

Rescue Union School District

4.1.19

	GREEN VALLEY	JACKSON	LAKE FOREST	LAKEVIEW	RESCUE	MARINA VILLAGE	PLEASANT GROVE	Tot.
TR. KDG	20	40	19	18	20	0	0	117
KDG.*	58	76	64	77	89	0	0	364
FIRST	58	68	57	83	85	0	0	351
SECOND	58	78	74	91	65	0	0	366
THIRD	63	66	69	84	74	0	0	356
FOURTH	80	80	71	87	68	0	0	386
FIFTH	64	84	69	108	71	0	0	396
SIXTH	0	0	0	0	0	291	162	453
SEVENTH	0	0	0	0	0	275	181	456
EIGHTH	0	0	0	0	0	249	160	409
SDC		18					17	
*COOL School								
TOTAL	401	510	423	548	472	815	520	3692
Ending 17-18	423	489	426	559	461	760	540	3672
Difference	-22	21	-3	-11	11	55	-20	20

**Low Housing Projection 2017-18	Variance
100	17
389	-25
348	3
349	17
362	-6
363	23
393	3
393	60
348	108
438	-29
0	35
0	0
3483	209

*COOL School numbers are not counted in individual school counts only in district total

**Projected enrollment is from Table 10 of the Demographic Study

NPS 3

ENROLLMENT HISTORY

	AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE
2018/2019	3606	3619	3635	3638	3643	3691	3698	3694	3692		
2017/2018	NA	3624	3632	3642	3655	3685	3688	3682	3684	3679	3672
2016/2017	3723	3709	3723	3731	3734	3774	3792	3792	3786	3794	3766
2015/2016	3666	3658	3673	3673	3676	3686	3707	3717	3734	3740	3733
2014/2015	3690	3697	3699	3702	3712	3735	3753	3771	3772	3775	N/A
2013/2014	3797	3775	3770	3776	3774	3797	3804	3821	3823	3825	N/A
2012/2013	3889	3902	3895	3900	3893	3885	3912	3919	3920	3929	N/A
2011/2012	3984	3984	3989	3995	3995	4002	4019	4024	4032	4038	N/A
2010/2011	4124	4088	4070	4071	4074	4083	4092	4099	4097	4095	N/A
2009/2010	4173	4123	4115	4116	4113	4119	4122	4121	4112	4115	4110
2008/2009	4176	4105	4104	4106	4115	4110	4095	4091	4097	4099	4117
2007/2008	4093	4079	4090	4094	4091	4097	4110	4096	4101	4085	4082
2006/2007	3916	3905	3918	3927	3934	3933	3952	3967	3964	3972	3973
2005/2006	3777	3771	3788	3776	3768	3784	3780	3783	3786	3785	3785
Diff 2017-2018 2018-2019		-5	3	-4	-12	6	10	12	8		
Avg Diff		-5	-1	-2	-5	-2	0	-1	-2		

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: **Certificated Employee Week Proclamation**

BACKGROUND:

Teachers are honored each year on the second Wednesday of May. This year the California Day of the Teacher is May 8, 2019.

STATUS:

The Rescue USD has proclaimed May 5-11, 2019 as Certificated Employee Week and takes this time to honor the dedicated men and women who lend their passion and skills to educating our children and to acknowledge the crucial role that teachers play in making sure every child receives a quality public education. Teachers impact our students on a daily basis and we celebrate their achievements.

FISCAL IMPACT:

None

BOARD GOAL:

Board Focus Goal IV – STAFF NEEDS:

Attract and retain diverse, knowledgeable, dedicated employees who are skilled and supported in their commitment to provide quality education for our students.

RECOMMENDATION:

District administration has prepared and recommends approval of the Certificated Employee Week Proclamation.

Rescue Union School District

Proclamation
Certificated Employee Week
May 5-11

Whereas, teachers make public schools great; and

Whereas, teachers work to open students' minds to ideas, knowledge and dreams; and

Whereas, teachers keep American democracy alive by laying the foundation for good citizenship; and

Whereas, teachers fill many roles as listeners, explorers, role models, motivators and mentors; and

Whereas, teachers continue to influence us long after our school days are only memories;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rescue Union School District proclaims the week of May 5-11, 2019, as the Certificated Employee week; and

BE IT FURTHER RESOLVED that the Board of Trustees urges that we observe this week by taking time to recognize and acknowledge the impact of teachers on our lives.

Kim White, President, Board of Trustees

Date

ITEM #: 5
DATE: April 9, 2019

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: **Classified and Confidential School Employee Week**

BACKGROUND:

Classified School Employee Week began as a resolution at CSEA's Annual Conference in 1984. Two years later, it was adopted as California Senate Bill 1552 and decreed to be an official recognition of classified school employees. Rescue USD celebrates classified and confidential employees during the third full week in May.

STATUS:

The District appreciates our classified and confidential staff and takes this time to honor them and acknowledge the contributions they make and the hard work they do each day to make public schools great for every child. Classified and confidential staff impact our schools, our students, our staff and our parents by providing their services to the District.

FISCAL IMPACT:

None

BOARD GOAL:

Board Focus Goal IV – STAFF NEEDS:

Attract and retain diverse, knowledgeable, dedicated employees who are skilled and supported in their commitment to provide quality education for our students.

RECOMMENDATION:

District administration prepared and recommends approval of the Classified and Confidential School Employee Proclamation.

Rescue Union School District

Classified and Confidential School Employee Week

May 19-25, 2019

Whereas, the efforts of classified and confidential staff members in the Rescue Union School District are essential and critical to the successful functioning of the District and programs, and

Whereas, classified and confidential school employees contribute to the establishment and promotion of a positive instructional environment and play a vital role in providing for the welfare and safety of Rescue Union School District, and

Whereas, Rescue Union School District classified and confidential staff members assist in the support of all educational programs and services; and

Whereas, classified and confidential employees are indispensable in providing high quality business, data processing, transportation, maintenance, and educational-related programs and services; and

Whereas, classified and confidential employees in the Rescue Union School District are deserving of special recognition for their many contributions in a wide variety of roles to the institution of public education in this county, state and nation;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Rescue Union School District proclaims the week of May 19-25 2019, to be Classified and Confidential School Employee Week, and

BE IT FURTHER RESOLVED that the Board of Trustees urges all schools and staff members throughout the District to recognize classified and confidential employees during this week as partners in education and to applaud their hard work and dedication to the success of public education.

Kim White, President, Board of Trustees

Date

RESCUE UNION SCHOOL DISTRICT

**AGENDA ITEM: Local Control Accountability Plan (LCAP)
Annual Update and Stakeholder Engagement Report**

BACKGROUND:

The District receives state funding under the Local Control Funding Formula (LCFF), which requires the creation and monitoring of a three year Local Control Accountability Plan (LCAP). The plan requires stakeholder engagement in the development of goals and activities. Additionally, each district is required to provide an Annual Update to document and communicate actions and expenditures that support student outcomes and overall performance.

STATUS:

The Board will receive information regarding the LCAP Annual Update and stakeholder engagement process. The Annual Update will include progress for each Goal and contain:

- o Expected and actual measurable outcomes,
- o Progress towards each action,
- o Projected expenditures
- o Estimated actual expenditures, and
- o An overall analysis that includes implementation, effectiveness, material differences between estimated and actual expenditures, and changes to the following year's plan.

The Stakeholder engagement report will detail how, when, and with whom the district consulted as part of the LCAP planning process and explain the impact that stakeholder engagement had on the development of the LCAP.

FISCAL IMPACT:

N/A

BOARD GOAL(S):

Board Focus Goal I - STUDENT NEEDS

- A. Student Safety and Well Being: Enhance and encourage social, emotional, ethical and civic learning by providing a safe, supportive and diverse environment.
- B. Curriculum and Instruction: Provide a meaningful, innovative learning environment using Common Core and other student content standards and research-based, progressive, effective instructional methodology, instructional materials, staff development and technology that will ensure student success in career and college.

Board Focus Goal II – FISCAL ACCOUNTABILITY

Keep the district fiscally solvent through prudent LCAP aligned budget processes in order to meet the needs of our students.

Board Focus Goal III – COMMUNICATION / COMMUNITY INVOLVEMENT

Establish and maintain consistent and effective communication that is transparent and timely in an effort to provide and receive information that will engage and educate our District and community.

Board Focus Goal IV – STAFF NEEDS

Attract and retain diverse, knowledgeable, dedicated employees who are skilled and supported in their commitment to provide quality education for our students.

Board Focus Goal V – FACILITY / HOUSING

Build, improve and maintain school facilities to meet current and future education needs while integrating the most effective use of resources.

Board Focus Goal VI – CULTURE OF EXCELLENCE

Create and promote programs that support, reward and incentivize employees to perform at exceptional levels for the benefit of our students.

RECOMMENDATION:

The Board receive information on the LCAP Annual Update and stakeholder engagement for the 2019-2020 Local Control Accountability Plan.

LCAP REPORT

A person holding a surfboard on a beach at sunset. The sky is a vibrant orange and red, with the sun low on the horizon. The ocean waves are visible in the distance, and the wet sand of the beach reflects the warm light of the sunset.

Annual Update
and
Stakeholder Engagement

April 9, 2019



Annual Update for 2018-2019

- The LCAP Annual Update documents and communicates our district's actions and expenditures to support student outcomes and overall performance.
- The annual update reports progress for each Goal, and more specifically, contains:
 - Expected and actual measurable outcomes,
 - Progress toward each action under the goal,
 - Projected expenditures,
 - Estimated actual expenditures, and...
 - An overall analysis that includes implementation, effectiveness, material differences between estimated and actual expenditures, and changes to the following year's plan



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Expected Outcomes:

- Elementary students will continue to benefit from smaller class sizes in grades TK-3.
- Students will continue to improve proficiency as measured by the SRI Lexile Assessment.
- Students will continue to improve proficiency as measured by the SBAC Math ICA.

Note: In June of 2018, Goals 1-6 were dissolved and replaced with Goals 7, 8, and 9



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Expected Outcomes:

- English learner reclassification rates and performance on the ELPAC will improve.
- Students will demonstrate increased proficiency as measured by the Smarter Balanced Interim Assessment for Reading Informational Text
- Parent perceptions regarding educational services will continue to improve as measured by the Annual Parent LCAP Survey.



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Expected Outcomes:

- Student perceptions regarding educational services will continue to improve as measured by the Annually conducted Student Listening Circles.
- Teacher perceptions about professional development will be positive.
- Student performance on the Smarter Balanced Assessment will continue to improve.



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Elementary students will continue to benefit from smaller class sizes in grades TK-3.
- **Actual TK-3 Grade Span Adjustment (GSA) for 2018-2019 was 22.9. The GSA for 2017-2018 was 23.67. This represents a decrease of 0.77 students per class.**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Students will continue to improve proficiency as measured by the SRI Lexile Assessment.
- **Between the first assessment (beginning of year) and the most recent (second trimester) 11% jumped into the advanced range and 6% were added to the proficient group.**
- **38% Advanced, 25% proficient, 29% Basic, and 7% Below Basic**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Students will continue to improve proficiency as measured by the SBAC Math ICA.
- **3rd All Students - 71%**
- **4th All Students - 65%**
- **5th All Students - 52%**
- **6th All Students - 43%**
- **7th All Students - 56%**
- **8th All Students - 67%**

Note: The ICA is given in early February, as such, some concepts have not yet been taught or mastered. However, this test provides important information about student progress to date and is useful in identifying areas to target prior to the summative test.

More detailed information regarding specific student groups is contained in the annual update.



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- English learner reclassification rates and performance on the ELPAC will improve.
- **On the ELPAC, 54.3% of students tested scored in the well developed range (4) and an additional 28.4% scored in the moderately developed range. Only 10.5% fell into the somewhat developed range and 6.8% were in the beginning stage (Baseline data)**
- **We are expecting to reclassify 29 students in 2019 (that's the most ever!)**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Students will demonstrate increased proficiency as measured by the Smarter Balanced Interim Assessment for Reading Informational Text
- **Percentage of tested students scoring at or near standard:**
 - 3rd Grade - 91%
 - 4th Grade - 89%
 - 5th Grade - 97%
 - 6th Grade - 99%
 - 7th Grade - 99%
 - 8th Grade 100%

In 2018, an average of 86.8% were at or near standard,



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Parent perception regarding educational services will continue to improve as measured by the Annual Parent LCAP Survey.
- **Awaiting LCAP PAC Survey Data.**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Student perception regarding educational services will continue to improve as measured by the Annually conducted Student Listening Circles.
- **Awaiting Student Listening Circle Data.**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Teacher perception about professional development will be positive.
- **August 7th, Kelli Rizzi, Trauma Informed Practices**
 - Satisfaction rating of 3.89 out of 4
- **August 7th, Cheryl Olson, Social Emotional Learning**
 - Satisfaction rating of 3.85 out of 4
- **September 4th, Cheryl Olson, Commitment to Students and SEL**
 - Satisfaction rating of 3.4 out of 4
- **September 4th, Steve Weir, SEL**
 - Satisfaction rating of 3.37 out of 4



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Actual Outcomes:

- Student performance on the Smarter Balanced Assessment will continue to improve.
- **In math, the district scored "green" with a status of 28 points above standard and an increase of 5.7% from last year.**
- **In language arts, the district scored "blue" with a status of 46 points above standard and an increase of 5% from last year.**



Goal 7 The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

Analysis

- **Overall, successful implementation of Goal and individual Actions. Most students are making growth and performing well.**
- **However, a performance gap, although typically narrower than the state average, still exists for some of our student groups, including:**
 - **Students with Disabilities,**
 - **English Learners,**
 - **Socioeconomically Disadvantaged students, and**
 - **Hispanic/Latino students.**
- **Targeted efforts will continue to support these specific student groups in subsequent years.**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Expected Outcomes:

- Attitudes toward school connectedness, caring relationships, safety, and overall school climate will improve as measured by the California Healthy Kids Survey.
- Suspension rates for all students, including all student groups, will improve to green or blue as reported on the California School Dashboard.
- Chronic Absenteeism rates for all students, including all student groups, will improve as reported on the California School Dashboard.



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Expected Outcomes:

- Parent perception about school climate and safety will continue to improve as measured by the annual LCAP Parent Survey.
- Student perception about school climate and safety will continue to improve as reported during Student Listening Circles.
- Facility Inspection Tool reports will show all sites in fair or better condition.



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Attitudes toward school connectedness, caring relationships, safety, and overall school climate will improve as measured by the California Healthy Kids Survey.
- **2018-2019 Elementary CHKS Results**
 - **School Connectedness - 80% Mod/High**
 - **Caring Adult Relationships - 80% Most/All**
 - **Feel Safe at school - 87% Most/All**
- **2017-2018 Middle School CHKS Results**
 - **School Connectedness - 67% Mod/High**
 - **Caring Adult Relationships - 66% Most/All**
 - **Feel Safe at school - 71% Most/All**

Note: More detailed information is available in the Annual Update.



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Suspension rates for all students, including all student groups, will improve to green or blue as reported on the California School Dashboard.
- **For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "All Students" is in the green category, with a status of 2.0% and a "decreased" change of 0.5%.**

Note: More detailed information is available in the Annual Update.



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Chronic Absenteeism rates for all students, including all student groups, will improve as reported on the California School Dashboard.
- **The District's Chronic Absenteeism rate reported on the Fall 2017 California School Dashboard data release is 4.2% which is 0.1 lower than the previous year.**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Parent perception about school climate and safety will continue to improve as measured by the annual LCAP Parent Survey.
- **Awaiting LCAP PAC Survey Data.**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Student perception about school climate and safety will continue to improve as reported during Student Listening Circles.
- **Awaiting Student Listening Circle Data.**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Actual Outcomes:

- Facility Inspection Tool reports will show all sites in fair or better condition.
- **The 2018-2019 Facilities Inspection Tool (FIT) indicates the following ratings for each school site:**
 - **GV-Poor**
 - **J-Fair**
 - **LF-Fair**
 - **LV-Good**
 - **MV-Good**
 - **PG-Fair**
 - **RS-Fair**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Analysis

- **The District is proud of the work that has done to provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.**
- **Much work has been done to provide training to teachers and classified staff on Social Emotional Learning and Trauma Informed Practice.**
- **Every site now has a Positive Behavioral Interventions and Supports (PBIS) Team.**
- **Every Site now has a minimum of 3 days per week of counseling support.**



Goal 8 The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

Analysis

- We plan to continue our work to improve social emotional learning for students and strengthen our PBIS implementation by moving into Tier II supports.
- Although our chronic absenteeism rates and suspension rates are both in the "green" category for "all students", we do have smaller student groups that fall within the red or orange category. To address this, we will continue to provide supports under Goal 8 that help improve student outcomes.
 - Examples include restorative justice programs, alternatives to suspension, school-based counselors, and heightened attendance monitoring.



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Expected Outcomes:

- Student attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve as measured by annual Student Listening Circles.
- Parent attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve, as measured by the annual LCAP Parent Survey.



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Expected Outcomes:

- Ridership on school district buses will increase.
- HelpDesk tickets will be resolved in a timely manner (ideally 5 days or less).



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Actual Outcomes:

- Student attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve as measured by annual Student Listening Circles.
- **Awaiting Student Listening Circle Data.**



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Actual Outcomes:

- Parent attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve, as measured by the annual LCAP Parent Survey.
- **Awaiting LCAP PAC Data.**



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Actual Outcomes:

- Ridership on school district buses will increase.
- **For the 2018-2019 School Year, 540 students were signed up to ride district school buses. This is down 30 students from the previous year. A survey to determine attitudes and potential barriers to district transportation has been developed and will be sent out to families toward the end of April, after the LCAP parent survey is completed.**



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Actual Outcomes:

- HelpDesk tickets will be resolved in a timely manner (ideally 5 days or less).
- **As of March 12, 2019, 77% of all (813) IT Helpdesk tickets had been resolved in 5 days or less. 29% had been resolved in one day and 53% had been resolved in two days or less.**



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Analysis

Overall, the actions and services listed in Goal 9 were effective in ensuring that the day-to-day operations of the school district ran smoothly.

Our Facility Inspection Report indicated some deficits at some of our school sites, and maintenance personnel are working to correct these.

Additionally, a revised Master Facilities plan is being developed to address facility needs across the district.



Goal 9 The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

Analysis

A review of contracted expenditures related to occupational therapy for special education students revealed that increased services could be provided if we hired our own Occupational Therapist and Certified Occupational Therapist Assistant (COTA).

The District is moving forward to hire people to serve in these capacities, and the related costs will be reflected in Goal 9 of the 2019-2020 LCAP.



Stakeholder Engagement for 2018-2019

- The LCAP Stakeholder Engagement Section details:
 - the involvement process (how, when, and with whom the district consulted as part of the LCAP planning process) and
 - the impact that stakeholder engagement had on the development of the LCAP.



Stakeholder Engagement for 2018-2019

July

- Initial meeting with Leadership Team to address areas of focus for the LCAP

September

- Principals, in conjunction with their school site councils, Parent Teacher Organizations (PTOs), and Parent Teacher Clubs (PTCs), discussed the LCAP and recruited school site representatives to serve on the LCAP Parent Advisory Committee (PAC).

Note: Specific dates and impacts are available in the Annual Update.



Stakeholder Engagement for 2018-2019

October

- The District English Language Advisory Committee met to discuss current LCAP Goals and future needs.

November

- The Parent Advisory Committee (PAC) met to discuss the LCAP development process, current LCAP Goals, and the Local Control Funding Formula.

December

- The Parent Advisory Committee met and reviewed the executive summary for the 2017-2018 LCAP Parent Survey and began work on developing the 2018-2019 survey.



Stakeholder Engagement for 2018-2019

January

- LCAP Parent Pre-Survey was launched.
- The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.
- A consultation meeting was held with members of RUFT. Survey methods and questions to solicit input from the members were discussed.
- A consultation meeting was held with members of CSEA. Survey methods and questions to solicit input from the members were discussed.



Stakeholder Engagement for 2018-2019

February

- The RUFT president, the superintendent, and the assistant superintendent met to review the results of the RUFT LCAP Survey.
- The CSEA president and the assistant superintendent met to review the results of the CSEA LCAP Survey.
- The LCAP Parent Advisory Committee met twice to continue work on developing the 2018-2019 survey.



Stakeholder Engagement for 2018-2019

March

- The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.
- Student listening circles were held to solicit student input for LCAP development.

April

- Student listening circles were held to solicit student input for LCAP development.
- The LCAP Parent Advisory Committee Survey was launched.



Stakeholder Engagement for 2018-2019

Upcoming

- The LCAP Parent Advisory Committee Survey results will be analyzed.
- LCAP Parent Advisory Committee written feedback will be delivered to the Superintendent.
- The RUSD English Language Advisory Committee (ELAC) will meet to review actions, services, and initiatives to support English learners throughout the district.
- The ELAC's written feedback will be delivered to the Superintendent.



Stakeholder Engagement for 2018-2019

Impact on LCAP

- Prioritizations from stakeholder engagement included:
 - counseling,
 - low class size,
 - facility maintenance and repair,
 - increased special education services and personnel,
 - social/emotional supports,
 - technology,
 - supplies,
 - training, and
 - safety.

Note: More specific impacts are available in the Annual Update.



Stakeholder Engagement for 2018-2019

Impact on LCAP

- Prioritizations, suggestions, and feedback from all stakeholders will be considered when drafting the goals, actions, and expenditures for the 2019-2020 Rescue Union School District LCAP.
- These revised goals, actions, and expenditures are scheduled to be presented for public comment on June 11, 2019.

Annual Update

LCAP Year Reviewed: 2018-19

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 7

The District will provide quality educational services to maximize academic achievement for all individual students and student groups.

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 1: Basic (Conditions of Learning)
 Priority 2: State Standards (Conditions of Learning)
 Priority 4: Pupil Achievement (Pupil Outcomes)
 Priority 5: Pupil Engagement (Engagement)
 Priority 7: Course Access (Conditions of Learning)
 Priority 8: Other Pupil Outcomes (Pupil Outcomes)

Local Priorities:

Annual Measurable Outcomes

Expected

Actual

Metric/Indicator

Grade Span Adjustment

18-19

Elementary students will continue to benefit from smaller class sizes in grades K-3.

Baseline

Elementary students benefited from an estimated grade span adjustment of 23.67 in grades K-3.

Metric/Indicator

Lexile Proficiency Report

18-19

Students will continue to improve proficiency as measured by the SRI Lexile Assessment.

For the 18-19 school year, our K-3 Grade Span Adjustment was 22.9. As a result of these low average class sizes across the district, our students, parents, and teachers all reported increased academic and social benefits (see measurable data and survey response information below).

At the conclusion of the second trimester, when given a Lexile proficiency assessment 38% of students were assessed to be reading in the advanced range, 25% were measured to be in the proficient range, 29% were in the basic range, and 7% were in the below basic range. Between the first assessment (beginning of year) and the most recent, 11% jumped into the

Expected

Baseline

The Lexile Proficiency Growth Report, run on April 3, 2018, indicated a 16% increase in the number of students who scored Proficient or Advanced

First Lexile Test of the year

28% Advanced

20% Proficient

37% Basic

15% Below Basic

Last Test in Time Period

40% Advanced

24% Proficient

30% Basic

6% Below Basic

Metric/Indicator

Smarter Balanced Interim Assessment (Mathematics ICA)

18-19

Students will continue to improve proficiency as measured by the SBAC Math ICA.

Baseline

2018 Administration of the Smarter Balanced Interim Assessment for Mathematics (ICA) indicated that 71.2% of assessed students in grades 3-5 were proficient or advanced.

2018 Administration of the Smarter Balanced Interim Assessment for Mathematics (ICA) indicated that 63.9% of assessed students in grades 6-8 were proficient or advanced.

Actual

advanced range, 6% were added to the proficient group, and the basic and below basic groups decreased by approximately 7% each.

In February of 2019, all students in grades 3-8 were administered the Smarter Balanced Math Interim Comprehensive Assessment (ICA). What follows are the proficiency rates (met and exceeded) for the grade level, English learners, students with disabilities (SWD), socioeconomically disadvantaged students (SED), and various ethnic groups larger than 30 students.

