOVERNMENT CODE**1021 *Conviction of crime*1097 *Illegal participation in public contract*81000-91013 *Political Reform Act***PENAL CODE**68 *Bribes*74 *Acceptance of gratuity*424 *Embezzlement and falsification of accounts by public officers*661 *Removal for neglect or violation of official duty***CALIFORNIA CONSTITUTION***Article 2, Section 2 Voters, qualifications**Article 7, Section 7 Conflicting offices**Article 7, Section 8 Disqualification from office***COURT DECISIONS***California Prolife Council Political Action Committee v. Jan Scully et. al., (1998) 989 F.Supp. 1282***ATTORNEY GENERAL OPINIONS**83 *Ops.Cal.Atty.Gen. 181 (2000)*81 *Ops.Cal.Atty.Gen. 98 (1998)***Management Resources:****WEB SITES***Fair Political Practices Commission: <http://www.fppc.ca.gov>**CA Secretary of State's Office: <http://www.ss.ca.gov>*

(6/97 2/98) 3/01

RESIGNATION

BB 9222

A Governing Board member who wishes to resign may do so by filing a written resignation with the County Superintendent of Schools. *(Education Code 5090)*

A copy shall be given to the Board secretary.

The written resignation is effective when filed, except when a deferred effective date is specified in the resignation. *(Education Code 5090)*

A Board member may not defer the effective date of his/her resignation for more than 60 days after filing. *(Education Code 5091)*

A written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable upon being filed. *(Education Code 5090)*

Upon resignation, the Board member may continue to exercise all his/her powers, save that of voting for a successor, until the effective date of resignation. *(Education Code 35178)*

Legal Reference:

EDUCATION CODE

5090 Definition (vacancy)

5091 Special Election

35178 Resignation with deferred effective date

(7/84) 9/89

**Adopted 11/6/03
(Reprinted 7/06)**

FILLING VACANCIES**BB 9223****Events Causing a Vacancy**

A vacancy on the Governing Board may occur by a failure to elect or for any of the following events:

1. The death of an incumbent. (*Government Code 1770*)
2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term. (*Government Code 1770*)
3. A Board member's resignation. (*Government Code 1770*)

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (*Education Code 5090*)

A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent.

4. A Board member's removal from office, including recall. (*Government Code 1770; Elections Code 11384*)
5. A Board member's ceasing to be an inhabitant of the state or resident of the district. (*Government Code 1770*)

A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which he/she represents on the Board. (*58 Ops.Cal.Atty.Gen. 888 (1975)*)

6. A Board member's absence from the state beyond the period allowed by law without the permission required by law. (*Government Code 1770*)

No Board member shall be absent from the state for more than 60 days, except in any of the following situations: (*Government Code 1064*)

- a. Upon business of the school district with the approval of the Board
- b. With the consent of the Board for an additional period not to exceed a total absence of 90 days
- c. For federal military deployment not to exceed six months as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members, as necessary to enable the Board to conduct business and discharge its responsibilities.

**Adopted 11/6/03
(Reprinted 7/06)**

FILLING VACANCIES - continued**BB 9223****Events Causing a Vacancy - continued**

- d. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board for an additional period not to exceed 30 days.
7. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by sickness or when absent from the state with the permission required by law. *(Government Code 1770)*
8. A Board member's conviction of a felony or any offense involving a violation of his/her official duties. *(Government Code 1770)*
9. A Board member's refusal or neglect to file his/her required oath or bond within the time prescribed. *(Government Code 1770)*
10. The decision of a competent tribunal declaring void a Board member's election or appointment. *(Government Code 1770)*
11. The making of an order vacating a Board member's office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond. *(Government Code 1770)*
12. A Board member's commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; in this event, the office shall not be deemed vacant until the order of commitment has become final. *(Government Code 1770)*

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs less than four months before the end of a Board member's term, the Board shall take no action. *(Education Code 5093)*
2. When a vacancy occurs four or more months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described below. *(Education Code 5091)*
3. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which he/she was elected to fill. *(Education Code 5093)*

Provisional Appointments

When the special election described above is not required, the Board may make a provisional appointment. *(Education Code 5091, 5093)*

FILLING VACANCIES - Continued**BB 9223****Provisional Appointments - Continued**

In order to draw from the largest possible number of candidates, the Board shall advertise in the local media to solicit candidate applications or nominations. A committee consisting of less than a quorum of the Board shall ensure that applicants are eligible for Board membership and announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

In order to serve on the Board, a person must meet the eligibility requirements specified in Education Code 35107.