3rd

All Students - 71%

Male - 73%

Female - 68%

Hispanic/Latino - 65%

White - 71%

EL - 54%

SWD - 49%

SED - 56%

4th

All Students - 65%

Male - 70%

Female - 60%

Hispanic/Latino - 45%

White - 69%

EL - 28%

SWD - 37%

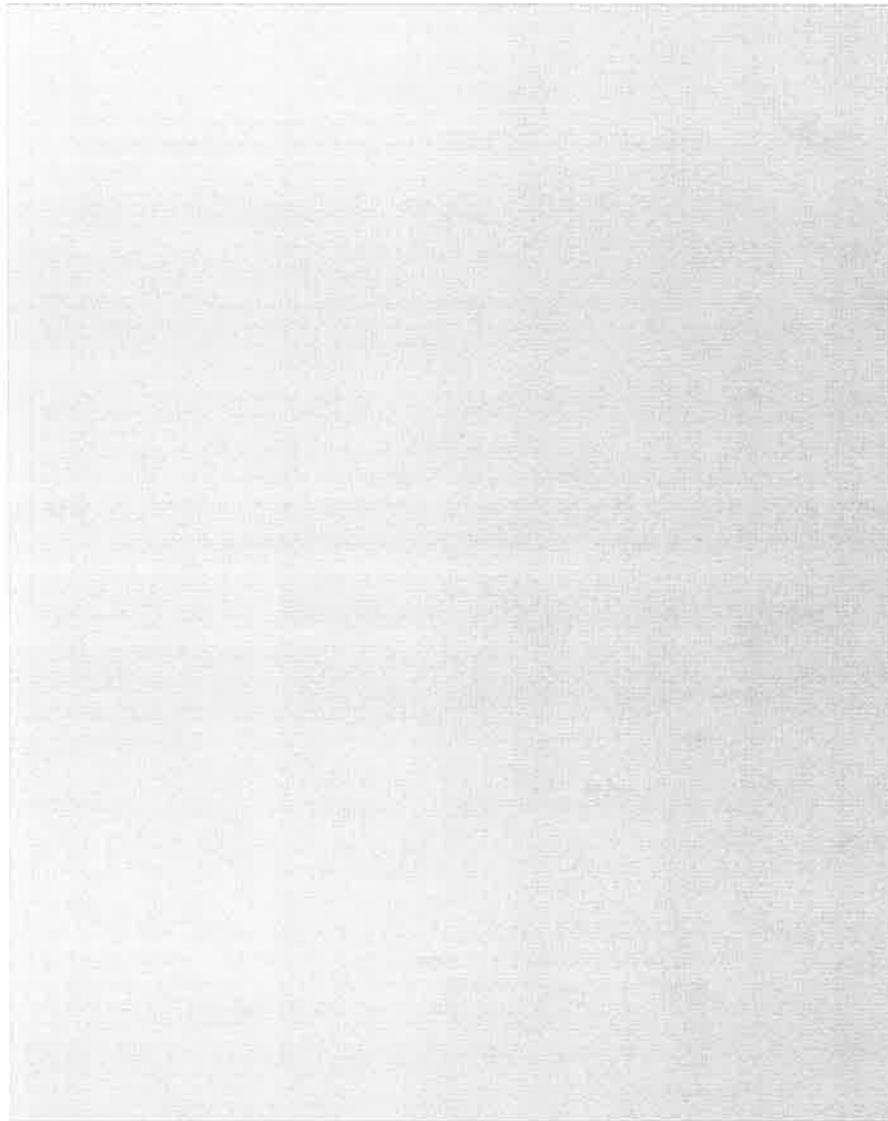
SED - 52%

5th

All Students - 52%

Expected

Actual



Male - 55%
 Female - 49%
 Hispanic/Latino - 31%
 White - 54%
 EL - 22%
 SWD - 40%
 SED - 19%

6th
 All Students - 43%
 Male - 45%
 Female - 41%
 Hispanic/Latino - 32%
 White - 44%
 EL - 9%
 SWD - 14%
 SED - 22%

7th
 All Students - 56%
 Male - 65%
 Female - 48%
 Hispanic/Latino - 36%
 White - 59%
 EL - 10%
 SWD - 45%
 SED - 24%

8th
 All Students - 67%
 Male - 64%
 Female - 71%
 Hispanic/Latino - 57%
 White - 67%
 EL - 33%
 SWD - 44%
 SED - 52%

Metric/Indicator

English Learner Indicator on the California School Dashboard

18-19

English learner reclassification rates and performance on the ELPAC will improve.

In the fall of 2018, the English Language Proficiency Assessment for California (ELPAC) was used for the first time to determine status for the EL indicator. As such, this data establishes a baseline for our school district and for school districts across the state. Because the data does not include a change from the previous year, no color was reported on the dashboard. However, status results for the Rescue Union School District were strong.

Expected

Actual

Baseline

The fall release of the California School Dashboard indicated that our English learners achieved a "medium status" (72.6%) and "declined significantly" (10.7%), resulting in an orange level for student performance.

Metric/Indicator

Smarter Balanced Interim Assessment (Reading Information Text IAB)

18-19

Students will demonstrate increased proficiency as measured by the Smarter Balanced Interim Assessment for Reading Information Text

Baseline

2018 Administration of the Smarter Balanced Interim Assessment for Reading Information Text indicated that 86.8% of students were at or near the standard.

Metric/Indicator

Parent Survey Results

18-19

Parent perceptions regarding educational services will continue to improve as measured by the Annual Parent LCAP Survey.

Baseline

2018 Parent Survey data indicates that educational services are among the highest priority for parents, guardians, and caregivers. On the survey, human resources, including teachers, administrators, and support staff ranked highest in terms of what the district is doing well. However, staff was also the number one area of focus when asked what the district can improve upon.

Metric/Indicator

Student Listening Circle Feedback

18-19

Student perceptions regarding educational services will continue to improve as measured by the Annually conducted Student Listening Circles.

Baseline

2018 Student Listening Circle data indicates that most students are very pleased with their teachers, administrators, and support staff. Many would like to see additional electives, including visual and performing arts taught

54.3% of students tested scored in the well developed range (4) and an additional 28.4% scored in the moderately developed range. Only 10.5% fell into the somewhat developed range and 6.8% were in the beginning stage.

During December and January, student sin grades 3-8 were administered the Reading Informational Text Interim Assessment Block. The data below represents the percent of assessed students performing at or near the standard.

Third Grade - 91%

Fourth Grade - 89%

Fifth Grade - 97%

Sixth Grade - 99%

Seventh Grade - 99%

Eighth Grade 100%

Results from the LCAP Parent Advisory Committee Survey indicate that parent perceptions and priorities are ???.

Results from the Student Listening Circles indicate that student perceptions and priorities are ???.

Expected

during the school day. Many students also reported a desire for more time for physical education and less homework.

Metric/Indicator

Professional Development Teacher Evaluations

Baseline

August 7th Professional Development Day
Superintendent's Keynote - All 3s and 4s with 67.3% scoring it a 4
Breakout Sessions from 9:00 - 10:15 69.4% 4, 95.9% 3s and 4s
Breakout Sessions from 10:30- 11:45 77.6% 4, 93.9% 3s and 4s
OVERALL DAY - 73.5% 4, 100% 3s and 4s

September 5 Professional Development Day
Superintendent's Keynote - 79.1% 4, 97.7% 3s and 4s
Breakout Sessions from 9:00 - 10:15 83.7% 3s and 4s
Breakout Sessions from 10:30- 11:45 93% 3s and 4s
OVERALL DAY - 90.7% 3s and 4s

Metric/Indicator

Academic Indicator on the California School Dashboard for ELA and Math

18-19

Student performance on the Smarter Balanced Assessment continue to improve.

Baseline

On the 2017 administration of the California Assessment of Student Performance and Progress (CAASPP), 71% of students met or exceeded the standard for ELA and 63% met or exceeded the standard for Math.

Actual

This year, the Rescue Union District focused on Social Emotional Learning (SEL), Trauma Informed Practices, and Positive Behavioral Interventions and Supports. On August 7th, all district employees were invited to hear Kelli Rizzi speak on Trauma informed practices. Following the presentation, we administered a survey to all employees. 142 people responded with a satisfaction rating of 3.89 out of 4. On that same day, Cheryl spoke about Social Emotional Learning and employees rated her presentation a 3.85 out of 4. As a final measure of the day's effectiveness, employees rated the overall impact of the day at 3.79.

On September 4th, we held our second professional development day of the year, again with a focus on SEL and Trauma Informed Practices. Cheryl delivered another presentation on commitment to students and the importance of SEL. Her portion of the day received a rating of 3.4 out of 4. We also invited Steve Weir, former superintendent from the El Dorado Union High School District to speak on the topics above, and his session was rated at 3.37 out of 4. The remainder of the day was allocated for site activities designed to advance SEL understanding, as well as address other site-specific PD issues. This portion of the day was rated at 3.45. Once again, we surveyed our employees on the overall effectiveness of the day and received a score of 3.37 out of 4.

The Fall 2018 results on the California School Dashboard indicate that students in the Rescue Union School District are scoring well and improving in both math and language arts. In math, the district scored "green" with a status of 28 points above standard and an increase of 5.7% from last year. In language arts, the district scored "blue" with a status of 46 points above standard and an increase of 5% from last year.

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

Certificated teaching staff (Gen Ed, SPED, Substitutes) will provide a broad course of study and enrichment that is rigorous and engaging for all students. Professional development opportunities will be provided for teachers to ensure quality educational opportunities for students. All adjunct duty and stipend positions are included in this service.

Certificated teaching staff (Gen Ed, SPED, Substitutes) provided a broad course of study and enrichment that was both rigorous and engaging for all students. Professional development opportunities were provided for teachers to ensure quality educational opportunities for students.

Gen Ed/EPA teachers 1000-1999: Certificated Personnel Salaries Base \$11,542,969

3000-3999: Employee Benefits Base \$3,510,982

SPED/Title I/CTEIG 1000-1999: Certificated Personnel Salaries Other \$944,631

3000-3999: Employee Benefits Other \$1,409,910

Gen Ed/EPA teachers 1000-1999: Certificated Personnel Salaries Base \$11,825,324

3000-3999: Employee Benefits Base \$3,513,667

SPED/Title I/CTEIG 1000-1999: Certificated Personnel Salaries Other \$936,904

3000-3999: Employee Benefits Other \$1,392,595

Action 2

The District will strive for low class sizes in grades K-3.

In response to the identified priorities of our teachers, students, and parent community, the district maintained low average class sizes across the district. The Grade Span Adjustment for 2018-2019 was 22.9.

1000-1999: Certificated Personnel Salaries Base \$748,380

3000-3999: Employee Benefits Base \$230,351

1000-1999: Certificated Personnel Salaries Base \$759,550

3000-3999: Employee Benefits Base \$232,488

Action 3

Classified Instructional Staff (Gen Ed aides, SPED aides, library media coordinators) will support students at all sites.

Classified Instructional Staff (Gen Ed aides, SPED aides, library media coordinators) supported students at all sites.

2000-2999: Classified Personnel Salaries Base \$447,513

3000-3999: Employee Benefits Base \$155,202

2000-2999: Classified Personnel Salaries Other \$885,205

3000-3999: Employee Benefits Other \$357,920

2000-2999: Classified Personnel Salaries Base \$447,610

3000-3999: Employee Benefits Base \$152,309

2000-2999: Classified Personnel Salaries Other \$930,794

3000-3999: Employee Benefits Other \$357,637

Action 4

District will provide additional academic supports for English language learners, socioeconomically disadvantaged students, foster youth, homeless students, Title I identified students,

The District provided additional academic supports for English language learners, socioeconomically disadvantaged students, foster youth, homeless students, Title I identified students,

1000-1999: Certificated Personnel Salaries Supplemental \$610,948

2000-2999: Classified Personnel Salaries Supplemental \$110,051

1000-1999: Certificated Personnel Salaries Supplemental \$601,573

2000-2999: Classified Personnel Salaries Supplemental \$139,721

and immigrant students. Services may include interventions, software, aides, staffing, professional development, and materials needed to meet the needs of our unduplicated students. Counseling services will be provided to all sites, primarily to serve unduplicated students. The Multicultural Festival will be held annually. AVID will be provided for all students at Pleasant Grove, which will help students with organization, academic success, and the ability to be college and career ready. PBIS will be instituted at all sites to provide a structure for behavioral supports. EL Coordinator will provide supports and services for unduplicated students, as well as professional development for certificated and classified personnel who work with our unduplicated students. Bilingual Community Liaison will be provided to provide social and academic outreach supports, and translation services, as needed, including supports for Foster Youth and Kinship Care families. A Summer Learning Program will be provided for unduplicated Students, with a focus on academic support and a "Jump Start" for the following year.

and immigrant students. Services included interventions, software, aides, professional development, and materials to meet the needs of our unduplicated students. Counseling services were provided to all sites, primarily to serve unduplicated students. The Multicultural Festival was held on February 8, 2019 . AVID was provided for all students at Pleasant Grove, which helped students with organization, academic success, and the ability to be college and career ready. Tier 1 PBIS was instituted at all sites to provide a structure for behavioral supports. Green Valley moved forward with Tier 2 PBIS. Our EL Coordinator provided supports and services for unduplicated students, as well as professional development for certificated and classified personnel who work with our unduplicated students. Our bilingual Community Liaison provided social and academic outreach supports, and translation services, as needed, including supports for Foster Youth and Kinship Care families. A Summer Learning Program was provided for unduplicated Students, with a focus on academic support and a "Jump Start" for the following year.

3000-3999: Employee Benefits Supplemental \$203,278	3000-3999: Employee Benefits Supplemental \$184,705
4000-4999: Books And Supplies Supplemental \$25,439	4000-4999: Books And Supplies Supplemental \$28,947
5000-5999: Services And Other Operating Expenditures Supplemental \$20,004	5000-5999: Services And Other Operating Expenditures Supplemental \$41,395
Title I, III 1000-1999: Certificated Personnel Salaries Other \$37,539	Title I, III 1000-1999: Certificated Personnel Salaries Other \$53,420
Title I, III 2000-2999: Classified Personnel Salaries Other \$123,589	Title I, III 2000-2999: Classified Personnel Salaries Other \$140,360
Title I, III 3000-3999: Employee Benefits Other \$52,603	Title I, III 3000-3999: Employee Benefits Other \$51,165
Title I, III 4000-4999: Books And Supplies Other \$1,512	Title I, III 4000-4999: Books And Supplies Other \$16,989
Title I, III 5000-5999: Services And Other Operating Expenditures Other \$102,366	Title I, III 5000-5999: Services And Other Operating Expenditures Other \$91,722

Action 5

Instructional resources for general education and special education students, including curriculum, technology, software, professional development, textbook adoptions, and other engaging, standards-aligned materials will be provided to support student learning.

Instructional resources for general education and special education students, including curriculum, technology, software, professional development, textbook adoptions, and other engaging, standards-aligned materials was provided to support student learning.

4000-4999: Books And Supplies Base \$487,292

4000-4999: Books And Supplies Base \$473,198

5000-5999: Services And Other Operating Expenditures Base \$206,137

5000-5999: Services And Other Operating Expenditures Base \$204,338

4000-4999: Books And Supplies Other \$514,912

4000-4999: Books And Supplies Other \$675,688

5000-5999: Services And Other Operating Expenditures Other \$280,226

5000-5999: Services And Other Operating Expenditures Other \$788,962

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

Overall, the District is very proud of the implementation of actions and services to meet the educational needs of our students as outlined in Goal 7. Teachers, administrators, and support staff ensured that quality educational programs were provided to all students, while unduplicated students, special education students and any other student needing supports had their needs addressed. Class sizes remained lower than the contractual requirement in grades TK-5, with an estimated Grade Span Adjustment of 22.9. In the middle schools only advanced math classes exceeded the class size average and staff were compensated per the RUFT Collective Bargaining Agreement. Materials and resources were provided to meet the educational needs of students, including new Social Studies curriculum at the middle schools and Next Generation Science Standards aligned materials at all grades.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

Overall, the effectiveness of the actions and services outlined in Goal 7 were successful. As noted in the annual measurable outcomes section above, students are making notable progress. A performance gap, although typically narrower than the state average, still exists for some of our student groups, including Students with Disabilities, English Learners, Socioeconomically Disadvantaged students, and Hispanic/Latino students. As such, targeted efforts will continue to support these specific student groups in subsequent years.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

In Goal 7, Action 1, the District spent an Additional \$282,335 in certificated salaries. These expenditures, to hire additional teachers at Marina Village, Lake Forest, and Jackson, were also aligned to Goal 7, Action 2, as they helped keep class sizes low. In Goal 7, Actions 4 and 5, the District spent an additional \$160,776 and \$508,736, respectively. These expenditures were for Books and

Supplies and Services and Other Operating Expenditures. The bulk of these expenditures were a result of site fundraising efforts and transactions from site donation accounts.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

After careful review of the data contained in the California School Dashboard, it is clear that many of the programs and services that have led to the academic success of our students should continue. Next year, we plan to explore, pilot, and consider for adoption, state approved history materials at the elementary level and state approved science curriculum for all grades. We are proud of the fact that our academic indicators on the California School Dashboard contain no student groups in the red or orange category, but as mentioned above, we do plan to continue to provide supports for student groups who are performing below the "all students" category, as well as any individual students in need of support. Additional trainings and opportunities for general education and special education teachers to co-teach in support of general and special education students will be provided. The District will include transitional kindergarten in our low class size actions for 2019-2020.

Annual Update

LCAP Year Reviewed: 2018-19

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 8

The District will provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families.

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 1: Basic (Conditions of Learning)
 Priority 3: Parental Involvement (Engagement)
 Priority 6: School Climate (Engagement)

Local Priorities:

Annual Measurable Outcomes

Expected

Metric/Indicator

California Healthy Kids Survey(CHKS) Results

18-19

Attitudes toward school connectedness, caring relationships, safety, and overall school climate will improve as measured by the California Healthy Kids Survey.

Actual

Data gathered from the Fall 2018 administration of the California Healthy Kids Survey is listed below. Specific questions varied from the 2017.

2018-2019 Elementary CHKS Results

School Connectedness - 80% Mod/High
Caring Adult Relationships - 80% Most/All
Feel Safe at school - 87% Most/All
Students well behaved - 63% Most/All

2018-2019 Middle School CHKS Results

School Connectedness - 67% Mod/High
Caring Adult Relationships - 66% Most/All
Feel Safe at school - 71% Most/All
Experienced any bullying - 35%
Chronic Sadness or Hopelessness - 19%

Expected

Actual

Baseline

2017-2018 Elementary CHKS Results

School Connectedness - 50% High, 98% Mod/High

Caring Adult Relationships - 54% All, 86% Most/All

Feel Safe at school - 86% Most/All

Students well behaved - 61% Most/All

2017-2018 Middle School CHKS Results

School Connectedness - 33% High, 95% Mod/High

Caring Adult Relationships - 33% All, 69% Most/All

Feel Safe at school - 79% Most/All

Experienced any bullying - 32%

Chronic Sadness or Hopelessness - 18%

Metric/Indicator

California School Dashboard Suspension Indicator

18-19

Suspension rates for all students, including all student groups, will improve to green or blue as reported on the California School Dashboard.

Baseline

For the Fall 2017 California School Dashboard data release, the District's suspension indicator for "All Students" is in the yellow category, with a "medium" status (2.5%) and a "maintained" change of +0.1%.

For the Fall 2017 California School Dashboard data release, the District's suspension indicator for "Students with Disabilities" is in the red category, with a "very high" status (6.8%) and a "maintained" change of 0.0%.

For the Fall 2017 California School Dashboard data release, the District's suspension indicator for "Homeless" is in the orange category, with a "high" status (5.0%) and an "Increased" change of 0.7%.

For the Fall 2017 California School Dashboard data release, the District's suspension indicator for "African American" is in the orange category, with a "high" status (4.3%) and an "Increased" change of 14%.

For the Fall 2017 California School Dashboard data release, the District's suspension indicator for "Two or More Races" is in the orange category, with a "high" status (3.3%) and a "maintained" change of -0.1%.

California School Dashboard Suspension Indicator Fall 2018

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "All Students" is in the green category, with a status of 2.0% and a "decreased" change of 0.5%.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "Students with Disabilities" is in the red category, with a status of 6.6% and a "maintained" change score of 0.2%.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "Foster Youth" is in the red category, with a status of 20.8% and an increase of 12.1%.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "African American" is in the red category, with a status of 9.8% and an increase of 5.1%.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "Two or More Races" is in the orange category, with a status (3.3%) and a "maintained" change of -0.1%.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "Homeless" is in the orange category, with a status (5.9%) and an increase of 0.9%.

Expected

Actual

Metric/Indicator

California School Dashboard Chronic Absenteeism Indicator

18-19

Chronic Absenteeism rates for all students, including all student groups, will improve as reported on the California School Dashboard.

Baseline

The District's Chronic Absenteeism rate reported on the Fall 2017 California School Dashboard data release is 4.3%.

Metric/Indicator

Parent Survey Results

18-19

Parent perceptions about school climate and safety will continue to improve as measured by the annual LCAP Parent Survey.

Baseline

2018 Parent Survey data indicates that educational services are among the highest priority for parents, guardians, and caregivers. On the survey, school climate and safety, ranked 4th and 7th, respectively in terms of what the district is doing well. However, climate and safety was also ranked 3rd and 5th, respectively, when asked what the district can improve upon.

Metric/Indicator

Student Listening Circle Feedback

18-19

Student perceptions about school climate and safety will continue to improve as reported during Student Listening Circles.

Baseline

2018 Student Listening Circle feedback indicates that most students feel that climate at their school is very positive. Students at each site reported that positive relationships with friends and teachers is among the things they like most about their school.

Metric/Indicator

Facilities Inspection Tool

18-19

Facility Inspection Tool reports will show all sites in fair or better condition.

For the Fall 2018 California School Dashboard data release, the District's suspension indicator for "Asian" is in the orange category, with a status (2.5%) and an increase of 0.5%.

California School Dashboard Chronic Absenteeism Indicator Fall 2018

The District's Chronic Absenteeism rate reported on the Fall 2017 California School Dashboard data release is 4.2% which is 0.1 lower than the previous year.

Results from the LCAP Parent Advisory Committee Survey indicate that parent perceptions and priorities are ???.

Results from the Student Listening Circles indicate that student perceptions and priorities are ???.

The 2018-2019 Facilities Inspection Tool (FIT) indicates the following ratings for each school site:

- GV-Poor
- J-Fair
- LF-Fair
- LV-Good

Expected

Actual

Baseline

The Facilities Inspection Tool (FIT) indicates the following ratings for each school site:

- GV-Poor
- J-Fair
- LF-Fair
- LV-Good
- MV-Fair
- PG-Fair
- R-Fair

- RS-Fair
- MV- Fair
- PG-Fair

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 6

The District will support Social Emotional Learning (SEL) including anti-bullying, character education, PBIS, Trauma Informed Practice, and restorative justice programs at each school site. Some of these expenditures are reflected in professional development activities in Goal 7 Action 1 and Action 4.

The District supported Social Emotional Learning (SEL) including anti-bullying, character education, PBIS, Trauma Informed Practice, and restorative justice programs at each school site. Some of these expenditures are reflected in professional development activities in Goal 7 Action 1 and Action 4

Title II - Trauma Informed and PBIS 1000-1999: Certificated Personnel Salaries Other \$23,520

Title II - Trauma Informed and PBIS 1000-1999: Certificated Personnel Salaries Other \$29,610

Title II - Trauma Informed and PBIS 2000-2999: Classified Personnel Salaries Other \$0

Title II - Trauma Informed and PBIS 2000-2999: Classified Personnel Salaries Other \$300

Title II - Trauma Informed and PBIS 3000-3999: Employee Benefits Other \$4,500

Title II - Trauma Informed and PBIS 3000-3999: Employee Benefits Other \$5,614

Title II - Trauma Informed and PBIS 4000-4999: Books And Supplies Other \$0

Title II - Trauma Informed and PBIS 4000-4999: Books And Supplies Other \$1,000

Title II - Trauma Informed and PBIS 5000-5999: Services And Other Operating Expenditures Other \$39,628

Title II - Trauma Informed and PBIS 5000-5999: Services And Other Operating Expenditures Other \$44,264

Action 7

The District will provide personnel to ensure safe learning environments that meet the social emotional needs of all students. These positions include counselors, yard duty supervisors, custodians, Maintenance and Operations staff, nurses, health aides, psychologists, and facilitators of trauma support groups. The expenditure for elementary counselors and a portion of the school counselors is reflected in Goal 7 Action 4.

The District provided personnel to ensure safe learning environments that meet the social emotional needs of all students. These positions included counselors, yard duty supervisors, custodians, Maintenance and Operations staff, nurses, health aides, psychologists, and facilitators of trauma support groups. The expenditures for elementary counselors and a portion of the middle school counselors is reflected in Goal 7 Action 4.

1000-1999: Certificated Personnel Salaries Base \$173,681
2000-2999: Classified Personnel Salaries Base \$1,789,399
3000-3999: Employee Benefits Base \$680,930
1000-1999: Certificated Personnel Salaries Other \$367,729
2000-2999: Classified Personnel Salaries Other \$389,885
3000-3999: Employee Benefits Other \$302,610

1000-1999: Certificated Personnel Salaries Base \$177,529
2000-2999: Classified Personnel Salaries Base \$1,748,962
3000-3999: Employee Benefits Base \$623,284
1000-1999: Certificated Personnel Salaries Other \$370,824
2000-2999: Classified Personnel Salaries Other \$320,277
3000-3999: Employee Benefits Other \$279,577

Action 8

The District will provide the materials, supplies, and services for nurses, health aides, psychologists, yard supervisors, Maintenance and Operations personnel, and custodians to ensure clean and safe school environments.

The District provided materials, supplies, and services for nurses, health aides, psychologists, yard supervisors, Maintenance and Operations personnel, and custodians to ensure clean and safe school environments.

4000-4999: Books And Supplies Base \$147,020
5000-5999: Services And Other Operating Expenditures Base \$77,007
4000-4999: Books And Supplies Other \$123,801
5000-5999: Services And Other Operating Expenditures Other \$403,684

4000-4999: Books And Supplies Base \$155,434
5000-5999: Services And Other Operating Expenditures Base \$239,934
4000-4999: Books And Supplies Other \$131,017
5000-5999: Services And Other Operating Expenditures Other \$554,166

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

The District is proud of the work that has been done to provide safe, clean, student-centered learning environments that are responsive to the social-emotional needs of all children and families. Much work has been done to provide training to teachers and classified staff on Social Emotional Learning and Trauma Informed Practice. Additionally, every site now has a Positive Behavioral Interventions and Supports (PBIS) Team that is working to improve the effectiveness, efficiency, and equity at their respective schools. We have hired more school counselors so that each site now has a minimum of three days of counseling support per week, with some having a full five days of support. Furthermore, yard duty supervisors, custodians, Maintenance and Operations staff, nurses, health aides, and psychologists, have all worked in their own capacity to help ensure the safety and well-being of all students.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

The actions and services provided under this goal have been effective in meeting the social emotional needs of students and have helped ensure that our campuses are clean and safe. Conditions and Climate results from the California School Dashboard are now green, representing a two color increase from the previous year. Specifically, only 2% of students were suspended, which is down 0.5% from 2016-2017. Our Engagement indicator on the California School Dashboard is also green, and reflects a low (4.2%) Chronic Absenteeism rate. This rate is down 0.1% from the 2016-2017 school year.

2018-2019 results for the California Healthy Kids Survey show that 80% of students feel moderately or highly connected to their school. 80% reported that they have adults at their school who care about them and 87% reported that they feel safe while at school. Middle school results show that 67% of students feel moderately or highly connected to their school. 66% reported that they have adults at their school who care about them and 71% reported that they feel safe while at school. Although the majority of students who took this survey seem to feel safe and connected, we are confident that our continued work in the area of social emotional learning will lead to even higher percents in future years.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

In Goal 8, Action 2, the District spent \$105,574 less than planned, when a health office nurse position, despite ongoing hiring efforts, went unfilled. Correspondingly, Goal 8 Action 3 reflects an increase of \$96,750 for contracted private health office nursing services. In Goal 8, Action 3, there was also an additional \$94,000 in expenditures used for Special Education occupational therapy and counseling services.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

As mentioned above, a majority of students are reporting that they feel safe and connected to their school and that they have caring adults there to help support them. However, we plan to continue our work to improve social emotional learning for students and strengthen our PBIS implementation by moving into Tier II supports. Although our chronic absenteeism rates and suspension rates are both in the "green" category for "all students", we do have smaller student groups that fall within the red or orange category. To address this, we will continue to provide supports under Goal 8 that help improve student outcomes. Examples include restorative justice programs, alternatives to suspension, school-based counselors, and heightened attendance monitoring.

Annual Update

LCAP Year Reviewed: 2018-19

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed.

Goal 9

The District will provide technical infrastructure and systems of support that allow quality education and effective learning environments to flourish.

State and/or Local Priorities addressed by this goal:

State Priorities: Priority 1: Basic (Conditions of Learning)
 Priority 5: Pupil Engagement (Engagement)

Local Priorities:

Annual Measurable Outcomes

Expected

Actual

<p>Metric/Indicator Student Listening Circle Feedback</p> <p>18-19 Student attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve as measured by annual Student Listening Circles.</p> <p>Baseline 2018 Student Listening Circle feedback indicates that most students feel that facilities at their school are very important to them. Most reported a desire to see fields improved. Students at the elementary schools also reported a desire to have improved lunch offerings.</p>
<p>Metric/Indicator Parent Survey Results</p> <p>18-19 Parent attitudes and perceptions regarding infrastructure and district support programs (i.e. food service and transportation) will continue to improve, as measured by the annual LCAP Parent Survey.</p> <p>Baseline</p>

<p>Results from the Student Listening Circles indicate that student perceptions and priorities are ???.</p>
<p>Results from the LCAP Parent Advisory Committee Survey indicate that parent perceptions and priorities are ???.</p>

Expected

Actual

<p>2018 Parent Survey data indicates that facility needs and infrastructure are a priority for parents, guardians, and caregivers. On the survey, facility needs ranked 5th in terms of what the district can improve upon.</p>
<p>Metric/Indicator Ridership Report from Transportation</p> <p>18-19 Ridership on school district buses will increase.</p> <p>Baseline For the 2017-2018 School Year, 570 students were signed up to ride district school buses .</p>
<p>Metric/Indicator HelpDesk Response Rate</p> <p>18-19 HelpDesk tickets will be resolved in a timely manner (ideally 5 days or less).</p> <p>Baseline Of the 932 documented IT tickets, 668 were completed within 5 days or less. 396 were completed in 1 day or less and 478 were completed within 2 days or less.</p>

<p>For the 2018-2019 School Year, 540 students were signed up to ride district school buses.</p>
<p>As of March 12, 2019, 77% of the 813 documented IT Helpdesk tickets had been resolved in 5 days or less. 29% had been resolved in one day and 53% had been resolved in two days or less.</p> <p>Of the 813 documented IT tickets, 626 were completed within five days or less, 431 were completed within two days or less, and 236 were completed in one day or less</p>

Actions / Services

Duplicate the Actions/Services from the prior year LCAP and complete a copy of the following table for each. Duplicate the table as needed.

Action 1

The District will provide non-instructional staff that supports educational services, inclusive of those not in Goals 7 or 8. This includes personnel from the information technology department, the transportation department, administration, management, district office staff, and site office staff.

The District employed non-instructional staff that supported educational services, inclusive of those not in Goals 7 or 8. This included personnel from the information technology department, the transportation department, administration, management, district office staff, and site office staff.

1000-1999: Certificated Personnel Salaries Base \$1,511,127
2000-2999: Classified Personnel Salaries Base \$2,537,075
3000-3999: Employee Benefits Base \$1,218,309
1000-1999: Certificated Personnel Salaries Other \$110,432

1000-1999: Certificated Personnel Salaries Base \$1,506,478
2000-2999: Classified Personnel Salaries Base \$2,504,322
3000-3999: Employee Benefits Base \$1,164,647
1000-1999: Certificated Personnel Salaries Other \$118,702



2000-2999: Classified Personnel Salaries Other \$46,925

2000-2999: Classified Personnel Salaries Other \$73,643

3000-3999: Employee Benefits Other \$192,154

3000-3999: Employee Benefits Other \$193,874

Action 2

The District will provide the materials, supplies, and services for the information technology department, the transportation department, administration, management, district office staff, and site office staff to ensure that the District organization operates efficiently and to the benefit of all students and staff. This includes all other district expenditures (i.e. District utilities) not captured elsewhere in this plan.

The District provided the materials, supplies, and services for the information technology department, the transportation department, administration, management, district office staff, and site office staff to ensure that the District operated efficiently and to the benefit of all students and staff. This included all other district expenditures (i.e. District utilities) not captured elsewhere in this plan.

4000-4999: Books And Supplies Base \$259,570

4000-4999: Books And Supplies Base \$263,857

5000-5999: Services And Other Operating Expenditures Base \$1,412,695

5000-5999: Services And Other Operating Expenditures Base \$1,421,824

6000-6999: Capital Outlay Base \$770,000

6000-6999: Capital Outlay Base \$1,384,812

4000-4999: Books And Supplies Other \$0

4000-4999: Books And Supplies Other \$1,996

5000-5999: Services And Other Operating Expenditures Other \$35,000

5000-5999: Services And Other Operating Expenditures Other \$77,925

6000-6999: Capital Outlay Other \$30,000

6000-6999: Capital Outlay Other \$25,485

7000-7439: Other Outgo Other \$370,742

7000-7439: Other Outgo Other \$453,621

7000-7439: Other Outgo Base \$33,463

7000-7439: Other Outgo Base - \$9187

Analysis

Complete a copy of the following table for each of the LEA's goals from the prior year LCAP. Duplicate the table as needed. Use actual annual measurable outcome data, including performance data from the LCFF Evaluation Rubrics, as applicable.

Describe the overall implementation of the actions/services to achieve the articulated goal.

The District is proud of the technical infrastructure and systems of support that have been provided to allow quality education and effective learning environments to flourish. "Non-instructional" personnel, including bus drivers, custodians, food service employees,

IT specialists, and district office staff helped ensure that students needs were met throughout the day. Training and materials were provided to assist the personnel listed above in the completion of their respective duties.

Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA.

The actions and services listed in Goal 9 were effective in ensuring that the day-to-day operations of the school district ran smoothly. Students' non-instructional needs were appropriately addressed by a variety of support personnel, and although these staff members may not have provided academic instruction, the service they provided was equally important in meeting their basic needs. Our Facility Inspection Report (see Annual Update Goal 8) indicated some deficits at some of our school sites, and maintenance personnel are working hard to correct these. Additionally, a revised Master Facilities plan is being developed to address facility needs across the district.

Explain material differences between Budgeted Expenditures and Estimated Actual Expenditures.

In Goal 9, Action 2, the District spent an additional \$614,812 for capital outlay, which included the purchase of a school bus and furniture for the new classrooms at Marina Village Middle School. Additionally, the District spent an additional \$82,879 in other outgoing expenses to the El Dorado County Office of Education for 1:1 aides.

Describe any changes made to this goal, expected outcomes, metrics, or actions and services to achieve this goal as a result of this analysis and analysis of the LCFF Evaluation Rubrics, as applicable. Identify where those changes can be found in the LCAP.

A review of contracted expenditures related to occupational therapy for special education students revealed that increased services could be provided if we hired our own Occupational Therapist and Certified Occupational Therapist Assistant (COTA). The District is moving forward to hire people to serve in these capacities, and the related costs will be reflected in Goal 9 of the 2019-2020 LCAP.

Stakeholder Engagement

LCAP Year: 2019-20

Involvement Process for LCAP and Annual Update

How, when, and with whom did the LEA consult as part of the planning process for this LCAP/Annual Review and Analysis?

July 30 - 31

Meetings were held with District Leadership Team to address areas of focus for the Local Control Accountability Plan (LCAP).

July - June

The superintendent provided the Rescue Union School District (RUSD) Board of Trustees with regular updates concerning current LCAP actions and future LCAP development.

September

Principals, in conjunction with their school site councils, Parent Teacher Organizations (PTOs), and Parent Teacher Clubs (PTCs), discussed the LCAP and recruited school site representatives to serve on the LCAP Parent Advisory Committee (PAC).

October 29

The District English Language Advisory Committee met to discuss current LCAP Goals and future needs.

November 5

The Parent Advisory Committee (PAC) met to discuss the LCAP development process, current LCAP Goals, and the Local Control Funding Formula.

December 4

The Parent Advisory Committee met and reviewed the executive summary for the 2017-2018 LCAP Parent Survey and began work on developing the 2018-2019 survey.

January 9

The LCAP Parent Pre-Survey was launched to provide information to the LCAP Parent Advisory Committee so that they could target certain areas with the Spring LCAP Survey.

January 10

A consultation meeting was held with members of the Classified School Employees Association. This meeting was open to all members of the bargaining unit. At this meeting, the current LCAP was reviewed and survey methods and questions to solicit input from the CSEA members were discussed.

January 22

A consultation meeting was held with members of RUFT. This meeting was open to all members of the bargaining unit. At this meeting, the current LCAP was reviewed and survey methods and questions to solicit input from the RUFT members were discussed.

January 29

The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.

February 8

The RUFT president, the superintendent, and the assistant superintendent met to review the results of the RUFT LCAP Survey.

February 11

The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.

February 25

The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.

February 28

The CSEA president and the assistant superintendent met to review the results of the CSEA LCAP Survey.

March 13

The LCAP Parent Advisory Committee met to continue work on developing the 2018-2019 survey.

March - April

Student listening circles were held at all schools to solicit student input for LCAP development.

April 8,

The LCAP Parent Advisory Committee Survey was launched.

May 6
PAC Survey Results Reviewed

April ???
Listening Circle Data Reviewed

April ???
The RUSD Board of Trustees and members of the public were briefed on the LCAP stakeholder engagement to date and annual update.

May ???
The RUSD English Language Advisory Committee met to review actions, services, and initiatives to support English learners throughout the district. Over ??? English learner parents attended the meeting.

Impact on LCAP and Annual Update

How did these consultations impact the LCAP for the upcoming year?

Discussions held with the Leadership Team regarding Board approved LCAP actions, as well as the results of the LCAP Parent Survey, helped members create aligned school site plans and execute actions contained in the LCAP.

The superintendent made a point to ensure the alignment of LCAP goals, actions, and expenditures with the RUSD Board Goals and SPSAs, which led to a shared vision and unified efforts across all sites and department. LCAP updates were provided at regularly scheduled board meetings. Board input pertaining to actions and metrics for assessing those actions were well received and accounted for in the development of the LCAP.

The recruitment strategies of principals ensured each school site was represented on the LCAP Parent Advisory Committee.

As a result of the informational meetings (LCAP 101) to provide background understanding on the structure, purpose, content, and development process of the LCAP, stakeholders were better able to provide suggestions and input for the 2019-2020 LCAP.

The members of the Parent Advisory Committee were each provided with online and print access to the LCAP, the LCAP Executive Summary, budget information, and previous survey results. As a result, members of the Parent Advisory Committee had the necessary foundation knowledge and tools to develop a new survey, analyze results, and make recommendations to the Superintendent. Their input was taken into account, along with other stakeholder feedback, and actions were developed in the LCAP.

Assistant Superintendent Scroggins began the CSEA Consultation Meeting by outlining the LCAP development process and highlighting the importance of stakeholder involvement. Mr. Scroggins discussed actions and expenditures contained in the LCAP, and supplemental funds and proportionality, so by the conclusion of the meeting, classified employees had a better understanding of the LCAP, the development process, and the importance of stakeholder input. The previous year's CSEA survey was discussed and Mr. Scroggins offered to assist CSEA in the creation of this year's survey that could be sent to their respective members to collect their thoughts and suggestions pertaining to the LCAP. With input from CSEA Leadership, a survey was developed. These surveys were intentionally designed to collect feedback of employees with respect to current LCAP actions as well as elicit thoughts or suggestions for any additional LCAP actions.

Assistant Superintendent Scroggins began the RUFT Consultation Meeting by outlining the LCAP development process and highlighting the importance of stakeholder involvement. Mr. Scroggins discussed actions and expenditures contained in the LCAP, and supplemental funds and proportionality, so by the conclusion of the meeting, certificated employees had a better understanding of the LCAP, the development process, and the importance of stakeholder input. The previous year's RUFT survey was discussed and Mr. Scroggins offered to assist in the creation of this year's survey that could be sent to their respective members to collect their thoughts and suggestions pertaining to the LCAP. With input from RUFT Leadership, a survey was developed. These surveys were intentionally designed to collect feedback of employees with respect to current LCAP actions as well as elicit thoughts or suggestions for any additional LCAP actions.

Student listening circles allowed students the opportunity to inform district personnel about what they enjoy most about their school and what areas they would like to see improved at their school. Their input was very much appreciated and taken into account, along with the feedback of other stakeholder groups, in the development of the LCAP. Opportunities for physical activity, time for academics, additional technology (Chromebooks), clean campuses, improved lunch offerings, and character development were prioritized by students???

RUFT Survey Results were analyzed by District Office staff and the RUFT Executive Board. These results indicated that teachers prioritize counseling, low class size, facilities, special education services and personnel, social/emotional supports, and technology. Actions and services were developed or maintained to address these prioritizations.

CSEA Survey Results were analyzed by District Office staff. These results indicated that classified employees prioritize instructional assistants, sufficient supplies and training, clean schools, and safety. Actions and services were developed or maintained to address these prioritizations.

PAC Survey Results data indicated that parents prioritize???. This information was taken into account, along with the feedback of other stakeholder groups, and LCAP actions were developed or continued to address these priorities.

The April stakeholder engagement update provided to the RUSD Board of Trustees and members of the public on the revised LCAP template helped ensure all members of the governing board and our community were sufficiently informed and involved with respect to the LCAP development. The update on stakeholder involvement also provided reassurance that stakeholder engagement remains a priority for our district.

The RUSD District English Language Advisory Committee recommended the continuation of actions in the 2018-2019 LCAP ??? including bilingual instructional assistant support, a summer program to support English learners, a bilingual community liaison, and an EL Coordinator.

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: Board Policy Updates

BACKGROUND:

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.

STATUS:

Policies identified for review and/or changes are submitted to the Board for first reading, and possible consideration of approval. A table providing a listing of revised policies and summary of changes is included.

FISCAL IMPACT:

NA

BOARD GOAL(S):

Board Focus Goal III – COMMUNICATION/COMMUNITY INVOLVEMENT:

Establish and maintain consistent and effective communication that is transparent and timely in an effort to provide and receive information that will engage and educate our District and community.

RECOMMENDATION:

Board receive board policies for first reading, and possible consideration for action.

**RUSD Board Policy, Administrative Regulations and Board Bylaws
Considered April 9, 2019**

POLICY	TITLE	REQUIREMENT
<i>First Reading</i>		
BP/AR 0420	School Plans/Site Councils REVISE	Policy updated to reflect NEW LAW (AB 716) which renames the single plan for student achievement as the school plan for student achievement (SPSA), authorizes the use of uniform complaint procedures for complaints alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA, and authorizes the use of the SPSA to satisfy the requirement for a school improvement plan when a school is identified for targeted or comprehensive support. Regulation updated to reflect AB 716 which eliminates the authority to use a school advisory committee other than a school site council to develop the SPSA, allows certain small schools to share a school site council, requires a needs assessment to identify school goals, and, if applicable, requires consultation with the school's English learner advisory committee on review of the SPSA. 12/18
BP/AR 0460	Local Control Accountability Plan REVISE	Policy and regulation updated to reflect NEW LAW (AB 2878) which expands the state priority on parent involvement that must be addressed in the local control and accountability plan (LCAP) to include family engagement. Policy also reflects NEW LAW (AB 1808) which requires consultation on plan development with special education local plan administrator(s) and, by July 1, 2019, requires districts to develop a local control funding formula budget overview for parents/guardians in conjunction with the LCAP. Policy reflects NEW LAW (AB 1840) which requires the State Board of Education to expand the LCAP template by January 31, 2020 to include specified information. Section on "Technical Assistance/Intervention" updated to reflect AB 1808 which establishes a single statewide system of support for districts and schools, and AB 1840 which provides that a district receiving an emergency apportionment will be deemed to have been referred to the California Collaborative for Educational Excellence. Regulation updated to reflect AB 1840 which requires data in the LCAP to be reported in a manner consistent with the California School Dashboard and requires districts to post their LCAP prominently on the homepage of their web site. Section on "Annual Updates" deleted since the annual updates follow the same process and adhere to the same template as the initial LCAP. 12/18
BP 3514.1	Hazardous Substances REVISE	Policy updated to reflect legal requirements regarding toxic art and craft supplies, formerly in BP 6161.3 - Toxic Art Supplies. 5/18
AR 3541	Transportation Routes and Services REVISE	Regulation updated to reflect NEW LAW (AB 1453) which authorizes districts to provide for the transportation of adult volunteers to and from educational activities. Regulation also reflects requirement to provide transportation consistent with a student's Section 504 plan, and clarifies the district's responsibility with respect to transportation for homeless students and foster youth. 5/18

**RUSD Board Policy, Administrative Regulations and Board Bylaws
Considered April 9, 2019**

POLICY	TITLE	REQUIREMENT
AR 3543	Transportation Safety and Emergencies REVISE	Regulation updated to reflect NEW LAW (AB 1798) which requires that all school buses be equipped with passenger restraint systems by July 1, 2035. Regulation also reflects NEW LAW (AB 1840) which delays until March 1, 2019 the requirement that each school bus and student activity bus be equipped with a child safety alert system, and allows for a possible six-month extension for districts with an average daily attendance of 4,000 or less under specified conditions. Regulation adds the conditions under which a student activity bus is exempt from the requirement to install a child safety alert system. 12/18
AR 5113	Absences and Excuses REVISE	Regulation updated to reflect NEW LAW (AB 2289) which (1) amends the definition of "immediate family" for the purpose of authorizing certain excused absences, (2) prohibits a district from requiring a physician's note for an absence by a parenting student to care for a sick child, and (3) clarifies that students may be excused from school, under specified conditions, for work in the entertainment or allied industry, participation with a nonprofit performing arts organization in a performance for a public school audience, or other reasons at the discretion of school administrators. 12/18
BP/AR 5144	Discipline REVISE	Policy updated to reflect NEW LAW (AB 2657) which prohibits seclusion and behavioral restraint of students as a means of discipline, and to encourage staff development regarding equitable implementation of discipline. Regulation updated to revise section on "Detention After School" to more directly reflect state regulations and delete a specific timeline for advance notice to parents/guardians of a student's detention. 12/18
BP/AR 5144.1	Suspension and Expulsion Due Process REVISE	Policy and regulation updated to reflect NEW LAW (AB 752, 2017) which prohibits the expulsion of a child enrolled in a California State Preschool Program (CSPP) unless the district has taken specified steps and the child's continued enrollment presents a serious safety threat to the child or other enrolled children. Policy also adds data collection on the type of firearm involved in any expulsion for firearm possession, in accordance with federal law. Regulation also revises section on "Final Action by the Board" to correct the location in policy where acts requiring "mandatory recommendation and mandatory expulsion" are listed. 10/18
BP 5145.9	Hate-Motivated Behaviors REVISE	Policy updated to define hate-motivated behavior and expand material related to collaboration, staff training, and enforcement of rules regarding student conduct. Policy also provides for the use of uniform complaint procedures when the behavior is determined to be based on unlawful discrimination. 5/18
BP 6161.3	Toxic Art Supplies DELETE	Policy deleted and key concepts incorporated into BP 3514.1 - Hazardous Substances. 5/18

**RUSD Board Policy, Administrative Regulations and Board Bylaws
Considered April 9, 2019**

POLICY	TITLE	REQUIREMENT
BP 6190	Evaluation of the Instructional Program REVISE	Policy updated to delete references to the obsolete API and add the California School Dashboard as a source for multiple state and local indicators of strengths and areas in need of improvement in each priority area addressed by the LCAP. Section on "Federal Program Monitoring" deleted as the focus of the policy is on program effectiveness rather than compliance with program requirements. 10/18

Rescue Union ESD

Board Policy

School Plans/Site Councils

BP 0420

Philosophy, Goals, Objectives and Comprehensive Plans

Note: The following **optional** policy may be revised to reflect district practice.

The Governing Board believes that comprehensive planning ~~that is aligned with the district's local control and accountability plan (LCAP)~~ is necessary at each school, in order to focus school improvement efforts on student academic achievement and facilitate the effective use of available resources. The Superintendent or designee shall ensure that school plans provide clear direction and identify cohesive strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

(cf. 0415 - Equity)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 - Local Control and Accountability Plan)

Note: Pursuant to Education Code 64000, the district may submit a consolidated application to the California Department of Education (CDE) to apply for federal categorical funds and/or state categorical programs that are not funded through the local control funding formula. As a condition of receiving such funds, Education Code 64001, as amended by AB 716 (Ch. 471, Statutes of 2018), requires each school to consolidate all of the plans that are required by these programs into a school plan for student achievement (SPSA), unless otherwise prohibited by law. If these programs do not require a plan, the Governing Board may require a school that participates in any program included on the consolidated application to develop an SPSA.

Pursuant to Education Code 64001, each school preparing an SPSA must have the SPSA developed and approved by a school site council. Education Code 65000-65001, as added by AB 716, contain requirements for the establishment and membership of school site councils; see the accompanying administrative regulation.

For additional information regarding the development and content of the SPSA, see the accompanying administrative regulation and CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, available on its web site. Education Code 64001 provides that, although SPSAs are not required to be submitted as part of the consolidated application, they will be reviewed by CDE during the Federal Program Monitoring process.

Pursuant to Education Code 64001, districts with a single school may instead utilize the local control and accountability plan (LCAP) to serve as the SPSA if the LCAP meets certain federal planning and stakeholder requirements.

Each district school ~~that participates in one or more federal and/or state categorical programs funded through the state's consolidated application process pursuant to Education Code 64000 shall establish a school site council in accordance with Education Code 65000-65001.~~

~~52852 and the accompanying administrative regulation to develop, review, and approve school plans.~~

~~The school site council~~For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates ~~consolidate~~ the plans required for those categorical programs into a single plan, unless otherwise prohibited by law, for student achievement (SPSA). (Education Code 64001)

~~(cf.~~

~~0520.2 – Title I Program Improvement Schools)~~

~~(cf. 1220 - Citizen Advisory Committees)~~

~~(cf. 1431 - Waivers)~~

~~(cf. 6020 - Parent Involvement)~~

~~(cf. 6171 - Title I Programs)~~

~~(cf. 6174 - Education for English Language Learners)~~

~~(cf. 6190 - Evaluation of the Instructional Program)~~

Note: The following **optional** paragraph may be revised to reflect district practice. Pursuant to Education Code 52062, there must be consistency between a school's SPSA and specific actions included in the district's LCAP. For more detailed requirements of the LCAP, see BP/AR 0460 - Local Control and Accountability Plan.