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (*Education Code 5092*)

The notice shall contain: (*Education Code 5092*)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee
3. The date of appointment
4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (*Education Code 5091*)

FILLING VACANCIES - continued

BB 9223

Legal Reference:

EDUCATION CODE

5000-5033 Elections

5090-5095 Vacancies

5200-5208 Districts governed by boards of education

5300-5304 Elections

5320-5329 Order and call of election

5340-5345 Consolidation of elections

5360-5363 Election notice

5420-5426 Cost of elections

5440-5442 Miscellaneous provisions, elections

35107 Eligibility of board members

35178 Resignation with deferred effective date

ELECTIONS CODE

10600-10604 School district elections

11381-11386 Candidates for recall

GOVERNMENT CODE

1064 Absence from state

1770 Vacancies: definition

3060-3075 Removal other than by impeachment

6061 One time

54950-54963 The Ralph M. Brown Act

ATTORNEY GENERAL OPINIONS

58 Ops. Cal. Atty. Gen. 888 (1975)

Management Resources:

WEB SITES

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

California State Attorney General's Office, Quo Warranto Applications:

<http://caag.state.ca.us/opinions/quo.htm>

(6/94 6/96) 11/04

OATH OR AFFIRMATION**BB 9224**

Prior to entering upon the duties of their office, all Governing Board members shall take the oath or affirmation required by law. (*California Constitution, Article 20, Section 3; Government Code 1360*)

The oath may be administered and certified by a Board member, secretary or assistant secretary to the Board, Superintendent, deputy or assistant superintendent, principal, or County Superintendent of Schools or any other person authorized in Education Code 60.

The executed oath shall be filed with the County Clerk. (*Government Code 1363*)

Legal Reference:

EDUCATION CODE

60 Persons authorized to administer and certify oaths

GOVERNMENT CODE

1303 Misdemeanor for failure to take oath

1360-1369 Oath of office

3100-3109 Oath or affirmation of allegiance

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath of office

COURT DECISIONS

Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

(9/91) 7/03

**Adopted 11/6/03
(Reprinted 7/06)**

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS**BB 9250****Remuneration**

Each member of the Governing Board may receive the maximum monthly compensation as provided for in law.

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive only a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (*Education Code 1090, 35120*)

Members may be paid for meetings they missed when the Board, by resolution, finds that they were performing designated services for the District at the time of the meeting or that they were absent because of illness, jury duty, or a hardship deemed acceptable by the Board. (*Education Code 1090, 35120*)

Reimbursement of Expenses

Board members shall be reimbursed for traveling expenses incurred when so authorized in advance by the Board. (*Education Code 35044*)

The rate of reimbursement shall be the same rate specified for District personnel.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for District employees.

The District shall pay the cost of all premiums required for Board members electing to participate in the District health and welfare benefits program.

Benefits for Retired Board Members

Any former member whose first term of office began on or after January 1, 1995, and any other member retiring from the Board after at least one term, may continue the health and welfare benefits program at his/her own expense if coverage is in effect at the time of retirement. (*Government Code 53201*)

The District shall pay health insurance premiums for retired Board members who served in office after January 1, 1981, and who have served a total of 12 years or more. These payments shall be made to the same extent that they were being made before January 1, 1994, and under the same terms. The Board may grant the same or a lesser benefit upon retirement to current Board members, provided that they served 12 years or more on the Board, and provided that their first term began before January 1, 1995. This benefit shall not be granted to Board members whose first term of office began on or after January 1, 1995.

**Adopted 2/17/05
(Reprinted 7/06)**

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS - continued

BB 9250

Legal Reference:

EDUCATION CODE

1090 Compensation for members and mileage allowance

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses (Department of Education and CSBA workshops)

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation (services as member of governing board)

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

GOVERNMENT CODE

20322 Elective officers; election to become member

53200-53209 Group insurance

UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 124 (2000)

Management Resources:

WEB SITES

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

Public Employees' Retirement System: <http://www.calpers.ca.gov>

(11/00 11/01) 11/02