~~As appropriate, a school may incorporate any other school program into the SPSA. (Education Code 64001)~~

The Superintendent or designee shall review each school's SPSA to ensure that it meets the content requirements for all applicable programs ~~included~~, is based on an analysis of current practices and student academic performance, and reasonably links improvement strategies to identified needs of the school and its students. The Superintendent or designee~~He/she~~ shall also ensure consistency between the~~that~~ specific actions included in the district's local control and accountability plan and LCAP are consistent with the strategies identified in each school's SPSA.

Note: Education Code 64001, as amended by AB 716, requires the Board to review and approve a school's SPSA whenever there are material revisions affecting the academic programs for students participating in the categorical programs. Although not explicitly required by law, it is recommended that the Board also review the initial plan.

The Board shall, at a regularly scheduled Board meeting, review and approve each school's SPSA whenever there are~~and~~ any ~~subsequent~~ material revisions affecting the academic programs for students participating in the categorical programs addressed in the SPSA. (Education Code 64001)~~The Board shall certify that, to the extent allowable under federal law, the SPSA is consistent with district local improvement plans required as a condition of receiving federal funding. (Education Code 64001)~~

~~If~~Whenever the Board does not approve a school's SPSA, it shall communicate its specific reasons for disapproval of the plan to the school site council, ~~or committee.~~ The school site council ~~or committee~~ shall then revise and resubmit the SPSA to the Board for its approval. (Education Code 64001~~52855~~)

Note: The following **optional** paragraph may be revised to reflect district practice.

The Superintendent or designee shall ensure that school administrators and school site council members receive training on the roles and responsibilities of the school site council.

Note: Education Code 64001, as amended by AB 716, authorizes a school identified for targeted or comprehensive support pursuant to 20 USC 6303 to use its SPSA to satisfy the requirement for a school improvement plan.

The SPSA may serve as the school improvement plan required when a school is identified for targeted or comprehensive support pursuant to 20 USC 6303. (Education Code 64001)

(cf. 0500 - Accountability)

Note: Education Code 64001, as amended by AB 716, provides that complaints alleging noncompliance with requirements pertaining to school site councils or the SPSA may be addressed through the district's uniform complaint procedures pursuant to 5 CCR 4600-4670.

Any complaint alleging noncompliance with requirements related to the establishment of school site councils or the development of the SPSA may be filed with the district in accordance with the district's uniform complaint procedures pursuant to 5 CCR 4600-4670 and BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

(cf. 1312.3 - Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

52-53 *Designation of schools*

33133 *Information guide for school site councils*

35147 *Open meeting laws exceptions*

~~41540-41544 Targeted instructional improvement block grants~~

52060-52077 *Local control and accountability plan*

52176 ~~English learner advisory~~ *Advisory committees*

~~52852 School site councils~~

~~54000-54028 Educationally Disadvantaged Youth Programs~~

~~54425 Advisory committees (compensatory education)~~

56000-56867 *Special education*

64000 *Categorical programs included in consolidated application*

64001 ~~School~~ *Single school plan for student achievement, consolidated application programs*

65000-65001 School site councils

CODE OF REGULATIONS, TITLE 5

3930-3937 *Compliance plans*

4600-4670 Uniform complaint procedures

11308 English learner advisory committees

UNITED STATES CODE, TITLE 20

6303 School improvement

6311 State plan

~~6314 Schoolwide~~ 6311 Accountability, adequate yearly progress

~~6312-6319 Title I programs; schoolwide program plans~~

6421-6472 *Programs for neglected, delinquent, and at-risk children and youth*

6601-6651 *Teacher and Principal Training and Recruitment program*

6801-7014 *Limited English proficient and immigrant students*

7101-7122 *Student Support* ~~7165—Safe and Academic Enrichment Grants~~ ~~Drug-Free Schools and Communities~~

7341-7355c *Rural Education Initiative*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2014

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, ~~Single Plan for Student Achievement:~~

~~<http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>~~

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

WestEd: <http://www.wested.org>

Policy RESCUE UNION SCHOOL DISTRICT

adopted: December 2003 Rescue, California

reviewed: March, 2005

revised: October 8, 2013

revised: October 13, 2015

considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

School Plans/Site Councils

AR 0420

Philosophy, Goals, Objectives and Comprehensive Plans

Note: The following **optional** administrative regulation may be revised to reflect district practice.

Note: Pursuant to Education Code 64001, each school participating in a federal or state categorical program which is funded through the state's consolidated application and requires a school plan for student achievement (SPSA) must establish a school site council that meets the requirements of Education Code 65000-65001, as added by AB 716 (Ch. 471, Statutes of 2018). The school site council is responsible for developing and reviewing the SPSA; see section "School Plan for Student Achievement" below. AB 716 eliminated the authority for another school advisory committee or school group to serve as the school site council for a school that operates a program requiring an SPSA.

Pursuant to Education Code 65000, a school site council must generally include members from all of the categories listed in items #1-5 below, as applicable. However, pursuant to Education Code 65001, a school with a student population of less than 300 may operate a school site council which includes at least one representative from items #1-3 and at least one from items #4-5, provided there is parity between staff and non-staff members and the Governing Board has obtained approval from its local bargaining unit. Education Code 65001 also provides that schools with a common site administration may operate a shared school site council if the school has a student population of less than 300, and up to three schools with a combined student population of less than 1,000 may operate a shared school site council if the schools either share a campus or have geographic proximity to one another with similar student populations. Any shared school site council must meet the requirements of Education Code 65000 with regard to the composition of the council. Districts with any schools meeting these criteria may revise the following section accordingly.

For information about the organization of the school site council, including sample school site council bylaws that address duties, membership, officers, subcommittees, and meetings, see the California Department of Education's (CDE) publication *A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council*, available on CDE's web site.

Each school that operates a program requiring the development of a school plan for student achievement (SPSA) pursuant to Education Code 64001

~~Each school~~ shall have a school site council composed of the following: (Education Code ~~65000~~52852)

1. The principal or designee
2. Classroom teachers at the school. ~~Teachers~~ selected by the classroom~~school's~~ teachers at the school
3. Other school personnel who are not teachers, selected by the ~~school's~~ other personnel at the school who are not teachers

4. ~~Parents~~ ~~Parent/guardian representatives, who may include parents/guardians~~ of students attending the school and/or other members of the community ~~members~~, selected by the parents/guardians of students attending the school

Note: Education Code 65000 requires that secondary schools include students on their school site council. Pursuant to Education Code 52 and 53, secondary schools include high schools and junior high schools. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council advises that middle schools may include student representation on the school site council at the district's discretion. If the district decides to include middle school or K-8 students on the school site council, then such councils must meet the composition required of secondary schools.

5. If the school is a secondary school, students attending the school selected by other secondary ~~such~~ students

(cf. 0450 - Comprehensive Safety Plan)

Half of the school site council membership shall consist of school staff in the categories listed in items #1-3 above, the majority of whom shall be classroom teachers. For an elementary school site council, the remaining half shall be parents/guardians and/or community members. ~~parent/guardian representatives~~. For a secondary school site council, the remaining half shall be parents/guardians, community members, and/or equal numbers of parent/guardian representatives and students. (Education Code 65000~~52852~~)

A district employee may serve as a parent/guardian representative on the school site council of the school his/her child attends, provided the employee does not work at that school. (Education Code 65000~~52852~~)

Note: The method of selecting members of school site councils is not specified in law, except that members must be chosen by peers as noted above. No additional membership qualifications may be required. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council suggests that the selection process may be addressed in Board policy or in bylaws of the school site council. The following **optional** paragraph may be revised to reflect district practice.

The bylaws of each school site council shall include the method of selecting members and officers, terms of office, responsibilities of council members, time commitment, and a policy of nondiscrimination and equity.

~~School site councils may function on behalf of other committees in accordance with law.~~

~~(Education Code 52176, 54425; 5 CCR 3932)~~

(cf. 0415 - Equity)

Note: Pursuant to Education Code 35147, school site councils are exempt from open meeting law requirements (the Brown Act), but must comply with other, less complex procedural requirements as specified; see AR 1220 - Citizen Advisory Committees. Education Code 35147 has not yet been amended for consistency with AB 716, which repealed Education Code 52852 and moved the requirements related to school site councils to Education Code 65000-65001.

School site councils shall operate in accordance with procedural meeting requirements established in Education Code 35147.

(cf. 1220 - Citizen Advisory Committees)

School ~~Single~~ Plan for Student Achievement

Note: The following section reflects requirements pertaining to the development of the SPSA required for the state and federal categorical programs included in the consolidated application. CDE has developed a template for the SPSA, available on its web site, to help schools meet plan requirements.

~~The school site council shall develop and annually review and update an SPSA that addresses all federal and/or state categorical programs in which the school participates pursuant to Education Code 64000. Any district school that shall participate in any state or federal categorical program specified in Education Code 64000 on an ongoing basis shall have a school site council which shall approve and annually review and update a single plan for student achievement (SPSA). If the school does not have a school site council, these responsibilities shall be fulfilled by a schoolwide advisory group or school support group conforming to the composition requirements of the school site council listed in the section "School Site Councils" above. (Education Code 64001)~~

(cf. 1431 - Waivers)

(cf. 6020 - Parent Involvement)

(cf. 6171 - Title I Programs)

~~(cf. 6174 - Education for English Language Learners)~~

~~(cf.)~~

Note: Pursuant to Education Code 64001, as amended by AB 716, the SPSA must be developed with the review and advice of the school English learner advisory committee, if required. Education Code 52176 and 5 CCR 11308 require each school with more than 20 English learners to establish a school-level advisory committee on which parents/guardians of such students constitute membership in at least the same percentage as their children represent of the total number of students in the school. See AR 6174 - Education for English Learners.

~~6184 - Continuation Education)~~

The SPSA shall be developed with the review, ~~advice, and certification,~~ and advice of ~~the any applicable~~ school English learner advisory committee, if required. (Education Code 64001)

(cf. 6174 - Education for English Learners)

Note: The following **optional** paragraph may be revised to reflect district practice.

Other school and district committees, including.—(Education Code 64001)

~~Such groups may include, but are not limited to, a parent advisory committee established to review and comment on the district's local control and accountability plan (LCAP), advisory committees established for English learner and special education programs, and; Western Association of Schools and Colleges leadership teams, may also be consulted on; district~~

~~or school liaison teams for schools identified for program improvement; and other committees established by the content of the planschool or district.~~

(cf. 0460 - Local Control and Accountability Plan)

~~*(cf. 0520.2 - Title I Program Improvement Schools)*~~

(cf. 6190 - Evaluation of the Instructional Program)

Note: As amended by AB 716, Education Code 64001 requires the school site council to administer a comprehensive needs assessment that forms the basis of the goals in the SPSA. If any district schools are not participating in any state or federal categorical program that requires a plan but the Board requires them to develop an SPSA, the Board may determine the extent to which the needs assessment is applicable and the following paragraph may be revised accordingly.

~~Before developing the content of the SPSA, the school site council shall conduct a comprehensive needs assessment pursuant to 20 USC 6314, including for improving student achievement. School goals shall be based on an analysis of verifiable state data consistent with the state priorities specified in Education Code 52060 and the indicators in the state accountability system. The school identified pursuant to law, and may consider any other data developed by the district to measure student outcomesachievement. (Education Code ~~52062~~, 64001)~~

(cf. 0500 - Accountability)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

~~*(cf. 6162.52 - High School Exit Examination)*~~

The SPSA shall include all of the following, at a minimum: (Education Code 64001)

1. Goals to improve student outcomes, including goals that address the needs of student groups as identified through the needs assessment

~~1. — Address how funds provided to the school through specified categorical programs will be used to improve the academic performance of all students to the level of the performance goals established by law~~

2. Evidence-based strategies, actions, or services

3. Proposed expenditures based on the projected resource allocation from Identify the district to address means of evaluating the findings of the needs assessment, including identifying resource inequities, which may include a review of the district's budgeting, the LCAP, and school-level budgeting, if applicable school's progress toward accomplishing those goals

Note: CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council clarifies that the SPSA must address all plan components required for individual categorical programs covered by the SPSA.

~~3. — Identify how state and federal law governing the categorical programs will be implemented~~

In addition to meeting the requirements common to all applicable school plans, the SPSA shall address any content required by law for each individual categorical program in which the school participates.

~~The~~In developing or revising the SPSA, the school site council ~~or other schoolwide advisory group or school support group shall:~~

1. ~~— Analyze student achievement data. Using measures of student academic performance, the school shall identify significant patterns of low performance in particular content areas, student groups, and/or individual students and determine which data summaries to include in the plan as most informative and relevant to school goals.~~

2. ~~— Assess the effectiveness of the school's instructional program in relation to the analysis of student data.~~

3. ~~— Identify a limited number of achievement goals and key improvement strategies to achieve the goals. School goals shall reflect the needs identified at the school site while aligning with goals identified in federally required district plans. The school shall specify the student group(s) on which each goal is focused, the methods or practices that will be used to reach the goal, and the criteria that will be used to determine if the goal is achieved.~~

4. ~~— Define timelines, personnel responsible, proposed expenditures, and funding sources to implement the SPSA.~~

The school site council ~~or other schoolwide group~~ shall approve the proposed SPSA at a meeting for which public notice has been posted. Whenever there are material revisions to the SPSA which affect the academic programs for students participating in applicable programs, the SPSA shall be submitted to ~~and then submit the SPSA to~~ the Governing Board for review and approval at a regularly scheduled Board meeting. (Education Code 35147, 64001)

Note: Pursuant to Education Code 64001, as amended by AB 716, the SPSA must include a process for evaluating and monitoring the implementation of the SPSA and progress toward accomplishing the goals set forth in the SPSA. CDE's publication A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council contains an annual evaluation tool to assist school site councils in assessing the effectiveness of the plan.

The school site council ~~or other schoolwide group~~ shall regularly monitor the implementation and effectiveness of the SPSA and modify any activities that prove ineffective. At least once per year, the principal or designee shall evaluate results of improvement efforts and report to the Board, school site council, ~~advisory committees,~~ and other interested parties regarding progress toward school goals.

The school site council ~~or other schoolwide group~~ may amend the SPSA at any time. ~~Any revisions that would substantively change the academic programs funded through the same process required consolidated application shall be submitted to the Board for~~ the annual update of the plan approval.

Regulation RESCUE UNION SCHOOL DISTRICT
approved: March 2005 Rescue, California
revised: October 8, 2013
revised: October 13, 2015
considered: April 9, 2019

Rescue Union ESD

Board Policy

Local Control And Accountability Plan

BP 0460

Philosophy, Goals, Objectives and Comprehensive Plans

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a local control and accountability plan (LCAP). Pursuant to Education Code 52060, as amended by AB 2878 (Ch. 826, Statutes of 2018), the LCAP must include goals and actions aligned with eight state priorities related to (1) the degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair; (2) implementation of and student access to state academic content and performance standards; (3) parent/guardian involvement and family engagement; (4) student achievement; (5) student engagement; (6) school climate; (7) student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of supplemental and concentration grants under the local control funding formula (LCFF)); and (8) student outcomes in the specified course of study. Education Code 52060 provides that, in addition to addressing the state priorities in the LCAP, the district may establish and address local priorities and goals. Examples include priorities for student wellness and other conditions of children, professional development, community involvement, and effective governance and leadership. See the accompanying administrative regulation for further information about the required content of the LCAP.

The Governing Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the district budget and ~~and to~~ facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0415 - Equity)

Note: Pursuant to Education Code 52064, the State Board of Education (SBE) has adopted a template that districts must use to complete the LCAP. An electronic version of the template is available on the California Department of Education's (CDE) web site.

As amended by AB 1840 (Ch. 426, Statutes of 2018), Education Code 52064 requires the SBE, by January 31, 2020, to expand the template to include more specific information about the goals, actions, expenditures, and services for all students and subgroups of students, as well as information about the district, highlights of the LCAP, and annual performance as indicated by the California School Dashboard.

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and two subsequent ~~two~~ fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

(cf. 3100 - Budget)

Note: Education Code 52060 requires that the LCAP include annual goals to be achieved for all students and for each numerically significant student subgroup as defined in Education Code 52052. In addition, several state priorities address programs and services for "unduplicated students," as defined in Education Code 42238.01-42238.02.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming.

Note: Pursuant to Education Code 42238.01, as amended by AB 1962 (Ch. 748, Statutes of 2018), no later than the 2020-21 fiscal year, the definition of "foster youth" for the purpose of identifying unduplicated students will include a dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court in accordance with the tribe's law, provided the child would also meet one of the descriptions in Welfare and Institutions Code 300 describing when a child may be adjudged a dependent child of the juvenile court.

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, as defined in Education Code 42238.01 for purposes of the local control funding formula (LCFF).- (Education Code 42238.02)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English Learners)

Numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students, ~~or as otherwise defined by the Superintendent of Public Instruction (SPI).~~ (Education Code 52052)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall review the ~~school~~single plan for student achievement (SPSA) submitted by each district school pursuant to Education Code 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

(cf. 0420 - School Plans/Site Councils)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

Note: Pursuant to Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), districts are required, by July 1, 2019, to develop an LCFF budget overview for parents/guardians with specified information. The budget overview must be developed in conjunction with, and attached as a cover to, the LCAP and annual update to the LCAP. The budget overview is subject to the requirements of Education Code 52062 and 52070 pertaining to the adoption, review, and approval of the LCAP. The Superintendent of Public Instruction (SPI) is required to develop, before December 31, 2018, a template for the budget overview.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the district's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the district has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. Such data and information shall include, but not be limited to, data regarding the number of students in student subgroups, disaggregated data on student achievement levels, and information about current programs and expenditures.

Note: Education Code 52060 requires consultation on plan development with all of the groups listed below. The Board may delegate responsibility for arranging meetings and other input opportunities to the Superintendent or designee.

5 CCR 15495 defines what it means to consult with students, including unduplicated students and other numerically significant student subgroups, and gives examples of methods that may be used for this consultation. State regulations do not provide examples of consultation with groups other than students, but consultations might include surveys, the establishment of an advisory committee consisting of representatives of all the specified groups, solicitation of feedback from the groups after a draft plan is available, discussion of the LCAP at staff meetings, and communication with parent organizations, student councils, school site councils, or other established committees or organizations. The district may expand the following paragraph to reflect district practice.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. _Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

Note: Pursuant to Education Code 52063 and 5 CCR 15495, the Board is required to establish a parent advisory committee and, if district enrollment includes at least 15 percent English learners, an English learner parent advisory committee to review and comment on the LCAP. The district may use existing parent advisory committees for these purposes if the committee composition complies with Education Code 52063 and 5 CCR 15945. However, the district should consider whether such opportunities need to be expanded to achieve significant levels of stakeholder involvement in the planning process as intended by law.

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include parents/guardians at least one parent/guardian of an unduplicated students/student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners to review and comment on the LCAP. (Education Code 52063; 5 CCR 15495)

The Superintendent or designee shall present the LCAP to the committee(s) before it is submitted to the Board for adoption, and shall respond in writing to comments received from the committee(s). (Education Code 52062)

Note: Education Code 52062 requires notification to the public of the opportunity to submit written comments on the proposed LCAP, including notification in the primary language of parents/guardians when required by Education Code 48985. Pursuant to Education Code 48985, whenever 15 percent or more of the students in a school speak a single primary language other than English, notifications sent to parents/guardians of such students must be written in the primary language as well as in English; see BP 5145.6 - Parental Notifications.

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. –The notification shall be provided using the most efficient method of notification possible, which may not necessarily include producing printed notices or sending notices by mail. All written notifications related to the LCAP shall be provided in the primary language of parents/guardians when required by Education Code 48985. (Education Code 52062)

(cf. 5145.6 - Parental Notifications)

Note: Pursuant to Education Code 305, the LCAP parent/guardian and community engagement process must include solicitation of input on language acquisition programs. See BP/AR 6174 - Education for English Learners for further information regarding the types of language acquisition programs that may be offered.

As part of the parent/guardian and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

Note: Education Code 52062, as amended by AB 1808, requires the district to consult with its special education local plan area administrator(s) to ensure that specific actions for individuals with disabilities are included in the LCAP.

The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the district is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)

(cf. 0430 - Comprehensive Local Plan for Special Education)

Note: Pursuant to Education Code 42127, the Board must not adopt a district budget until the LCAP is in place for the budget year; see BP 3100 - Budget. The budget must include the expenditures necessary to implement the plan that will be effective during the subsequent fiscal year. If it does not, the County Superintendent of Schools will disapprove the district's budget.

The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code 42127 and AR 3100 - Budget. (Education Code 42127, 52062)

(cf. 9320 - Meetings and Notices)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

Submission of Plan to County Superintendent of Schools

Note: Education Code 52070 requires the district to submit the LCAP to the County Superintendent, who may seek written clarification of the contents of the plan and may submit recommendations for amendments as provided below. The County Superintendent is required to approve the LCAP on or before October 8 if it is determined that (1) the LCAP adheres to the template adopted by the SBE and follows any SBE instructions or directions for completing the template; (2) the district budget includes expenditures sufficient to implement the specific actions and strategies in the LCAP; and (3) the LCAP adheres to supplemental and concentration grant expenditure requirements specified in Education Code 42238.07 for unduplicated students. In determining whether the district has fully demonstrated that it will use supplemental and concentration funds to increase or improve services for unduplicated students, 5 CCR 15497 requires the County Superintendent to review any descriptions of districtwide or schoolwide services provided.

Education Code 52064.1, as added by AB 1808, requires the district to file the LCFF budget overview for parents/guardians with the County Superintendent to be reviewed for adherence with the template adopted by the SPI. If the budget overview is not approved, the County Superintendent will withhold approval of the LCAP and will provide technical assistance pursuant to Education Code 52071.

Not later than five days after adoption of the LCAP, the district budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the County Superintendent of Schools. (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the district's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

Monitoring Progress

Note: The following optional paragraph may be revised to reflect the district's timeline for reviewing the progress and effectiveness of strategies included in the LCAP. Reports should be provided to the Board in sufficient time to allow for any necessary changes in the annual update to the LCAP by July 1 of each year, as required by Education Code 52060-52061. The Dashboard provides a tool to assist in evaluation of district and school performance and includes all of the state priorities for the LCAP described in Education Code 52060.

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by the Superintendent~~him/her~~ and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. -Evaluation shall include, but not be limited to, an assessment of district and school performance reported on the California School Dashboard. Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

Technical Assistance/Intervention

Note: Pursuant to Education Code 52071, as amended by AB 1808, the Board may, at its discretion, request technical assistance from the County Superintendent as described in items #1-2 below. The County Superintendent may charge a fee not to exceed the cost of the service, if the provision of the service requested would create an unreasonable or untenable cost burden for the County Superintendent.

At its discretion~~When it is in the best interest of the district~~, the Board may submit a request to the County Superintendent for technical assistance, including, but not limited to: (Education Code 52071)

1. Assistance in identifying~~the identification of~~ district strengths and weaknesses in regard to state priorities, which includes the and review of performance data on the state and local indicators included in the Dashboard and other relevant local data, and in identifying effective, evidence-based programs or practices that address any areas of weakness~~apply to the district's goals~~

2. Assistance from an academic, programmatic, or fiscal expert, or team of academic experts, or another district in the county in identifying and implementing effective programs and practices that are designed to improve performance in any identified areas of weakness. The district may engage other service providers, including, but not limited to, other school districts, county offices of education, or charter schools, to provide such assistance.

Note: Pursuant to Education Code 52071, as amended by AB 1808, the district must be provided technical assistance whenever one or more numerically significant student subgroups meet the criteria for assistance and intervention established pursuant to Education Code 52064.5.

~~3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074~~

In the event that the County Superintendent requires the district to receive technical assistance based on one or more numerically significant student subgroups meeting the criteria established pursuant pursuant to Education Code 52071, ~~the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52064.5, the Board shall work with the County Superintendent, or another service provider at district expense, and shall provide the County Superintendent timely documentation of the district's completion of the activities listed in items #1-2 above or substantially similar activities. (Education Code 52071)52062.~~

Note: Pursuant to Education Code 52074, as amended by AB 1840, either the County Superintendent or the SPI may refer a district to the California Collaborative for Educational Excellence (CCEE) if it is determined to be necessary to help the district accomplish the goals set forth in the district's LCAP. Additionally, if a district receives an emergency apportionment pursuant to Education Code 41320-41322, the district shall be deemed to have been referred to the CCEE.

If referred to the California Collaborative for Educational Excellence by either the County Superintendent or the Superintendent of Public Instruction (SPI), the district shall implement the recommendations of that agency in order to accomplish the goals set forth in the district's LCAP. (Education Code 52071, 52074)

Note: Education Code 52072 provides that the SPI, with approval of the SBE, may intervene when a district meets both of the following criteria: (1) the district did not improve the outcomes for three or more student subgroups identified pursuant to Education Code 52052, or all of the student subgroups if the district has fewer than three subgroups, in regard to more than one state or local priority in three out of four consecutive school years; and (2) the CCEE has provided advice and assistance to the district and submits a finding that the district failed or is unable to implement the CCEE's recommendations or that the district's inadequate performance is so persistent or acute as to require intervention. For any district identified as needing intervention, the SPI or an academic trustee appointed by the SPI may, with approval of the SBE, take one or more of the actions listed in items #1-3 below.

If the SPI identifies the district as needing intervention ~~pursuant to Education Code 52072~~, the district shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following: (Education Code 52072)

1. Revision of the district's LCAP

2.Revision of the district's budget in accordance with changes in the LCAP

3.A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:

EDUCATION CODE

305-306 *English language education*

17002 *State School Building Lease-Purchase Law, including definition of good repair*

33430-33436 *Learning Communities for School Success Program; grants for LCAP implementation*

41020 *Audits*

41320-41322 *Emergency apportionments*

42127 *Public hearing on budget adoption*

42238.01-42238.07 *Local control funding formula*

44258.9 *County superintendent review of teacher assignment*

48985 *Parental notices in languages other than English*

51210 *Course of study for grades 1-6*

51220 *Course of study for grades 7-12*

52052 *Numerically significant student subgroups*

52059.5 *Statewide system of support*

52060-52077 *Local control and accountability plan*

52302 *Regional occupational centers and programs*

52372.5 *Linked learning ~~pilot~~ program*

54692 *Partnership academies*

60119 *Sufficiency of textbooks and instructional materials; hearing and resolution*

60605.8 *California Assessment of Academic Achievement; Academic Content Standards Commission*

~~60811.3 *Assessment of language development*~~

64001 *Single plan for student achievement*

99300-99301 *Early Assessment Program*

WELFARE AND INSTITUTIONS CODE

300 *Dependent child of the court*

CODE OF REGULATIONS, TITLE 5

15494-15497 *Local control and accountability plan and spending requirements*

UNITED STATES CODE, TITLE 20

6312 *Local educational agency plan*

6826 *Title III funds, local plans*

Management Resources:

CSBA PUBLICATIONS

The California School Dashboard and Small Districts, October 2018

Promising Practices for Developing and Implementing LCAPs, Governance Brief, November 2016

LCFF Rubrics, Issue 1: What Boards Need to Know About the New Rubrics, Governance Brief, rev. October 2016

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California School Dashboard

LCFF Frequently Asked Questions

Local Control and Accountability Plan and Annual Update (LCAP) Template

Family Engagement Framework: A Tool for California School Districts, 2014

California Career Technical Education Model Curriculum Standards, 2013

California Common Core State Standards: English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, rev. 2013

California Common Core State Standards: Mathematics, rev. 2013

California English Language Development Standards, 2012

WEB SITES

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

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

~~Policy~~ RESCUE UNION SCHOOL DISTRICT

adopted: October 7, 2014 Rescue, California

revised: October 13, 2015

revised: November 14, 2017

considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

Local Control And Accountability Plan

AR 0460

Philosophy, Goals, Objectives and Comprehensive Plans

Note: Education Code 52060-52077 require the Governing Board to adopt and annually update, on or before July 1, a three-year local control and accountability plan (LCAP). See the accompanying Board policy for information about plan development and monitoring.

Goals and Actions Addressing State and Local Priorities

Note: Education Code 52060 requires that the LCAP include annual goals, aligned with specified state priorities, to be achieved for all students and for each numerically significant subgroup as defined in Education Code 52052. Pursuant to Education Code 52052, a numerically significant subgroup includes ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup (or at least 15 foster youth or homeless students) in the school or district.

In addition, several state priorities address programs and services for "unduplicated students." For purposes of supplemental and concentration grants allocated through the local control funding formula (LCFF), "unduplicated students" are defined by Education Code 42238.02 as students eligible for free or reduced-price meals, English learners, and foster youth; see the accompanying Board policy.

The district's local control and accountability plan (LCAP) and annual updates shall include, for the district and each district school: (Education Code 52060)

1.A description of the annual goals established for all students and for each numerically significant subgroup as defined in Education Code 52052, including ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. The LCAP shall identify goals for each of the following state priorities:

a.The degree to which district teachers are appropriately assigned in accordance with Education Code 44258.9 and fully credentialed in the subject areas and for the students they are teaching; every district student has sufficient access to standards-aligned instructional materials as determined pursuant to Education Code 60119; and school facilities are maintained in good repair as specified in Education Code 17002

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 3517 - Facilities Inspection)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

b.Implementation of the academic content and performance standards adopted by the State Board of Education (SBE), including how the programs and services will enable English learners to access the Common Core State Standards and the English language development standards for purposes of gaining academic content knowledge and English language proficiency

(cf. 6011 - Academic Standards)

(cf. 6174 - Education for English Learners)

Note: Education Code 52060, as amended by AB 2878 (Ch. 826, Statutes of 2018), expands the parent involvement state priority to include family engagement. Education Code 52060 provides that family engagement may include, but not be limited to, efforts by the district and schools to apply research-based practices, such as welcoming all families into the school community, engaging in effective two-way communication, supporting student success, and empowering families to advocate for equity and access. It may also include partnering with families to inform, influence, and create practices and programs that support student success and collaboration with families and the broader community, expand student learning opportunities, and promote civic participation.

c.Parent/guardian involvement and family engagement, including efforts the district makes to seek parent/guardian input in district and school site decision making and how the district will promote parent/guardian participation in programs for unduplicated students, as defined in Education Code 42238.02 and Board policy, and students with disabilities

(cf. 3553 - Free and Reduced Price Meals)

(cf. 6020 - Parent Involvement)

(cf. 6173.1 - Education for Foster Youth)

d.Student achievement, as measured by all of the following as applicable:

(1)Statewide assessments of student achievement

(2)The percentage of students who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that ~~satisfy specified requirements and~~ align with SBE-approved career technical education standards and frameworks, including, but not limited to, those described in Education Code 52302, 52372.5, or 54692

(3)The percentage of English learners who make progress toward English proficiency as measured by the SBE-certified assessment of English proficiency

(4)The English learner reclassification rate

(5)The percentage of students who have passed an Advanced Placement examination with a score of 3 or higher

(6)The percentage of students who ~~participate in and~~ demonstrate college preparedness in the Early Assessment Program pursuant to Education Code 99300-99301

(cf. 0500 - Accountability)

(cf. 6141.5 - Advanced Placement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. 6178 - Career Technical Education)

e. Student engagement, as measured by school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, and high school graduation rates, as applicable

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 6146.1 - High School Graduation Requirements)

f. School climate, as measured by student suspension and expulsion rates and other local measures, including surveys of students, parents/guardians, and teachers on the sense of safety and school connectedness, as applicable

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

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

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

g. The extent to which students have access to and are enrolled in a broad course of study that includes all of the subject areas described in Education Code 51210 and 51220, as applicable, including the programs and services developed and provided to unduplicated students and students with disabilities, and the programs and services that are provided to benefit these students as a result of supplemental and concentration grant funding pursuant to Education Code 42238.02 and 42238.03

(cf. 6143 - Courses of Study)

(cf. 6159 - Individualized Education Program)

h. Student outcomes, if available, in the subject areas described in Education Code 51210 and 51220, as applicable

Note: In addition to goals aligned with the state priorities described in item #1 above, Education Code 52060 provides that the LCAP may include goals for local priorities established by the Board; see the accompanying Board policy. **Optional** item #2 below may be revised to reflect local priorities.

2. Any goals identified for any local priorities established by the Board.

(cf. 0200 - Goals for the School District)

3. A description of the specific actions the district will take during each year of the LCAP to achieve the identified goals, including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the state and local priorities specified in items #1-2 above. Such actions shall not supersede provisions of existing collective bargaining agreements within the district.

Note: Pursuant to Education Code 52060, in developing goals and actions for the LCAP, the Board may consider qualitative information, including, but not limited to, the results of school quality reviews conducted pursuant to Education Code 52052. Education Code 52052 authorizes the Superintendent of Public Instruction (SPI), with approval of the State Board of Education and conditional upon an appropriation in the state budget, to develop and

implement a program of school quality reviews that features locally convened panels to visit schools, observe teachers, interview students, and examine student work.

For purposes of the descriptions required by items #1-3 above, the Board may consider qualitative information, including, but not limited to, findings that result from any school quality ~~review~~reviews conducted pursuant to Education Code 52052 or any other reviews. (Education Code 52060)

For any local priorities addressed in the LCAP, the Board and Superintendent or designee shall identify and include in the LCAP the method for measuring the district's progress toward achieving those goals. (Education Code 52060)

Note: AB 1840 (Ch. 426, Statutes of 2018) amended Education Code 52060 to require data to be reported in a manner consistent with the California School Dashboard rather than the school accountability report card.

To the extent practicable, data reported in the LCAP shall be reported in a manner consistent with how information is reported on the California School Dashboard. ~~a school accountability report card~~. (Education Code 52060)

~~(cf. 0510 – School Accountability Report Card)~~

Increase or Improvement in Services for Unduplicated Students

Note: The following section is for use by districts that receive LCFF supplemental and/or concentration grant funds. Such districts are required to increase or improve services for unduplicated students in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students; see BP 3100 - Budget. 5 CCR 15494-15496 specify the method for determining the percentage by which services for unduplicated students must be increased or improved above services provided to all students in the fiscal year.

The LCAP shall demonstrate how the district will increase or improve services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students. (5 CCR 15494-15496)

When the district expends supplemental and/or concentration grant funds on a districtwide or schoolwide basis during the year for which the LCAP is adopted, the district's LCAP shall: (5 CCR 15496)

1. Identify those services that are being funded and provided on a districtwide or schoolwide basis
2. Describe how such services are principally directed towards, and are effective in, meeting the district's goals for unduplicated students in the state priority areas and any local priority areas
3. If the enrollment of unduplicated students is less than 55 percent of district enrollment or less than 40 percent of school enrollment, describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated students in the state priority areas and any local priority areas. The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experiences, or educational theory.

Annual Updates

On or before July 1 of each year, the Availability of the Plan

Note: Education Code 52065, as amended by AB 1840, requires the district to prominently post its LCAP and any annual update or revisions to the LCAP on the homepage of its web site. In addition, the County Superintendent of Schools is required to post all district LCAPs, or links to those plans, on the county office of education web site and to transmit all such plans to the SPI, who will then post links to all plans on the California Department of Education web site.

Education Code 52064.1, as added by AB 1808 (Ch. 32, Statutes of 2018), provides that the LCFF budget overview for parents/guardians is also subject to the requirements of Education Code 52065.

LCAP shall be updated using the template adopted by the SBE and shall include all of the following: (Education Code 52061)

1. A review of any changes in the applicability of the goals described in the existing LCAP pursuant to the section "Goals and Actions Addressing State and Local Priorities" above
2. A review of the progress toward the goals included in the existing LCAP, an assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals, and a description of changes to the specific actions the district will make as a result of the review and assessment
3. A listing and description of the expenditures for the fiscal year implementing the specific actions included in the LCAP and the changes to the specific actions made as a result of the reviews and assessment required by items #1-2 above
4. A listing and description of expenditures for the fiscal year that will serve unduplicated students and students redesignated as fluent English proficient

Availability of the Plan

The Superintendent or designee shall prominently post the LCAP, and any updates or revisions to the LCAP, and the LCFF budget overview for parents/guardians on the homepage of the ~~on the~~ district's web site. (Education Code 52064.1, 52065)

(cf. 1113 - District and School Web Sites)

Regulation RESCUE UNION SCHOOL DISTRICT
approved: October 7, 2014 Rescue, California
revised: October 13, 2015
revised: November 14, 2017
considered: April 9, 2019

Rescue Union ESD

Board Policy

Hazardous Substances

BP 3514.1

Business and Noninstructional Operations

Note: The following **optional** policy may be revised to reflect district practice.

The Governing Board ~~desires to provide a safe school environment~~ recognizes that protects students and employees from exposure to any potentially hazardous substances ~~are~~ used in the district's educational program daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and in the maintenance and operation of district facilities and equipment legal manner.

(cf. 3514 - Environmental Safety)

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

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141.22 - Infectious Diseases)

(cf. 5142 - Safety)

Insofar as reasonably possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored and used on school property. ~~When and shall substitute less dangerous materials for~~ hazardous substances must be used, the Superintendent or designee shall give preference to materials that cause the least risk to people and the environment.

(cf. 3510 - Green School Operations)

(cf. 3514.2 - Integrated Pest Management)

Note: Pursuant to Education Code 49401.5, districts may request consultation services from the Department of Industrial Relations, Division of Occupational Safety and Health, to ensure that hazardous materials are being used and stored safely in schools. See the accompanying administrative regulation for legal requirements related to storage and disposal of hazardous substances.

The Superintendent or designee shall ensure that all potentially hazardous substances on district properties are inventoried, used, stored, and regularly disposed of in a safe and legal manner.

~~Hazard Communication Program~~

The Superintendent or designee shall develop, implement, and ~~maintain~~ monitor a written hazard communication program in accordance with 8 CCR 5194 and state law. ~~As part of this program, he/she~~ shall ensure that employees, students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed ~~and that material safety data sheets are readily accessible to them.~~

~~Teachers shall instruct students about the importance of proper handling, storage, disposal and~~

protection when using any potentially hazardous substance.

~~(cf. 3514 - Environmental Safety)~~

~~(cf. 4157/4257/4357 - Employee Safety)~~

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

Note: The following paragraph is for use by districts that offer science laboratory classes, at any grade level, that expose employees to hazardous substances. Pursuant to 8 CCR 5191, any employer that maintains a workplace where there is laboratory use of hazardous chemicals (i.e., where relatively small quantities of hazardous chemicals are used but not produced) is required to have a written chemical hygiene plan to protect employees. See the accompanying administrative regulation for required program components.

In addition, Education Code 49340-49341 encourage educational efforts to increase awareness of students and staff dealing with hazardous materials in school laboratories in order to minimize injuries, loss of property, and classroom disruptions. For further information about safe handling of potentially hazardous substances in science laboratory classes, see the California Department of Education's Science Safety Handbook for California Public Schools.

The Superintendent or designee shall develop specific measures to ensure the safety of students and staff in school laboratories where hazardous chemicals are used. Such measures shall include the development and implementation of a chemical hygiene plan in accordance with 8 CCR 5191 and instruction to students about proper handling of hazardous substances.

5141.23 - Infectious Disease Prevention)

~~(cf. 6142.93 - Science Instruction)~~

Note: The following paragraph may be revised to reflect the grade levels offered by the district. Education Code 32064 prohibits the use of arts and crafts materials containing toxic substances in grades K-6, and requires that any materials with toxic substances used in grades 7-12 meet specified labeling standards that inform users of the long-term health risks and provide instructions for safe use. For additional information and a list of materials prohibited in grades K-6, see the California Office of Environmental Health Hazard Assessment publication 6161.3 - Toxic Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use. Supplies)

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)

Legal Reference:

EDUCATION CODE

32060-32066 Toxic art supplies in schools

49340-49341 Hazardous substances education ~~Legislative findings~~

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

FOOD AND AGRICULTURAL CODE

12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

108100-108515 California Act

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

6380-6386 List of hazardous substances

CODE OF REGULATIONS, TITLE 8

339 List of hazardous substances

3203 Illness and injury prevention program

3204 Records of employee exposure to toxic or harmful substances

5139-5230 Control of hazardous substances, especially

5154.1-5154.2 Ventilation

5161 Definitions

5162 Emergency eyewash and shower equipment

5163 Control of spills

5164 Storage of hazardous substances

5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

5194 Hazard communication~~Communication~~

~~Policy~~ CODE OF REGULATIONS, TITLE 22

67450.40-67450.49 School hazardous waste collection, consolidation, and accumulation facilities

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2012

CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS

Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

WEB SITES

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

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

California Office of Environmental Health Hazard Assessment: <http://www.oehha.ca.gov>

Department of Industrial Relations, Cal/OSHA: <http://www.dir.ca.gov/dosh>

Policy RESCUE UNION SCHOOL DISTRICT

adopted: May 24, 2005 Rescue, California

considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

Transportation Routes And Services

AR 3541

Business and Noninstructional Operations

Note: The following administrative regulation is for use by districts that choose to provide transportation services for students to and from school, either through their own transportation system, contracting out, or other methods, as authorized by Education Code 39800.

The Superintendent or designee shall design transportation routes and stops within district boundaries that ~~to~~ promote student~~the~~ safety, ~~of students and~~ maximum efficiency in the use of buses, and decreased traffic in and around the schools.

~~(cf. 3510 - Green School Operations)~~

~~(cf. 3514 - Environmental Safety)~~

~~(cf. 3540 - Transportation)~~

Note: 5 CCR 15241 establishes minimum transportation distances for determining district reimbursement for transportation expenses. These distances are measured from the point the student boards the bus at the regular stop to the school by the shortest traveled road. The numbers listed below reflect reimbursement minimums pursuant to 5 CCR 15241. Districts should revise the following list to reflect appropriate grades and applicable distances.

~~Maximum walking distance to a school is:~~

~~Grades K—8 one and one half (1 1/2) mile~~

~~Students who reside beyond maximum walking distance shall be eligible for transportation service and from designated pick-up points to the school of their attendance area.~~

~~Students who attend to and from a school if the distance between outside their school-established bus stop and the school is beyond the minimum listed below; attendance area may be eligible for transportation services in accordance with Board policy.~~

~~(cf. 5116.1 Intradistrict Open Enrollment)~~

~~(cf. 5117.1 Interdistrict Attendance Agreements)~~

~~(cf=~~

1. For elementary school students:

Grades K-5: three-fourths mile

2. For students attending a three-year junior high school:

Grades 6-8: one mile

~~5117.2—Alternative Interdistrict Attendance Program)~~

The Superintendent or ~~Superintendent's~~ designee may authorize transportation below these limits~~from any distance for grades K through 8~~ when safety~~special~~ problems or hazards exist. ~~The Superintendent or Superintendent's designee shall design school routes and stops so as to enhance the safety of student pedestrians.~~

(cf. 5142.2 - Safe Routes to School)

~~The district shall provide homeless children with transportation services comparable to those offered to other students at the school of attendance. —(42 USC 11432)~~

~~If the student moves to a shelter that is in another attendance area within the district, the Superintendent or Superintendent's designee may arrange transportation that enables the student to continue attending the same school.~~

~~If a homeless student attending school in this district moves to a shelter that is in another district, the Superintendent or designee may arrange transportation that enables the student to continue attending the same school in this district. —This transportation may be achieved through the transportation services of this district, the new district, or another outside agency.~~

The Superintendent or designee shall communicate in writing to parents/guardians regarding bus routes, schedules, and stops. He/she may also~~and/or shall~~ arrange for local media to publish such information.

(cf. 1112 - Media Relations)

~~(cf.)~~

Note: Items #1-10 below should be revised to reflect services provided or contracted for by the district.

~~5145.6—Parental Notifications)~~

~~Transportation Services~~

With the Governing Board's authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (Education Code 3980038020)
2. Field trips and excursions_ (Education Code 35330)

(cf. 3541.1 - Transportation for School-Related Trips)

3. School activities, expositions or fairs, or other activities determined to~~to~~ be for the benefit of students _ (Education Code 3986038065)

Note: Education Code 39837.5, as amended by AB 1453 (Ch. 173, Statutes of 2017), authorizes districts to provide for the transportation of adult volunteers to and from educational activities.

4. District employees, ~~or~~ parents/guardians, and adult volunteers traveling to and from educational activities authorized by the district (Education Code ~~39837.538055~~)

5. Preschool or nursery school students (Education Code 39800)

(cf. 5148.3 - Preschool/Early Childhood Education)

6. Private school students, upon the same terms, in the same manner, and on the same routes provided for district students (Education Code ~~3980838029~~)

7. Nonschool purposes as allowed by law, such as:

a. Community recreation (Education Code ~~3983538052~~)

b. Public transportation (Education Code ~~3984138059~~)

Note: Item #10c is for use only by districts that have entered into a contract with a federal, state, or local agency pursuant to Education Code 39840 to grant the use of a school bus to transport employees of that agency to and from their places of employment, provided that the district already provides transportation to and from school for students residing on the government agency's property, public transportation is not reasonably available to the agency's employees, and the transportation of agency employees does not interfere with the district's use of school buses for school transportation purposes.

Delivery of Students

1. ~~Kindergarten~~

a. ~~Kindergarten students shall be delivered from school to the stop nearest the student's house.~~

b. ~~Due to the fragile nature of the kindergarten student, a parent or parent designee is required to meet the bus, unless a signed District parental authorization form allowing the child to walk home is on file with the~~

c. Transportation of government employees to and from their places of employment
(Education Code 39840)

~~Transportation Department. If no authorized adult is at the bus stop, and no written authorization is on file, the student will be returned to Rescue Transportation Center or to the school of attendance when open.~~

Students who attend school outside of their school attendance area or district boundaries

~~e.~~ may be eligible for transportation services in accordance with district policy.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

~~In the case of kindergartners, if there are repeated occasions where a parent/guardian fails to be at the stop to receive the child and the driver is required to bring the student back and wait for the parents/guardians, the parents/guardians of the child shall be billed for the driver's time above and beyond his/her normal driving hours or bus privileges may be suspended. The transportation supervisor shall notify parent/guardians via a certified letter prior to implementing a change in transportation privileges.~~

~~2. First through Eighth~~

~~a. Whenever a student in grades 1-8 is deemed undeliverable, either because of driver concern over the safety of the student being delivered to his/her normal stop, or because the student is on the wrong bus for whatever reason, the student shall be brought back to the Rescue-Transportation Center and then to school of attendance as directed by the Transportation Supervisor.~~

~~3. All Students~~

~~a. As a last resort, if a student's parents/guardians cannot be found and there is no one to whom the student can be released, then the student will be remanded to the custody of the Child-Protective Services by the Superintendent or designated school official.~~

~~b. As a courtesy and as approved by the Transportation Supervisor, the driver or designated school staff member may deliver the student in either a district vehicle or in their personal car when a parent/guardian who has been notified of the child's location is unable to pick up the child.~~

~~Students With Disabilities~~

~~The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education program or Section 504 plan. programs. (Education Code 41850; 20 USC 1400-1482;—1491, 34 CFR 104.4, 300.17, 300.34)~~

~~(cf. 3541.2 - *Transportation for Students with Disabilities*)~~

~~(cf. 6159 - *Individualized Education Program*)~~

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

Note: The McKinney-Vento Homeless Assistance Act (42 USC 11432) mandates that the district adopt policies and practices to ensure that transportation is provided to homeless students who have moved, but have decided to continue to attend their school of origin. See BP/AR 6173 - Education for Homeless Children for language implementing this mandate.

The Superintendent or designee shall provide transportation to homeless students in accordance with law, Board policy, and administrative regulation. When the student resides outside of district boundaries, the Superintendent or designee shall consult with the superintendent of the district of residence to apportion the responsibility and costs of transportation. (42 USC 11432)

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall collaborate with the local child welfare agency to determine the provision, arrangement, and funding of transportation to enable foster youth to attend their school of origin when it is in the student's best interest to do so. (20 USC 6312)

(cf. 6173.1 - Education for Foster Youth)

Legal Reference:

EDUCATION CODE

10900.5 Use of school buses for community recreation

35330 Excursions and field trips

35350 Authority to transport pupils

39800-39809.5 Transportation, general provisions, especially:

39800 Powers of governing board to provide transportation to and from school

39801.5 Transportation for adults

39808 Transportation for private school students

39830-39843 School buses, especially:

39835 Use of school buses for community recreation

39837 Transportation to summer employment program

39837.5 Transportation of employees, parents/guardians, and adult volunteers to school activities

39860 Transportation to school activities

41850-41856 Allowances for transportation

41860-41863 Supplementary allowances for transportation

48853.5 Educational placement of students residing in licensed children's institutions

CODE OF REGULATIONS, TITLE 5

15240-15244 Allowances for student transportation, definitions

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

6312 Transportation to maintain children in foster care in school of origin

UNITED STATES CODE, TITLE 42

11432 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.4 Equal opportunity under the Rehabilitation Act of 1973, Section 504

300.17 Free appropriate public education

300.34 Special education related services

Management Resources:

CSBA PUBLICATIONS

Special Education Pupil Transportation: Considerations in the Era of LCFF, Governance Brief, April 2014

WEB SITES

California Department of Education, Office of School Transportation:

<https://www.cde.ca.gov/ls/tm/or/assignment.asp>

Pupil Transportation Safety Institute: <http://www.ptsi.org>

Regulation RESCUE UNION SCHOOL DISTRICT
approved: May 24, 2005 Rescue, California

revised: November 8, 2011
considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

Transportation Safety And Emergencies

AR 3543

Business and Noninstructional Operations

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Note: The following regulation is for use by districts that provide school bus transportation using their own school bus drivers. Districts that contract out for all transportation services may revise this regulation as appropriate to ensure that the contracting firm meets all legal requirements regarding transportation safety.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus. If no defect or deficiency is discovered or reported, the driver shall so indicate on the report. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 3542 - School Bus Drivers)

Safety Equipment

~~Each~~ Passenger Restraint Systems

Note: Pursuant to Vehicle Code 27316 and 27316.5, any school bus or student activity bus purchased or leased for use in California must be equipped with a passenger restraint system if the bus was manufactured on or after the dates specified in law, as described below. As amended by AB 1798 (Ch. 206, Statutes of 2018), Vehicle Code 27316 requires that all school buses in use in California must be equipped with a passenger restraint system on or before July 1, 2035.

Toward this end, districts may retrofit older school buses with passenger restraint systems. In determining whether to retrofit buses, the California Department of Education's (CDE) "Passenger Restraints Frequently Asked Questions" recommends that districts consider the age of the bus, the total cost of the retrofit, and the required reinspection of the bus by the California Highway Patrol.

~~school bus shall be equipped with one or two fire extinguishers having an aggregate rating of not less than 8B:C units. A wheelchair school bus shall be equipped with two extinguishers, each~~

~~one rated at not less than 8B:C; one to be placed in the driver's compartment and the other at the wheelchair loading door or emergency exit.— Education Code 39838; 13 CCR 1242)~~

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)–

1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver, and was manufactured on or after July 1, 2005

~~s~~

2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or ~~designed~~ for carrying 20 or fewer passengers and the driver if the bus has and having a manufacturer's vehicle weight rating of 10,000 pounds or less, and was manufactured on or after July 1, 2004

Note: The following optional paragraph reflects legislative intent of Vehicle Code 27316.

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Note: Pursuant to Vehicle Code 27316, no person, district, or organization may be held criminally liable if a passenger improperly uses or fails to use the passenger restraint system. However, the CDE's "Passenger Restraints Frequently Asked Questions" encourages districts to develop procedures to enforce disciplinary actions for nonuse or improper use of the passenger restraint system.

The following optional paragraph may be expanded to specify the steps that should be taken by the driver to reasonably ensure that all passengers are properly restrained (e.g., verbal instructions to students, visual inspection), which may vary depending on the age/grade levels of the students. Such steps may also be incorporated in district regulations adopted pursuant to 5 CCR 14103 related to student conduct on buses, bus driver authority, and the suspension of riding privileges; see BP/AR 5131.1 - Bus Conduct.

Bus drivers shall be instructed regarding procedures to enforce the ~~enforce~~ proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

Safe Bus Operations

~~School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be moved immediately to ensure their safety.~~

~~(cf. 3516 – Emergencies and Disaster Preparedness Plan)~~

~~School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home to school transportation service.~~

~~(cf. 5131.1 - Bus Conduct)~~

~~(cf. 5144 - Discipline)~~

Fire Extinguishers

~~Each driver for school bus shall be equipped with at least one fire extinguisher, located in the driver's compartment, which meets the standards specified in law. In addition, a wheelchair school bus activity trips shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)~~

Child Safety Alert System

Note: Pursuant Vehicle Code 28160, as amended by AB 1840 (Ch. 426, Statutes of 2018), on or before March 1, 2019, each school bus, student activity bus, youth bus, and child care motor vehicle (i.e., vehicle designed, used, or maintained for more than eight persons, including the driver, that is used by a child care provider to transport children) must be equipped with a "child safety alert system" (i.e., a device located at the interior rear of a vehicle that requires the driver to either manually contact or scan the device before exiting the vehicle). Districts with an average daily attendance of 4,000 or less that cannot meet this requirement by that date may submit specified documentation to the California Highway Patrol, on or before March 1, 2019, which demonstrates that they have ordered or purchased the child safety alert system(s) and made arrangements for the installation. Upon providing this documentation, such districts will have until September 1, 2019 to meet the requirement.

~~(cf. 3516.5 - Emergency Schedules)~~

~~(cf. 3540 - Transportation)~~

~~(cf. 3541.1 - Transportation for School-Related Trips)~~

~~(cf. 3542 - School Bus Drivers)~~

Student activity buses may be exempt from this requirement if certain procedures are followed, as specified in Vehicle Code 28160.

~~In accordance with Vehicle Code 28160, each person shall not drive a motor vehicle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands free listening and talking, and is used in that manner while driving.~~

~~A driver shall only use a wireless telephone while driving a school bus or; student activity bus shall be equipped with an operational child safety alert system at the interior rear of the bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.~~

~~A student activity bus that does not have a child safety alert system may be used only if all of the following apply: (Vehicle Code 28160)~~

- ~~1. The student activity bus is not used exclusively to transport students.~~

2. When the student activity bus is used to transport students, the students are accompanied by at least one adult chaperone selected by a school official. If an adult chaperone is not a school employee, the chaperone shall meet the requirements for a school volunteer.

~~, or other motor vehicle for work-related purposes~~ (cf. 1240 - Volunteer Assistance)

3. One adult chaperone has a list of every student and adult chaperone, including a school employee, who is on the student activity bus at the time of departure.

4. The driver has reviewed all safety and emergency procedures before the initial departure, and the driver and adult chaperone have signed a form, with the time and date, acknowledging that the safety plan and procedures were reviewed.

5. Immediately before departure from any location, the adult chaperone shall account for each student on the list of students, verify the number of students to the driver, and sign a form indicating that all students are present or accounted for.

6. After students have exited a student activity bus, and before driving away, the driver shall check all areas of the bus, emergency purposes including, but not limited to, overhead compartments and bathrooms, to ensure that the bus is vacant.

7. The driver shall sign a form with the time and date verifying that all required procedures have been followed.

8. The information required to be recorded pursuant to items #4, 5, and 7 may be recorded on a single form and shall be retained by the district for a minimum of two years.

Electronic Communications Devices

Note: Vehicle Code 23125 prohibits a person from driving a school bus while using a wireless telephone except for work-related or emergency purposes. Vehicle Code 23123.5 prohibits the driver of a motor vehicle (including a school bus or school activity bus pursuant to Vehicle Code 415 and 545) from using an electronic wireless communications device for any purpose, including, but not limited to, text-based communication, but provides an exception for voice-operated and hands-free operation or for a function that requires only a single swipe or tap of the driver's finger as long as the device is mounted on the windshield, dashboard, or center console of the vehicle. The following paragraph limits the use of any electronic communications device to work-related or emergency purposes. The district should consult legal counsel if it is considering allowing broader use of such devices.

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting ~~all~~ a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125) ~~(Vehicle Code 23123, 23125)~~

~~(cf. 3513.1— Cellular Phone Reimbursement)
(cf. 4040— Employee Use of Technology)~~

~~A person shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)~~

Safe Bus Operations

Note: Pursuant to Education Code 39834, any Governing Board member, employee, or other person who knowingly operates or permits operation of a school bus in excess of its seating capacity is guilty of a misdemeanor. However, the Board is authorized to adopt policy that allows seating capacities to be exceeded in cases of emergency; see BP/AR 3516 - Emergencies and Disaster Preparedness Plan.

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Note: Vehicle Code 34501.6 mandates any district that provides student transportation to adopt procedures that limit bus operation when atmospheric conditions reduce visibility, as described below, and that give drivers for school activity trips discretionary authority to discontinue operation when it is unsafe.

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

~~The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.~~

~~(cf. 4112.42/4212.42/4312.42— Drug and Alcohol Testing for School Bus Drivers)~~

Transportation Safety Plan for Boarding and Exiting Buses

Note: The district should modify items #1-2 below to reflect grade levels offered by the district. A district that does not maintain any of grades prekindergarten through 8 should delete items #1-2.

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall ~~address~~include all of the following: (Education Code 39831.3)

1. ~~Determination of whether~~Procedures for determining if students in grades ~~prekindergarten~~pre-kindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112

2. Procedures for all students in grades ~~prekindergarten~~pre-kindergarten through 8 to follow as they board and exit the bus at their bus stops

3. Boarding~~Procedures for all students in grades pre-kindergarten through 8 for boarding~~ and exiting a school bus at a school or other trip destination

Note: Education Code 39831.3 requires that the transportation plan include procedures to ensure that a student is not left unattended on a school bus or student activity bus. It is recommended that the plan reflect the requirement of Vehicle Code 28160 to install a child safety alert system on each bus. See the section "Child Safety Alert System" above.

4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or, if applicable, youth bus

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP). (Education Code 39831.3)

Parental Notifications

Note: The following section is for use by districts that offer any of grades prekindergarten through 6 and should be revised to reflect the grade levels offered by the district.

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades ~~prekindergarten~~pre-kindergarten through ~~6~~ who have not previously been transported in a district school bus or student activity bus. -This information shall be provided upon registration and shall ~~contain~~address: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions

4. ~~A description of the~~The school bus danger zone
5. ~~Instructions for safely~~Safety while walking to and from school bus stops

(cf. 5145.6 - Parental Notifications)

Student Instruction

~~Students~~All students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows:- (Education Code 39831.5; 5 CCR 14102)

~~The Superintendent or designee shall ensure that instruction is provided to students as follows:~~

1. Each ~~school~~ year, all students who receive home-to-school transportation in a school bus shall be provided the Superintendent or designee shall provide appropriate instruction in safe riding practices and emergency evacuation drills. ~~— Each student who receives home-to-school transportation in a school bus shall be required to receive this instruction. (5 CCR 14102)~~

Note: Item #2 below is for use by districts that offer any of grades prekindergarten through 8 and should be revised to reflect the grade levels offered by the district.

2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to: ~~(Education Code 39831.5)~~

- a. Proper loading and unloading procedures, including escorting by the driver
- b. How to safely cross the street, highway, or private road

c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use

- d. Proper passenger conduct

~~(cf. 5131.1 - Bus Conduct)~~

- e. Bus evacuation procedures
- f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit. ~~(Education Code 39831.5)~~

Each time the above instruction is given, the following information shall be documented: ~~(Education Code 39831.5)~~

- a. District name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the ~~CHP, California Highway Patrol. (Education Code 39831.5)~~

(cf. 3580 - District Records)

Note: Item #3 below applies to all students in grades prekindergarten through 12.

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. ~~;(Education Code 39831.5)~~ This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

~~In the event a location of a school bus accident, the driver shall immediately notify the CHP emergency exits~~

~~b. Location and use of emergency equipment~~

~~This instruction also may include responsibilities of passengers seated next to an emergency exit. the (Education Code 39831.5)~~

~~The Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219) shall provide written information to the parents/guardians of all students in grades pre-kindergarten through 8 regarding the above student training.~~

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

Legal Reference:

EDUCATION CODE

~~39830-39843~~39842 *Transportation, school buses-*

~~39860~~ *Contract for transportation; requirement that student not be left unattended*

~~51202~~ *Instruction in personal and public health and safety-*

PENAL CODE

~~241.3~~ *Assault against school bus driver-*

~~243.3~~ *Battery against school bus driver-*

VEHICLE CODE

~~415~~ *Definition of motor vehicle*

~~545-546~~ *Definition of school bus and ~~student~~school-pupil activity bus-*

~~22112~~ *Loading and unloading passengers-*

~~23123~~ *Use of wireless telephone prohibited while driving motor vehicle-*

~~23123.5~~ *Use of wireless telephone or ~~Text~~ communications ~~device~~prohibited while driving; ~~exceptions~~ motor-vehicle*

~~23125~~ *Use of wireless telephone prohibited while driving school bus-*

~~27316-27316.5~~ *Passenger restraint systems-*

~~28160~~ *Child safety alert system*

~~34500~~ *California Highway Patrol responsibility to regulate safe operation of school buses-*

~~34501.5~~ *California Highway Patrol responsibility to adopt rules re: ~~safe~~ operation of school buses-*

~~34501.6~~ *School buses; reduced visibility-*

~~34508~~ *California Highway Patrol responsibility to adopt rules re: ~~equipment and bus~~ operations ~~of school buses~~*

CODE OF REGULATIONS, TITLE 5

~~14100-14105~~ *School buses and student activity buses*

CODE OF REGULATIONS, TITLE 13

~~1200-1294~~1293 *Motor carrier safety*

~~2480~~ *Airborne toxic control measure; limitation on bus idling*

CODE OF REGULATIONS, TITLE 19

574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 Motor vehicle standards, including school buses

Management Resources:-

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Passenger Restraints Frequently Asked Questions

WEB SITES-

American School Bus Council: <http://www.americanschoolbuscouncil.org>

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

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.chp.ca.gov/ncsbs.org>

National Transportation Safety Board: <http://www.nts.gov>

U.S. Department of Transportation, National Highway Traffic Safety Administration: <http://www.nhtsa.dot.gov>

Regulation RESCUE UNION SCHOOL DISTRICT

approved: May 2005 Rescue, California

revised: January 2009

revised: April 2009

considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

Absences And Excuses

AR 5113
Students

Excused Absences

Note: Items #1-14 below reflect absences that are authorized by law to be considered as excused absences for purposes of enforcing the compulsory state attendance laws. Pursuant to Education Code 48205, absences specified in items #1-10 are considered absences in computing average daily attendance and do not generate state apportionment payments.

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness (Education Code 48205)

2. Quarantine under the direction of a county or city health officer (Education Code 48205)

(cf. 5112.2 - Exclusions from Attendance)

3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)

4. Attendance at funeral services for a member of the student's immediate family (Education Code 48205)

Such absence, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state. (Education Code 48205)

5. Jury duty in the manner provided by law (Education Code 48205)

Note: Pursuant to Education Code 48205, absence due to the illness or medical appointment of a student's child is counted as an excused absence. As amended by AB 2289 (Ch. 942, Statutes of 2018), Education Code 48205 prohibits the district from requiring a physician's note for such absences. See the section "Method of Verification" below.

6. Illness or medical appointment of a child to whom the student is the custodial parent (Education Code 48205)

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

~~7. Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter/daughter-in-law, brother, sister, or any relative living in the student's-~~

~~immediate household. (Education Code 45194, 48205)~~

~~5.—~~Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)

a. Appearance in court

b. Attendance at a funeral service

c. ~~Observance—Observation~~ of a religious holiday or ceremony ~~of his/her religion~~

d. Attendance at religious retreats for no more than~~not to exceed~~ four hours per semester

e. Attendance at an employment conference

f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization

~~8.6.—~~Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

(cf. 6142.3 - Civic Education)

9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

(cf. 6173.2 - Education of Children of Military Families)

10. Attendance at a naturalization ceremony to become a United States citizen (Education Code 48205)

Note: Item #11 below should be included only if the Governing Board has adopted a resolution permitting absences for religious instruction or exercises. See the accompanying Board policy. If these absences are allowed, Education Code 46014 mandates that the Board adopt regulations governing students' attendance at religious exercises or instruction and the reporting of such absences. These regulations should include all of item #11 below and may be expanded to reflect district practice.

11. ~~7.—~~Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from~~in accordance with district policy—~~ (Education Code 46014)

~~a. In such instances, the student shall attend at least the minimum school (Education Code 46014)day.~~

~~b. The student shall be excused for this purpose on no more than four days per school month.~~

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

Note: Education Code 46014 provides that absence for participation in religious instruction or exercises will not be considered an absence for state apportionment purposes if the student attends school for at least the minimum school day and is not absent for this purpose on more than four days per school month. Pursuant to Education Code 46112, 46113, 46117, and 46141, unless otherwise provided by law, the minimum school day is generally 180 minutes for kindergarten, 230 minutes for grades 1-3, and 240 minutes for grades 4-12. For further information, see AR 6112 - School Day.

~~Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 - School Day, and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)~~

(cf. 6112 - School Day)

12. Work in the entertainment or allied industry (Education Code 48225.5)

Such absence shall be excused provided that the student holds a work permit authorizing such work and is absent for a period of not more than five consecutive days and up to five absences per school year. (Education Code 48225.5)

13. Participation with a nonprofit performing arts organization in a performance for a public school audience (Education Code 48225.5)

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

Note: As amended by AB 2289, Education Code 48205 clarifies that, in addition to the excused absences described in Education Code 48205 and 48225.5, students may be excused for other reasons at the discretion of school administrators.

14. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances (Education Code 48205, 48260)

Note: AB 2289 amended Education Code 48205 to revise the definition of "immediate family" as provided in the following paragraph.

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household. (Education Code 48205)

Method of Verification

Note: Education Code 48205, as amended by AB 2289, prohibits the district from requiring a physician's note for absences due to the illness or medical appointment of the student's child. However, the district is authorized to require verification of other absences. The following section should be revised to reflect district-adopted methods of verification and to specify employee(s) assigned to verify absences. 5 CCR 420-421 provide guidelines for verifying absences due to illness; quarantine; medical, dental, or eye appointments; or attendance at a funeral service of a member of a student's immediate family. 5 CCR 421 authorizes a student's absence to be verified by a school or public health nurse, attendance supervisor, physician, principal, teacher, or any other qualified district employee assigned to make such verification.

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

For other absences, the student shall, upon returning to school following the absence, ~~When a student who has been absent returns to school, he/she shall~~ present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having charge or control of the student~~minor~~, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. —Written note, fax, ~~or~~ email, or voice mail from parent/guardian or parent representative.
 2. —Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
- (cf. 5113.11 - Attendance Supervision)*
3. —Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. —The employee shall document the verification and include the information specified in item #2 above.
 4. Physician's verification.

Note: The following **optional** paragraph provides a means of verifying an excuse for confidential medical services without inquiring into the nature of the medical services.

a.a.—When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may request a note from the contact a medical office to confirm the time of the appointment.

Note: The following **optional** paragraph provides that, after absences for illness on multiple occasions, the student may be required to bring a note from a physician to verify the illness. If a student does not have access to medical services in order to obtain such verification, the district may assist the student in obtaining the medical consultation if it is required.

b.If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

(cf. 5113.1 - Chronic Absence and Truancy)

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

Note: The requirement in item #1 below is for use by districts whose board has adopted a resolution permitting an excused absence for religious instruction or exercises. See the accompanying Board policy and item #11 in the section "Excused Absences" above.

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination (Education Code 46014, 48980)

Note: The requirement in item #2 applies to all districts. Districts that maintain only elementary grades should delete the reference to students in grades 7-12.

2. Notify students in grades 7-12 and the parents/guardians of all students enrolled in the district that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education Code 46010.1)

3. Notify parents/guardians that a student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. Such notice shall include the full text of Education Code 48205. (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

(cf. 6154 - Homework/Makeup Work)

b. When a student has had 14 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

Regulation RESCUE UNION SCHOOL DISTRICT
approved: September 2004 Rescue, California
revised: January 2009
considered: April 9, 2019

Rescue Union ESD

Board Policy

Discipline

BP 5144

Students

Note: The following policy is optional. Pursuant to Education Code 52060-52077, the Governing Board is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that the district intends to take in order to achieve its annual goals in specific priority areas, including student engagement and school climate. See BP/AR 0460 - Local Control and Accountability Plan.

Since a district's ability to meet its goals around these priorities is impacted by its student discipline policies and practices, the Board must be careful to enact rules that are effective in maintaining safety and order on campus and in correcting student misbehavior without unnecessarily excluding students from school or participation in instruction. State law specifies behaviors for which a student may be suspended and/or recommended for expulsion (see BP/AR 5144.1 - Suspension and Expulsion/Due Process) and authorizes the use of age-appropriate alternatives designed to address a student's specific misbehavior, including those listed in Education Code 48900.5 and 48900.6.

In addition, the U.S. Department of Justice's Civil Rights Division and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, state that studies have suggested a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance, diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. -Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehavior.

The Governing Board is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to ~~prepare~~preparing students for responsible citizenship by fostering self-discipline and personal responsibility.- The Board believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent/guardian involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 6020 - Parent Involvement)

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting student misbehavior at district schools. The strategies shall focus on providing students with needed supports; communicating clear,

appropriate, and consistent expectations and consequences for student conduct; and ensuring equity and continuous improvement in the implementation of district discipline policies and practices.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

In addition, the Superintendent or designee's strategies for correcting student misconduct shall reflect the Board's preference for the use of positive interventions and alternative disciplinary measures over exclusionary discipline measures.

Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed. (Education Code 48900.5)

(cf. 5020 - Parent Rights and Responsibilities)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

(cf. 6164.5 - Student Success Teams)

School personnel and volunteers shall not allow any disciplinary action taken against a student to result in the denial or delay of a school meal. (Education Code 49557.5)

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

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

(cf. 3553 - Free and Reduced Price Meals)

Note: Pursuant to Education Code 49005.2, as added by AB 2657 (Ch. 998, Statutes of 2018), use of seclusion and behavioral restraint as a means of discipline is prohibited. Education Code 49005.4, as added by AB 2657, provides that seclusion or behavioral constraint may only be used to control behavior that poses a clear and present danger of serious physical harm to a student or others that cannot be immediately prevented by a less restrictive response. See AR 5131.41 - Use of Seclusion and Restraint.

Seclusion and behavioral restraint are prohibited as a means of discipline and shall not be used to correct student behavior except as permitted pursuant to Education Code 49005.4 and in accordance with district regulations. (Education Code 49005.2)

(cf. 5131.41 - Use of Seclusion and Restraint)

Note: Education Code 35291.5 authorizes, but does not require, school sites to adopt rules and procedures for student discipline. Pursuant to Education Code 32282, any adopted site-level discipline rules must be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan. The following paragraph is **optional**.

The administrative staff at each school may develop disciplinary rules to meet the school's particular needs consistent with law, Board policy, and district regulations. –The Board, at an open meeting, shall review the approved school discipline rules for consistency with Board policy and state law. Site-level disciplinary rules shall be included in the district's comprehensive safety plan.

(Education Code 32282, 35291.5)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 9320 - Meetings and Notices)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health, well-being, and opportunity to learn.

Staff shall enforce disciplinary rules fairly, consistently, and in accordance with the district's nondiscrimination policies.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0415 - Equity)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing the skills needed to effectively and equitably implement the disciplinary strategies adopted for district schools, including, but not limited to, knowledge of consistent school and classroom management skills and their consistent application, effective accountability and positive intervention techniques, and the tools to form development of strong, cooperative relationships with parents/guardians.

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

Note: Pursuant to Education Code 52060, the district must annually adopt an LCAP that includes a description of district goals for improving school climate, as provided in the following paragraph.

District goals for improving school climate, based on suspension and expulsion rates, surveys of students, staff, and parents/guardians regarding their sense of school safety and connectedness to the school community, and other local measures, shall be included in the district's local control and accountability plan, as required by law.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3100 - Budget)

At the beginning of each school year, the Superintendent or designee shall report to the Board regarding disciplinary strategies used in district schools in the immediately preceding school year and their effect on student learning.

Legal Reference:

EDUCATION CODE

32280-~~32289~~~~32288~~ School safety plans
35146 Closed sessions
35291 Rules
35291.5-35291.7 School-adopted discipline rules
37223 Weekend classes
44807.5 Restriction from recess
48900-48926 Suspension and expulsion
48980-48985 Notification of parent/guardian
49005-49006.4 Seclusion and restraint
49330-49335 Injurious objects
49550-49564.5 ~~49562~~ Meals for needy students
52060-52077 Local control and accountability plan

CIVIL CODE

1714.1 Parental liability for child's misconduct
CODE OF REGULATIONS, TITLE 5
307 Participation in school activities until departure of bus
353 Detention after school
UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
1751-1769j School Lunch Program
1773 School Breakfast Program

Management Resources:

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Recent Legislation on Discipline: AB 240, Fact Sheet, March 2015
The Case for Reducing Out-of-School Suspensions and Expulsions, Fact Sheet, April 2014
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
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~~01-02 School Safety, Discipline, and Attendance, March 2001~~

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

CSBA: <http://www.csba.org>
California Department of Education: <http://www.cde.ca.gov>
Public Counsel: <http://www.fixschooldiscipline.org>
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy RESCUE UNION SCHOOL DISTRICT

adopted: February 26, 2013 Rescue, California

revised: October 7, 2014

revised: April 10, 2018

considered: April 9, 2019

Rescue Union ESD

Administrative Regulation

Discipline

AR 5144
Students

Site-Level Rules

Note: The following section is **optional**. Pursuant to Education Code 35291.5, schools are authorized, but not required, to adopt site-level student discipline rules and procedures. Schools that choose to adopt student discipline rules, or that are directed by the Governing Board to do so, must solicit input from groups specified in items #1-5 below. Such site-level rules must be consistent with law, Board policy, and district regulations. If the school develops student discipline rules, Education Code 32282 requires that they be included in the comprehensive safety plan; see BP/AR 0450 - Comprehensive Safety Plan.

In addition, pursuant to Education Code 52060, the district is required to adopt a local control and accountability plan (LCAP) that includes a description of the specific actions that it intends to take to achieve its annual goals in specified priority areas, including student engagement and school climate. In the development of the LCAP, the district is required to involve and/or consult with parents/guardians, employees, employee organizations, and students in accordance with law. See BP/AR 0460 - Local Control and Accountability Plan.

Site-level rules shall be consistent with state law and Board~~district~~ policies and administrative regulations. In developing site-level disciplinary rules, the principal or designee shall solicit the participation, views, and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

Note: Item #5 below may be deleted by elementary districts.

5. For junior high and high schools, students enrolled in the school

Note: The following **optional** paragraph may be revised to reflect district practice. Education Code 35291.5 authorizes, but does not require, each school site to adopt school rules every four years. However, it is recommended that the timelines for the review of school rules be aligned with those for the review and updating of the comprehensive safety plan, since the school rules must, by law, be included in the plan. Pursuant to Education Code 32286, the comprehensive safety plan must be reviewed and updated every year by March 1; see BP/AR 0450 - Comprehensive Safety Plan.

Annually, site-level discipline rules shall be reviewed and, if necessary, updated to align with any changes in state law, district discipline policies and regulations, and/or goals for school safety and climate as specified in the district's local control and accountability plan. –A copy of the rules shall be filed with the Superintendent or designee for inclusion in the comprehensive safety plan.

–(cf. 0450 - Comprehensive Safety Plan)
(cf. 0460 - Local Control and Accountability Plan)

School rules shall be communicated to students clearly and in an age-appropriate manner.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291.5)

Disciplinary Strategies

Note: Education Code 48900.5 lists means of correction of student behavior that a district may use as an alternative to suspension. The district should select those strategies that are appropriate for its student population. The following strategies may be modified or expanded to reflect district practice.

To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. –Except when ~~students'~~ a student's presence causes a danger to ~~themselves~~ himself/herself or others or ~~they commit~~ he/she commits a single act of a grave nature or an offense for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct. Disciplinary strategies may include, but are not limited to:

1. Discussion or conference between school staff and the student and ~~his/her~~ parents/guardians

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

2. Referral of the student to the school counselor or other school support service personnel for case management and counseling

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

3. Convening of a study team, guidance team, resource panel, or other intervention-related team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and ~~his/her~~ parents/guardians

(cf. 6164.5 - Student Success Teams)

4. When applicable, referral for a comprehensive psychosocial or psychoeducational assessment, including for purposes of creating an individualized education program or a Section 504 plan

(cf. 6159 - Individualized Education Program)

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

5.Enrollment in a program for teaching prosocial behavior or anger management

6.Participation in a restorative justice program

7.A positive behavior support approach with tiered interventions that occur during the school day on campus

8.Participation in a social and emotional learning program that teaches students the ability to understand and manage emotions, develop caring and concern for others, make responsible decisions, establish positive relationships, and handle challenging situations capably

Note: The Public Counsel's Fix School Project recognizes that exposure to chronic violence and other family or community traumas, such as serious accidents and life-threatening illnesses involving loved ones, and to conditions such as homelessness, may affect students' ability to learn and function well in school, and urges schools to adopt policies that recognize those factors and provide appropriate support to students.

9.Participation in a program that is sensitive to the traumas experienced by students, focuses on students' behavioral health needs, and addresses those needs in a proactive manner

10.After-school programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

11.Recess restriction as provided in the section below entitled "Recess Restriction"

12.Detention after school hours as provided in the section below entitled "Detention After School"

13.Community service as provided in the section below entitled "Community Service"

14.In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities

(cf. 6145 - Extracurricular/Cocurricular Activities)

15.Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

16.Suspension and expulsion in accordance with law, Board policy, and administrative regulation

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

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

Note: Pursuant to Education Code 48900.5, when a student's misbehavior may result in a referral for suspension or expulsion after other means of correction have failed, the district may document and place in the student's record any other means of correction used to address the behavior. The following optional paragraph may be revised to reflect district practice.

When, by law or district policy, other means of correction are required to be implemented before a student could be suspended or expelled, any other means of correction implemented shall be documented and retained in the student's records. (Education Code 48900.5)

(cf. 5125 - Student Records)

Recess Restriction

Note: The following optional section should be revised to reflect district practice. Although Education Code 44807.5 authorizes the district to adopt reasonable regulations allowing a teacher to restrict recess time for disciplinary purposes, it is recommended that districts discourage its use since it could limit students' opportunity to engage in physical activity which is inconsistent with district goals for student wellness. Studies have shown that, apart from its multiple health benefits, physical activity can help students improve their academic performance, attention, and behavior.

~~Teachers may restrict a student's recess time only when they believe~~~~A teacher may restrict a student's recess time only when he/she believes~~ that this action is the most effective way to bring about improved behavior. When recess restriction ~~involves~~~~may involve~~ the withholding of physical activity from a student, ~~teachers~~~~the teacher~~ shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. ~~The student's teacher~~~~Teachers~~ shall inform the principal of any recess restrictions ~~imposed~~~~they impose~~.

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

Detention After School

Students may be detained for disciplinary reasons for up to one hour after the close of the maximum school day, or until the departure of the school bus to which they have been assigned if applicable. (5 CCR 307, 353)

Note: The following paragraph should be modified to reflect district practice.

~~made.~~—The student shall not be detained unless the principal or designee notifies the parent/guardian.

~~In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs.—(5 CCR 307, 353)~~

Students shall remain under the supervision of a certificated employee during the period of detention.

Note: The following **optional** paragraph is offered for districts that use Saturday classes for purposes of detention. Education Code 37223 authorizes the use of Saturday classes; however, except in the case of truants, attendance at such classes must be at the election of the student, or parent/guardian when the student is a minor.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, ~~at his/her discretion,~~ require a student to perform community service during nonschool hours on school grounds or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, **community or** campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

Note: Education Code 48900.6 provides that the community service option is not available for those students who have been suspended, pending expulsion, for acts qualifying for either "mandatory recommendation for expulsion" or "mandatory expulsion" pursuant to Education Code 48915. See BP 5144.1 - Suspension and Expulsion/Due Process.

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then the student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 35291, 48980)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall also provide written notice of disciplinary rules to transfer students at the time of their enrollment in the district.

Regulation RESCUE UNION SCHOOL DISTRICT
approved: September 2004 Rescue, California
revised: February 26, 2013
revised: October 7, 2014
considered: April 9, 2019

Rescue Union ESD

Board Policy

Suspension And Expulsion/Due Process

BP 5144.1

Students

Note: Education Code 35291 requires the Governing Board to prescribe rules and regulations for maintaining discipline in the schools under its jurisdiction. Education Code 48918 mandates the setting of rules and regulations for student expulsion as specified in this Board policy and the accompanying administrative regulation.

While recognizing that suspension or expulsion of students is sometimes necessary, legislative, administrative, regulatory, civic, and educational leaders are united in the belief that instructional time should be used for student learning purposes and that school discipline should be imposed in a way that, as much as possible, does not exclude students from school or limit their ability or opportunity to learn. According to the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, studies suggest a correlation between exclusionary discipline policies and practices (such as suspension and expulsion) and an array of serious educational, economic, and social problems, including school avoidance and diminished educational engagement, decreased academic achievement, increased behavior problems, and increased likelihood of dropping out, substance abuse, and involvement with the juvenile justice system. Consequently, they recommend that districts adopt alternative disciplinary measures that provide students with appropriate interventions and supports as a means for preventing and addressing student misbehaviors.

Pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless the student has been subjected to other means of correction which have failed to bring about proper conduct. Such other means of correction include, but are not limited to, conferences between school personnel and the student and his/her parents/guardians; use of study, guidance, or other intervention teams to develop a plan to address the behavior in partnership with the student; and participation in a restorative justice program. –For further information about specific disciplinary strategies, including alternatives to class or school removals, see BP/AR 5144 - Discipline. Education Code 48900.5 authorizes a district to document in a student's records the alternative means of correction used to address the student's behavior. –Furthermore, when a student is being suspended by the Superintendent, principal, or designee, Education Code 48911 requires that the student be informed, during the informal conference that precedes the suspension, of the other means of correction that were attempted before the suspension.

The Governing Board desires to provide district students access to educational opportunities in an orderly school environment that protects their safety and security, ensures their welfare and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of district students and the disciplinary processes and procedures for addressing violations of those standards, including suspension and/or expulsion.

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

The grounds for suspension and expulsion and the procedures for considering, recommending, and/or implementing suspension and expulsion shall be only those specified in law, in this policy, and in the accompanying administrative regulation.

Note: Pursuant to Education Code 48900(s), a student may be subject to discipline only when the violation is related to a school activity or school attendance as specified below. A student may also be disciplined for a violation committed away from school if it is related to a school activity or to school attendance. For example, Education Code 48900 defines bullying by means of an electronic act as including an act that originates off campus; see the accompanying administrative regulation and BP/AR 5131.2 - Bullying. Another example is the hostile school environment which a victim may suffer from sexual harassment that occurs off campus; see BP/AR 5145.7 - Sexual Harassment.

Except when otherwise permitted by law, a student may be suspended or expelled only when his/her behavior is related to a school activity or school attendance occurring within any district school or another school district, regardless of when it occurs, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus

(cf. 5112.5 - Open/Closed Campus)

4. During, going to, or coming from a school-sponsored activity

Note: The following paragraph addresses the problem of unlawful discrimination in the administration of student discipline. In their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, DOJ and OCR noted that, based on the civil rights data collection conducted by OCR, students of certain racial or ethnic groups tended to be disciplined more, and sometimes more harshly, than their similarly situated peers in violation of federal nondiscrimination laws. The letter warned that any district determined to have engaged in unlawful discrimination could be subject to OCR investigation and significant remedial action.

District staff shall enforce the rules concerning suspension and expulsion of students fairly, consistently, equally, and in accordance with the district's nondiscrimination policies.

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

Appropriate Use of Suspension Authority

Note: Education Code 48900.5 requires districts to use other means of correction instead of suspension or expulsion except when a student commits certain enumerated offenses. The following section reflects legislative intent regarding appropriate use of suspension as a means of disciplining students and may be modified to reflect district practice.

Except when a student's act violates Education Code 48900(a)-(e), as listed in items #1-5 under "Grounds for Suspension and Expulsion: -Grades K-8" of the accompanying administrative regulation, or when his/her presence causes a danger to others, suspension shall be used only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5, 48900.6)

(cf. ~~1020~~ **Youth Services**)
(~~cf.~~ 5138 - Conflict Resolution/Peer Mediation)
(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

Note: The following **optional** paragraph may be revised to reflect district practice.

A student's parents/guardians shall be notified as soon as possible when there is an escalating pattern of misbehavior that could lead to on-campus or off-campus suspension.

Note: Education Code 48900(k) prohibits a district from suspending students in grades K-3 for disruption or willful defiance and authorizes, but does not require, a district to suspend students in grades 4-12 for disruption or willful defiance. Even with this authority, districts should be careful in using these grounds, as available data have indicated a disproportionate use with certain student subgroups.

No student in grades K-3 may be suspended for disruption or willful defiance, except by a teacher pursuant to Education Code 48910. (Education Code 48900)

Note: The following **optional** paragraph reflects the Legislature's intent, expressed in Education Code 48900, concerning disciplinary actions against truant, tardy, or absent students. Since these are not enumerated offenses, a district does not have the authority to suspend or expel students for committing any of these acts.

Students shall not be suspended or expelled for truancy, tardiness, or absenteeism from assigned school activities.

(cf. 5113 - Absences and Excuses)
(cf. 5113.1 - Chronic Absence and Truancy)

Authority to Expel

A student may be expelled only by the Board. (Education Code 48918(j))

As required by law, the Superintendent or principal shall recommend expulsion and the Board shall expel any student found to have committed any of the following "mandatory recommendation and mandatory expulsion" acts at school or at a school activity off school grounds: (Education Code 48915)

1. Possessing a firearm which is not an imitation firearm, as verified by a certificated employee, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence

(cf. 5131.7 - Weapons and Dangerous Instruments)

2. Selling or otherwise furnishing a firearm

3. Brandishing a knife at another person
4. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
5. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
6. Possessing an explosive as defined in 18 USC 921

For all other violations listed in the accompanying administrative regulation under "Grounds for Suspension and Expulsion: –Grades K-8" and "Additional Grounds for Suspension and Expulsion: Grades 4-8," the Superintendent or principal shall have the discretion to recommend expulsion of a student. If expulsion is recommended, the Board shall order the student expelled only if it makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

A vote to expel a student shall be taken in an open session of a Board meeting.

Note: Pursuant to Education Code 48917, the Board may decide to suspend the enforcement of an order for expulsion as long as a student satisfies specific conditions. See the accompanying administrative regulation for criteria. In addition, the Attorney General opined in 80 Ops.Cal.Atty.Gen. 85 (1997) that the enforcement of an expulsion order may be suspended even in those cases where the student has committed an offense for which expulsion is required by law. Legal counsel should be consulted as appropriate.

The Board may vote to suspend the enforcement of the expulsion order pursuant to the requirements of law and the accompanying administrative regulation. (Education Code 48917)

No student shall be expelled for disruption or willful defiance. (Education Code 48900)

Note: The following paragraph is for use by districts that contract with the California Department of Education (CDE) to operate a California State Preschool Program. Education Code 8239.1, as added by AB 752 (Ch. 708, Statutes of 2017), prohibits the expulsion or disenrollment of a child in a preschool program unless the district has taken specified steps and the child's continued enrollment would present a serious safety threat to the child or other enrolled children. For further details regarding the steps the district must take prior to expelling a child, see BP 5148.3 - Preschool/Early Childhood Education.

No child enrolled in a preschool program shall be expelled except under limited circumstances as specified in AR 5148.3 - Preschool/Early Childhood Education.

(cf. 5148.3 - Preschool/Early Childhood Education)

Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and/or expulsion by affording them their due process rights under the law. The Superintendent or designee shall comply with procedures for notices, hearings, and appeals as specified in law and administrative regulation. (Education Code 48911, 48915, 48915.5, 48918)

(cf. 5119 - Students Expelled from Other Districts)

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

Maintenance and Monitoring of Outcome Data

Note: Education Code 48900.8 and 48916.1 require the district to maintain data related to suspensions and expulsions as provided below. Pursuant to Education Code 48916.1, the Superintendent of Public Instruction may require submission of such data as part of the Federal Program Monitoring process. In addition, 20 USC 7961 requires districts to submit to the CDE a description of the circumstances surrounding any expulsions based on bringing or possessing a firearm on campus, including the name of the school, the number of students expelled, and the type of firearms involved.

The Superintendent or designee shall ~~maintain annually present to the Board a report of the~~ outcome data ~~related which the district is required to~~ student suspensions and expulsions in accordance with ~~collect pursuant to~~ Education Code 48900.8 and 48916.1, including, but not limited to, the number of students recommended for expulsion, the grounds for each recommended expulsion, the actions taken by the Board, the types of referral made after each expulsion, and the disposition of the students after the expulsion period. For any expulsion that involves the possession of a firearm, such data shall include the name of the school and the type of firearm involved, as required pursuant to 20 USC 7961. Suspension and expulsion data shall be reported to the Board annually and to the California Department of Education when so required.

Note: Pursuant to Education Code 52060, districts are required to address school climate in the local control and accountability plan, as measured by student suspension and expulsion rates and other local measures for each school and each numerically significant student subgroup. As defined in Education Code 52052, numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when there are at least 30 students in the subgroup or at least 15 foster youth or homeless students.

In presenting the report to the Board, the Superintendent or designee shall disaggregate data on suspensions and expulsions by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine whether and how the district is meeting its goals for improving school climate as specified in its local control and accountability plan.

(cf. 0460 - Local Control and Accountability Plan)

Legal Reference:

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212.5 Sexual harassment
233 Hate violence
1981-1981.5 Enrollment of students in community school
8239.1 Prohibition against expulsion of preschool student
17292.5 Program for expelled students
32261 Interagency School Safety Demonstration Act of 1985
35145 Open board meetings
35146 Closed sessions (regarding suspensions)
35291 Rules (for government and discipline of schools)
35291.5 Rules and procedures on school discipline
48645.5 Readmission; contact with juvenile justice system
48660-48666 Community day schools
48853.5 Foster youth
48900-48927 Suspension and expulsion
48950 Speech and other communication
48980 Parental notifications
49073-49079 Privacy of student records
52052 Numerically significant student subgroups
52060-52077 Local control and accountability plan
64000-64001 Consolidated application

CIVIL CODE

47 Privileged communication
48.8 Defamation liability
CODE OF CIVIL PROCEDURE
1985-1997 Subpoenas; means of production

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11455.20 Contempt
54950-54963 Ralph M. Brown Act

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia
11053-11058 Standards and schedules

LABOR CODE

230.7 ~~Employee Discharge or discrimination against employee for taking~~ time off to appear in school on behalf of a child

PENAL CODE

31 Principal of a crime, defined
240 Assault defined
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243.2 Battery on school property
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245.6 Hazing
261 Rape defined
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288a Oral copulation
289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined
422.6 Interference with exercise of civil rights
422.7 Aggravating factors for punishment
422.75 Enhanced penalties for hate crimes
626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 *Gun-Free School Zone Act of 1995*

626.10 *Dirks, daggers, knives, razors, or stun guns*

868.5 *Supporting person; attendance during testimony of witness*

WELFARE AND INSTITUTIONS CODE

729.6 *Counseling*

UNITED STATES CODE, TITLE 18

921 *Definitions, firearm*

UNITED STATES CODE, TITLE 20

1415(K) *Placement in alternative educational setting*

7961 *Gun-free schools*

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11432-11435 *Education of homeless children and youths*

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Woodbury v. Dempsey (2003) 108 Cal. App. 4th 421

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Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 118

Garcia v. Los Angeles Board of Education (1991) 123 Cal. App. 3d 807

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Management Resources:

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

Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, January 2014

WEB SITES

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

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/docs/crdc-2012-data-summary.pdf>

U.S. Department of Education, Office of Safe and Healthy Students: <http://www2.ed.gov/about/offices/list/ose/shs>

Policy RESCUE UNION SCHOOL DISTRICT

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Rescue Union ESD

Administrative Regulation

Suspension And Expulsion/Due Process

AR 5144.1

Students

Note: CSBA recommends that this administrative regulation be approved by the Governing Board, regardless of district practice.

Education Code 35291 requires the Board to adopt rules and regulations, which are not inconsistent with law or rules adopted by the State Board of Education, for the government and discipline of the schools under its jurisdiction. In addition, Education Code 48918 and 48918.5 mandate that districts adopt rules concerning the due process rights of students in expulsion situations, and Education Code 48916 mandates procedures for filing and processing requests for readmission. Specific language complying with these mandates is included throughout this administrative regulation.

The acts for which students may be suspended or expelled are specified in law and in the sections below titled "Grounds for Suspension and Expulsion: –Grades K-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12." The Board does not have authority to add to those enumerated acts. However, the Board has authority to prohibit suspension or expulsion for certain acts for which suspension or expulsion is permissible rather than mandatory. The Board may consider limiting the use of suspension and expulsion for such offenses as part of the district plan to address school climate within the local control and accountability plan required pursuant to Education Code 52060. In addition, pursuant to Education Code 48900.5, a district is not authorized to suspend a student for certain specified violations unless other means of correction have failed to bring about proper conduct.

Definitions

Suspension means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level
2. Referral to a certificated employee designated by the principal to advise students
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910

Expulsion means removal of a student from the immediate supervision and control or the general supervision of school personnel. (Education Code 48925)

Notice of Regulations

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

Grounds for Suspension and Expulsion: Grades K-8

Acts for which a student, including a student with disabilities, may be suspended or expelled shall be only those specified as follows:

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

1. Caused, attempted to cause, or threatened to cause physical injury to another person; willfully used force or violence upon another person, except in self-defense; or committed as an aider or abettor, as adjudged by a juvenile court, a crime of physical violence in which the victim suffered great or serious bodily injury (Education Code 48900(a) and (t))

Note: The Attorney General, in 80 Ops.Cal.Atty.Gen. 91 (1997), determined that a student may be expelled for "possession" of a firearm if the student knowingly and voluntarily had direct control over the firearm. The only exceptions are when the student has permission from school officials to possess the firearm (pursuant to Education Code 48900 and 48915) or when the possession is brief and solely for the purpose of disposing of the firearm, such as handing it to school officials. Note that "firearm" does not include "imitation firearm" which is listed separately in item #12 below. See BP 5131.7 - Weapons and Dangerous Instruments.

Pursuant to Penal Code 417.27, students are prohibited from possessing a laser pointer on school premises, except for a valid instructional or other school-related purpose. See BP 5131 - Conduct.

2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131.6 - Alcohol and Other Drugs)

4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel, except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))

(cf. 5131.62 - Tobacco)

9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Knowingly received stolen school property or private property (Education Code 48900(l))
12. Possessed an imitation firearm (Education Code 48900(m))

Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (Education Code 48900(m))

13. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
14. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
15. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
16. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))

Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student.

Hazing does not include athletic events or school-sanctioned events. (Education Code 48900(q))

Note: Education Code 48900(r) defines "bullying" as "any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of electronic act," which is directed toward a student and which would have serious detrimental consequences upon a reasonable student. Pursuant to Education Code 48900, a student may be disciplined for bullying by means of an electronic act even when the act originated off campus. See also BP 5131.2 - Bullying.

17. Engaged in an act of bullying (Education Code 48900(r))

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of placing a reasonable student in fear of harm to himself/herself or his/her property; cause the student to experience a substantially detrimental effect on his/her physical or mental health; or cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school. (Education Code 48900(r))

Note: "Bullying" also would include any act of sexual harassment, hate violence, or harassment, threat, or intimidation committed by a student at any grade level, as set forth in Education Code 48900.2, 48900.3, or 48900.4, when the act results in harm to a reasonable student as specified in the above paragraph. However, when bullying is found under these circumstances, students below grade 4 may be disciplined for the "bullying" but not for the underlying act of sexual harassment, hate violence, or harassment, threat, or intimidation as specified below in items #1-3 of "Additional Grounds for Suspension and Expulsion: Grades 4-12."

Bullying includes any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 and below in items #1-3 of "Additional Grounds for Suspension and Expulsion: -Grades 4-128," that has any of the effects described above on a reasonable student.

Bullying also includes an act of cyber sexual bullying by a student through the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording that depicts a nude, semi-nude, or sexually explicit photograph or other visual recording of an identifiable minor, when such dissemination is to another student or to school personnel by means of an electronic act and has or can be reasonably predicted to have one or more of the effects of bullying described above. Cyber sexual bullying does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

Electronic act means the creation or transmission originated on or off the school site by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication including, but not limited to: (Education Code 48900(r))

- a. A message, text, sound, video, or image

- b. A post on a social network Internet web site, including, but not limited to, posting to or creating a burn page or creating a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability. (Education Code 48900(r))

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6163.4 - Student Use of Technology)

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

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

Note: Education Code 48900(t) allows for the suspension, but not expulsion, of a student who "aids or abets," as defined in Penal Code 31, the infliction or attempted infliction of physical injury to another person. The term "aiding or abetting," is a complex legal term and requires that, at the time he/she committed the crime, the aider or abettor was aware of the crime and specifically intended to commit the crime. Because of the complexities of criminal law, legal counsel should be consulted as appropriate.

Pursuant to Education Code 48900(t), any student who aids or abets a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury is subject to suspension or expulsion as provided in item #1 above.

18. Aided or abetted the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31 (Education Code 48900(t))
19. Made terrorist threats against school officials and/or school property (Education Code 48900.7)

A *terrorist threat* includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. (Education Code 48900.7)

Additional Grounds for Suspension and Expulsion: Grades 4-8

Note: The following section applies only to students in grades 4-12 and may be revised to reflect grade levels offered by the district.

None of the prohibitions or restrictions in Education Code 48900(k) affect a teacher's authority to remove a student from class for one day pursuant to Education Code 48910.

Any student in grades 4-8 may be suspended, but not expelled, for disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, other

school officials, or other school personnel engaged in the performance of their duties. (Education Code 48900(k))

(cf. 5131.4 - Student Disturbances)

Note: As discussed in item #17 of "Grounds for Suspension and Expulsion: Grades K-12" above, although Education Code 48900(r) defines bullying to include acts involving items #1-3 below, Education Code 48900.2-48900.4 provide that only students in grades 4-12 may be suspended or expelled for the individual acts that constitute sexual harassment, hate violence, and harassment. The interplay between "bullying" and items #1-3 can raise complex legal issues. Districts should consult legal counsel as appropriate.

A student in grades 4-8 shall be subject to suspension or recommendation for expulsion when it is determined that he/she:

1. Committed sexual harassment as defined in Education Code 212.5 (Education Code 48900.2)

Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment. (Education Code 212.5, 48900.2)

(cf. 5145.7 - Sexual Harassment)

2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233 (Education Code 48900.3)

Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics. (Education Code 233; Penal Code 422.55)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment (Education Code 48900.4)

(cf. 5145.3 - Nondiscrimination/Harassment)

Suspension from Class by a Teacher

Note: The following section is **optional** and may be revised to reflect district practice. While Education Code 48900(k) prohibits a district from suspending students in grades K-3 for disruption or willful defiance, it still allows for a teacher to suspend a K-3 student on these grounds.

A teacher may suspend a student, including a grade K-3 student, from class for the remainder of the day and the following day for disruption, willful defiance, or any of the other acts specified in Education Code 48900 and listed as items #1-18 under "Grounds for Suspension and Expulsion: Grades K-8" above. (Education Code 48910)

When suspending a student from class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been suspended. (Education Code 48910)

As soon as possible after the teacher decides to suspend the student, he/she shall ask the student's parent/guardian to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student suspended from class shall not be returned to class during the period of the suspension without the approval of the teacher of the class and the principal or designee. (Education Code 48910)

A student suspended from class shall not be placed in another regular class during the period of suspension. However, a student assigned to more than one class per day may continue to attend other regular classes except those held at the same time as the class from which he/she was suspended. (Education Code 48910)

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

Suspension by Superintendent, Principal or Principal's Designee

To implement disciplinary procedures at a school site, the principal may, in writing, designate as the principal's designee another administrator or, if the principal is the only administrator at the school site, a certificated employee. As necessary, the principal may, in writing, also designate another administrator or certificated employee as the secondary designee to assist with disciplinary procedures when the principal and the principal's primary designee are absent from the school site.

The Superintendent, principal, or designee shall immediately suspend any student found at school or at a school activity to have committed any of the acts listed in the Board policy under "Authority to Expel" and for which he/she is required to recommend expulsion. (Education Code 48915(c))

Note: Education Code 48900.5 limits situations warranting suspension for a first offense to when the violation involves Education Code 48900(a)-(e) or the student's presence causes a danger to persons.

The Superintendent, principal, or designee may impose a suspension for a first offense if he/she determines that the student violated any of items #1-5 listed under "Grounds for Suspension and Expulsion: –Grades K-128" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

Note: Pursuant to Education Code 48900 and 48915, except for certain egregious acts or offenses for which suspension is permissible or mandatory, as specified above pursuant to Education Code 48915(a) or (c), the Superintendent or principal is authorized to use his/her discretion to provide an alternative, age-appropriate disciplinary measure that is tailored to correct a student's specific misbehavior. In addition, the U.S. Department of Justice's Civil Rights Division (DOJ) and the U.S. Department of Education's Office for Civil Rights (OCR), in their joint January 2014 Dear Colleague Letter on the Nondiscriminatory Administration of School Discipline, recommend that effective alternatives to suspension and expulsion be implemented for correcting student misbehavior. For a list of appropriate alternatives, see AR 5144 - Discipline.

For all other offenses, a student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

When other means of correction are implemented prior to imposing suspension or supervised suspension upon a student, the Superintendent, principal, or designee shall document the other means of correction used and retain the documentation in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal, or designee may suspend a student from school for not more than five consecutive school days. (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. However, if a student enrolls in or is transferred to another regular school, an opportunity school, or continuation school or class for the purpose of adjustment, he/she may be suspended for not more than 30 school days in a school year. The district may count suspensions that occur while a student is enrolled in another school district toward the maximum number of days for which the student may be suspended in any school year. (Education Code 48903, 48911, 48912)

(cf. 6184 - Continuation Education)

These restrictions on the number of days of suspension shall not apply when the suspension is extended pending an expulsion. (Education Code 48911)

Due Process Procedures for Suspension

Suspensions shall be imposed in accordance with the following procedures:

1. **Informal Conference:**– Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever

practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, including the other means of correction that were attempted before the suspension as required pursuant to Education Code 48900.5, and the evidence against him/her, and shall be given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference and the conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

Note: Item #2 below should be revised to reflect the district's processing and reporting procedures.

2. **Administrative Actions:-** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:-** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall also be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

Note: The following **optional** paragraph may be revised to reflect district practice.

In addition, the notice may state the date and time when the student may return to school.

4. **Parent/Guardian Conference:-** Whenever a student is suspended, school officials may request a meeting with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914)

If school officials request to meet with the parent/guardian, the notice may state that the law requires the parent/guardian to respond to such requests without delay. However, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied reinstatement solely because the parent/guardian failed to attend the conference. (Education Code 48911)

5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision, provided the following requirements are followed: (Education Code 48911)

- a. The extension of the original period of suspension is preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension.
- b. The Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

Note: When the student being considered for expulsion is a foster youth, Education Code 48911 and 48918.1 require the district to invite the student's attorney and an appropriate county child welfare agency representative to the meeting specified above. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students." To ensure such invitation, the following paragraph provides that the district liaison for foster youth be notified. However, any district that has designated another position to carry out this responsibility may modify the paragraph to specify that position. For designation of the liaison for foster youth, see AR 6173.1 - Education for Foster Youth.

- c. If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

(cf. 6173.1 - Education for Foster Youth)

Note: Pursuant to Education Code 48918.1, the district's liaison for homeless students must be notified when the student being considered for expulsion is a homeless student. See the section below titled "Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students."

- d. If the student involved is a homeless child or youth, the Superintendent or designee shall notify the district liaison for homeless students. (Education Code 48918.1)

(cf. 6173 - Education for Homeless Children)

Note: The following **optional** paragraph may be revised to reflect district practice. Since Education Code 48900 and 48900.5 require a district, under certain circumstances, to use alternative disciplinary measures prior to imposing suspension, including supervised suspension, the district may, as necessary, provide services that would address the student's specific misbehavior along with the suspension program. For example, the district may require the student to enroll in a program that teaches prosocial behavior or anger management even while the student is suspended.

In lieu of or in addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

S Superintendent or Principal's Authority to Recommend Expulsion

Unless the Superintendent or principal determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student's expulsion for any of the following acts: (Education Code 48915)

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife or other dangerous object of no reasonable use to the student
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student's possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
4. Robbery or extortion
5. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Student's Right to Expulsion Hearing

Note: Education Code 48918 **mandates** that the Board establish rules and regulations governing procedures for the expulsion of students. The timelines of Education Code 48918 must be strictly followed; failure to do so may result in loss of the district's power to act (*Garcia v. Los Angeles Board of Education*). In calculating timelines, the district should also be aware of the difference between the calculation of "school days" and "calendar days" under Education Code 48918.

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed the act(s) that form the basis for the expulsion recommendation. (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board's discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

Stipulated Expulsion

Note: The following section is **optional** and may be revised to reflect district practice. "Stipulated expulsion" is for districts that have adopted an expedited procedure which allows a student to waive his/her right to a pre-expulsion hearing in exchange for an agreement as to the terms of the expulsion. Such waivers are not specifically addressed in law and districts should ensure that the due process rights of students are included in the stipulated agreement and are clearly explained to them before the agreement is signed. Districts should consult legal counsel as appropriate.

After a determination that a student has committed an expellable offense, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion or to a suspension of the expulsion under certain conditions. The offer shall be made only after the student or his/her parent/guardian has been given written notice of the expulsion hearing pursuant to Education Code 48918.

The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian. The stipulation agreement shall include notice of all the rights that the student is waiving, including the waiving of his/her right to have a full hearing, to appeal the expulsion to the County Board of Education, and to consult legal counsel.

A stipulated expulsion agreed to by the student and his/her parent/guardian shall be effective upon approval by the Board.

Rights of Complaining Witness

Note: Education Code 48918.5 **mandates** the following rights related to the treatment of witnesses alleging acts of sexual assault or sexual battery. Other procedures related to complaining witnesses also may be added as desired by the district. Additional mandated procedures related to the rights and treatment of complaining witnesses are included where appropriate throughout this regulation.

An expulsion hearing involving allegations of sexual assault or sexual battery may be postponed for one school day in order to accommodate the special physical, mental, or emotional needs of a student who is the complaining witness. (Education Code 48918.5)

Whenever the Superintendent or designee recommends an expulsion hearing that addresses allegations of sexual assault or sexual battery, he/she shall give the complaining witness a copy of the district's suspension and expulsion policy and regulation and shall advise the witness of his/her right to: (Education Code 48918.5)

1. Receive five days' notice of his/her scheduled testimony at the hearing
2. Have up to two adult support persons of his/her choosing present at the hearing at the time he/she testifies
3. Have a closed hearing during the time he/she testifies

Whenever any allegation of sexual assault or sexual battery is made, the Superintendent or designee shall immediately advise complaining witnesses and accused students to refrain from personal or telephone contact with each other during the time when an expulsion process is pending. (Education Code 48918.5)

Written Notice of the Expulsion Hearing

Note: Education Code 48918 mandates the Board to adopt procedures that include the following items.

Written notice of the expulsion hearing shall be forwarded to the student and the student's parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based
3. A copy of district disciplinary rules which relate to the alleged violation
4. Notification of the student's or parent/guardian's obligation, pursuant to Education Code 48915.1, to provide information about the student's status in the district to any other district in which the student seeks enrollment

This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).

(cf. 5119 - Students Expelled from Other Districts)

5. The opportunity for the student or the student's parent/guardian to appear in person or be represented by legal counsel or by a nonattorney adviser

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney adviser means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student's parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing
7. The opportunity to confront and question all witnesses who testify at the hearing
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student's behalf, including witnesses

Additional Notice of Expulsion Hearing for Foster Youth and Homeless Students

Note: Prior to conducting an expulsion hearing to determine whether a foster youth should be expelled, Education Code 48918.1 requires the district to notify the student's attorney and a representative of an appropriate county child welfare agency, provided that the violation does not require a mandatory recommendation for expulsion. Pursuant to Education Code 48918.1, such additional notice must be given to the district liaison for homeless students when the student involved is a homeless child or youth and the violation does not require a mandatory recommendation for expulsion. While such a notice is not required if the offense requires a mandatory recommendation for expulsion, it is nonetheless recommended and the following section reflects this recommendation.

If the student facing expulsion is a foster student, the Superintendent or designee shall also send notice of the hearing to the student's attorney and a representative of an appropriate child welfare agency at least 10 days prior to the hearing. (Education Code 48918.1)

If the student facing expulsion is a homeless student, the Superintendent or designee shall also send notice of the hearing to the district liaison for homeless students at least 10 days prior to the hearing. (Education Code 48918.1)

Any notice for these purposes may be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

Note: Education Code 48918 mandates that the Board adopt procedures that include the following items.

Instead of the Board conducting an expulsion hearing, it may appoint a hearing officer or an impartial administrative panel to conduct the hearing; see section "Alternative Expulsion Hearing: Hearing Officer or Administrative Panel" below. Even if the district conducts all expulsion hearings in this manner, the requirements of Education Code 48918 pertaining to the conduct of the hearing must be met.

1. **Closed Session:** Notwithstanding Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. -If such a request is made, the meeting shall be public to the extent that privacy rights of other students are not violated. (Education Code 48918)

Note: For the purpose of Board deliberations during the closed session described below, the presence of any person other than the Board members, including the Superintendent, necessitates allowing the presence of the parent/guardian, student, and student's counsel.

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, a videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. **Record of Hearing:** A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))

Note: Education Code 48918 authorizes the Board to issue subpoenas for the personal appearance of percipient witnesses at an expulsion hearing. In *Woodbury v. Dempsey*, the court held that a district's authority to determine whether to issue subpoenas is discretionary, but a district could not have a blanket policy denying the issuance of subpoenas in all cases.

In accordance with Code of Civil Procedure 1987, the subpoena must be served at least 10 days before the time required for attendance unless the court prescribes a shorter time. Unless they are parties to the hearing or are district or government employees, witnesses who appear pursuant to a subpoena receive fees equal to those prescribed for witnesses in civil actions in a superior court, and all witnesses other than the parties to the hearing receive mileage; these fees and mileage must be paid by the party requesting the subpoena.

3. **Subpoenas:** Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board's decision in response to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. **Presentation of Evidence:** –Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in "Grounds for Suspension and Expulsion: –Grades K-8" and "Additional Grounds for Suspension and Expulsion: –Grades 4-8" above. (Education Code 48918(h))

Note: Findings of fact made by the Board or a hearing panel must not be based on hearsay alone. "Hearsay" is evidence of an oral or written statement made by a person who is not present at the hearing which is offered to establish a fact as being true. Some exceptions to the hearsay rule exist under the Evidence Code and Education Code; the district should consult legal counsel as appropriate.

Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f))

In cases where a search of a student's person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.

Note: Education Code 48918.6 provides that testimony by a student witness at an expulsion hearing is privileged and thus protected from liability for defamation pursuant to Civil Code 47(b).

5. **Testimony by Complaining Witnesses:**– The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days' notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.

- e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. **Decision:** The Board's decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

Note: For districts that use a hearing officer or administrative panel, Education Code 48918 mandates that the Board adopt procedures that include the following section.

Instead of conducting an expulsion hearing itself, the Board may contract with the county hearing officer or with the Office of Administrative Hearings of the State of California for a hearing officer. The Board may also appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code 48918)

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures applicable to a hearing conducted by the Board as specified above in "Conduct of Expulsion Hearing," including the requirement to issue a decision within 40 school days of the student's removal from school, unless the student requests that the decision be postponed. (Education Code 48918(a) and (d))

Note: Pursuant to Education Code 48918, if the hearing officer or administrative panel does not recommend expulsion, a student must be permitted to return to the classroom instructional program from which the expulsion referral was made, unless the student's parent/guardian requests a different placement. Education Code 48918 also states that a student who is found to have committed any of the violations listed in "Authority to Expel" in the accompanying Board policy but for whom expulsion is not recommended may be referred to his/her prior school. However, the hearing officer or administrative panel, like the Board, must recommend expulsion or a suspended expulsion under Education Code 48915, if it finds that a student committed any such violation that mandates expulsion. District should consult legal counsel to resolve this apparent discrepancy.

The hearing officer or administrative panel shall, within three school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the expulsion proceeding shall be terminated and the student shall be immediately reinstated and permitted to return to the classroom instructional program from which the referral was made, unless another placement is requested in writing by the student's parent/guardian. Before the student's placement decision is made by his/her parent/guardian, the Superintendent or designee shall consult with the parent/guardian and district staff, including the student's teachers, regarding other placement options for the student in addition to the option to return to the classroom instructional program from which the student's expulsion referral was made. The decision to not recommend expulsion shall be final. (Education Code 48918(e))

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code 48918(f))

In accordance with Board policy, the hearing officer or administrative panel may recommend that the Board suspend the enforcement of the expulsion. If the hearing officer or administrative panel recommends that the Board expel a student but suspend the enforcement of the expulsion, the student shall not be reinstated and permitted to return to the classroom instructional program from which the referral was made until the Board has ruled on the recommendation. (Education Code 48917, 48918)

Final Action by the Board

Note: Education Code 48918 mandates that the Board adopt procedures that include the following paragraph.

Whether the expulsion hearing is conducted in closed or open session by the Board, a hearing officer, or an administrative panel or is waived through the signing of a stipulated expulsion agreement, the final action to expel shall be taken by the Board in public. (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

The Board's decision is final. If the decision is to not expel, the student shall be reinstated immediately. If the decision is to suspend the enforcement of the expulsion, the student shall be reinstated under the conditions of the suspended expulsion.

Note: 20 USC 7961 requires the district, in the consolidated application for federal funding, to provide an assurance that it will comply with the state requirement to expel, for a period not less than one year, any student who brings a firearm to school or possesses a firearm at school.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any "mandatory recommendation and mandatory expulsion" act listed in the section "Authority to Expel" in the accompanying Board policy under "Mandatory Recommendation and Mandatory Expulsion" ~~above~~, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

Note: The following paragraph is optional. Education Code 48916.5 authorizes, but does not mandate, the Board to make the following requirement of certain expelled students.

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion: –Grades K-8" or "Additional Grounds for Suspension and Expulsion: –Grades 4-8" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

Decision to Suspend Expulsion Order

Note: Pursuant to Education Code 48917, the Board's criteria for suspending the enforcement of expulsions must be applied uniformly to all students. Items #1-3 below are **optional and should be revised to reflect district criteria.**

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)

3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion: Grades K-12" or "Additional Grounds for Suspension and Expulsion: -Grades 4-8" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board. (Education Code 48917)

Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

If the student submits a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board, the district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notification to Law Enforcement Authorities

Note: Education Code 48902 requires the principal or designee to notify law enforcement authorities when a student possesses a firearm or explosive or sells or furnishes a firearm at school. However, when the student involved in such a case is a student with a disability, Education Code 49076 requires any law enforcement authority to which student information is disclosed to certify that those records will not be disclosed to another party without the prior written consent of the student's parent/guardian or other person invested with the student's educational right; see AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities). When submitting the consolidated application for federal funding, the district must provide assurance that it has adopted a policy requiring referral to the criminal justice system or juvenile delinquency system of any student who brings a firearm or weapon to a school. The following section fulfills this requirement.

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee ~~also~~ shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance, ~~or of any student acts involving. In addition, law enforcement authorities shall be notified regarding any acts by students regarding~~ the possession, sale, or furnishing of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate ~~city or county~~ or district law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

Placement During Expulsion

Note: Education Code 48915 requires the Board to refer all expelled students to a program of study that is prepared to accommodate students with discipline problems and that is not located at the school the student currently attends or at any regular elementary, middle, junior, or senior high school. However, students expelled for the acts described in Education Code 48900(f) through (m) or Education Code 48900.2, 48900.3, or 48900.4 may be referred to a program of study that is at another elementary, middle, junior, or senior high school if the County Superintendent of Schools certifies that an alternative program is not available at a site away from such a school.

Education Code 48915.01 states that if the Board has established a community day school pursuant to Education Code 48661 on the same site as an elementary, middle, junior, or senior high school, expelled students may be referred to the community day school at that site. Although Education Code 48663 prohibits the use of independent study in community day schools, Education Code 48916.1 does not in any way restrict the district from offering independent study as a voluntary alternative placement option for expelled students.

The Board shall refer expelled students to a program of study that is: (Education Code 48915, 48915.01)

1. Appropriately prepared to accommodate students who exhibit discipline problems
2. Not provided at a comprehensive middle, junior, or senior high school or at any elementary school, unless the program is offered at a community day school established at any of these
3. Not housed at the school site attended by the student at the time of suspension

(cf. 6158 - Independent Study)

(cf. 6185 - Community Day School)

When the placement described above is not available and when the County Superintendent so certifies, students expelled for only acts described in items #6-12 under "Grounds for Suspension and Expulsion: -Grades K-8" and items #1-3 under "Additional Grounds for Suspension and

Expulsion: -Grades 4-8" above may be referred to a program of study that is provided at another comprehensive middle, junior, or senior high school or at an elementary school. (Education Code 48915)

The program for a student expelled from any of grades K-6 shall not be combined or merged with programs offered to students in any of grades 7-12. (Education Code 48916.1)

Readmission After Expulsion

Note: Education Code 48916 mandates that the Board adopt rules and regulations establishing a procedure for filing and processing requests for readmission and a process for Board review of all expelled students for readmission. Items #1-2 below should be revised to reflect district practice.

Prior to the date set by the Board for the student's readmission:

1. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference, the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
2. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. If a written request for open session is received from the parent/guardian or adult student, it shall be honored to the extent that privacy rights of other students are not violated.
3. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.
4. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
5. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school.
6. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention

in a juvenile facility, enrollment in a juvenile court school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

Note: Education Code 48915.1 requires that, when an expelled student asks to enroll in another district, the receiving district must hold a hearing to determine whether the student poses a danger to its students or staff. The receiving district then may either deny or permit the enrollment. Upon request from another district, the expelling district must provide information about the expulsion within five days.

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

(cf. 5119 - Students Expelled from Other Districts)

Regulation

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RESCUE UNION SCHOOL DISTRICT

Rescue, California

Rescue Union ESD

Board Policy

Hate-Motivated Behavior

BP 5145.9

Students

Note: The following optional policy addresses prevention strategies for hate-motivated incidents and should be modified to reflect district practice. Elements of this policy should be integrated into existing district and school site plans, such as the local control and accountability plan, comprehensive school safety plan, and staff development plans.

~~The Governing Board is committed to providing~~ create a safe learning environment ~~that protects~~for all students, ~~the Governing Board desires to protect the right of every student to be free from discrimination, harassment, intimidation, bullying, and other hate-motivated behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to and will promote harmonious relationships among students, prevent incidents so as to enable them to gain a true understanding of hate-motivated the civil rights and social responsibilities of people in society. The district prohibits discriminatory behavior to the extent possible, and address such incidents if they occur or statements that degrade an individual on the basis of his/her actual or perceived race, ethnicity, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices.~~

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment ~~5147 - Dropout Prevention~~)

~~(cf.~~

Note: Hate-motivated behavior, such as an assault, physical threat, bomb threat, destruction of property, graffiti, and certain types of vandalism, may constitute a crime under state or federal law. Local law enforcement agencies and human rights commissions throughout the state have established countywide hate crimes networks aimed at responding to and preventing hate crimes. Districts can identify local hate crime resources through the California Association of Human Relations Organizations, which conducts activities designed to protect human and civil rights through networks of collaborations that reduce community tension and build intergroup relationships.

~~5149 - At Risk Students)~~

The following optional paragraph should be revised to reflect district practice.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative ~~These~~ efforts shall ~~focus~~ ~~be focused~~ on ensuring ~~providing~~ an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

(cf. 1020 - Youth Services)

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

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

(cf. 5148.2 - Before/After School Programs)

~~(cf. 5148.3 - Preschool/Early Childhood Education)~~

~~(cf. 6020 - Parent Involvement)~~

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their ~~to help promote an~~ understanding of and respect for human rights, diversity, and acceptance ~~tolerance~~ in a multicultural society, and provides ~~to provide~~ strategies to manage conflicts constructively.—

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

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

(cf. ~~6142~~6141.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff ~~with~~ ~~receive~~ training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct ~~strategies to help respond appropriately to such behavior.~~

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Grievance Procedures

~~Any~~ Complaint Process

Note: Pursuant to Education Code 234.1, districts are required to adopt a process for receiving and investigating complaints involving unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) based on race or ethnicity, nationality, gender, sex, sexual orientation, religion, immigration status, or any characteristic contained in the definition of hate crimes in Penal Code 422.55. In addition, federal regulations

require districts to adopt procedures providing for the prompt and equitable resolution of complaints of discrimination on the basis of sex (34 CFR 106.8), disability (34 CFR 104.7 and 28 CFR 35.107), and age (34 CFR 110.25). Pursuant to 5 CCR 4600-4670, uniform complaint procedures (UCP) must be used for this purpose. See BP/AR 1312.3 - Uniform Complaint Procedures.

Although some incidents of harassment, intimidation, or bullying may not fall within the provisions of Education Code 234.1 or federal civil rights regulations, CSBA strongly recommends that districts use the UCP to investigate all incidents (whether discriminatory or nondiscriminatory) to ensure consistent implementation by district staff. It is not always easy or possible for staff to know prior to an investigation whether a student was victimized because of his/her actual or perceived membership in a legally protected class. Those incidents found to involve discrimination based on the results of the investigation would then be resolved using the UCP. When an incident is determined to be nondiscriminatory, it should be resolved through the appropriate disciplinary process.

A student or parent/guardian who believes the student/he/she is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she Coordinator for Nondiscrimination/Principal. Upon receiving such a complaint, the Coordinator/Principal shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)

~~immediately investigate the~~ (cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

~~Any complaint of in accordance with school level complaint process/grievance procedures as described in AR 5145.7 - Sexual Harassment. A student who has been found to have demonstrated hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved subject to discipline in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures, Board policy, and administrative regulation. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the student believes that the situation has not been remedied by the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint, he/she may file a complaint in accordance with district complaint procedures~~

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

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

~~Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.~~

~~(cf. 5131 - Conduct)~~

~~(cf. 5144 - Discipline)~~

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

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

~~(cf. 5145.9(d7—Sexual Harassment)
(cf. 3515.3—District Police/Security Department)
(cf. 4158/4258/4358—Employee Security)~~

~~As necessary, the district shall provide counseling and appropriate sensitivity training and diversity education for students exhibiting hate motivated behavior. The district shall also provide counseling, guidance, and support to students who are victims of hate motivated behavior and to students who exhibit such behavior.~~

~~(cf. 6164.2—Guidance/Counseling Services)~~

~~The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate motivated behavior and methods for handling such behavior in appropriate ways.~~

~~(cf. 4131—Staff Development)
(cf. 4231—Staff Development)
(cf. 4331—Staff Development)~~

~~The~~

~~district shall provide age appropriate instruction to help promote understanding of and respect for human rights.~~

~~At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate motivated behavior.~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

PENAL CODE

422.55 Definition of hate crime

422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-~~4670~~4687 Uniform ~~complaint procedures~~ **Complaint Procedures**

4900-4965 Nondiscrimination in elementary and secondary education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Prohibition of discrimination based on age

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS ~~LEGAL ADVISORIES~~

Bullying at School, 2003

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

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

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

~~U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS~~

~~Dear Colleague Letter: Protecting Students from Harassment and Bullying, October 2010~~
~~Hate Crime: A Guide for Schools, 1999~~

~~Dear Colleague Letter: Prohibited Disability Harassment, July 2000~~

~~U.S. DEPARTMENT OF JUSTICE PUBLICATIONS~~

~~Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997~~

WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

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

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

~~National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>~~

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

~~U.S. Department of Justice: <https://www.justice.gov>~~

, Community Relations Service: <http://www.usdoj.gov/crs>

Policy RESCUE UNION SCHOOL DISTRICT

adopted: September 2004 Rescue, California

revised: October 13, 2009

considered: April 9, 2019

Rescue Union ESD

Board Policy

Toxic Art Supplies

DELETE

BP 6161.3

Instruction

The Governing Board recognizes its responsibility to protect the health and safety of students in the selection of materials used for instruction in arts and crafts activities.

The Superintendent or designee shall develop procedures for the purchase, use and proper disposal of arts and crafts materials which ensure that the health and safety of students is protected from harmful exposure to toxic substances in accordance with Education Code 32064 and established health standards.

The Superintendent or designee shall ensure that arts and crafts material purchased for use by students in grades K-6 will not contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

Students in grades 7-12 are considered able to read and understand product labels and to take adequate precautions to use products which are prohibited for use in grades K-6. The Superintendent or designee shall ensure that arts and crafts materials purchased for use in grades 7-12 meet the requirements of Education Code 32065. The products must be properly labeled to identify toxic ingredients, warn of potential adverse health effects and describe procedures for safe use and storage.

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 5142 - Safety)

Legal Reference:

EDUCATION CODE

32060 Legislative findings and declarations

32061 Art or craft material; definition

32062 Human carcinogen; definition

32063 Toxic substance causing chronic illness; definition

32064 Restrictions on purchases of arts and crafts materials

32065 Warning labels

32066 List of toxic art supplies; preparation and distribution

HEALTH AND SAFETY CODE

108500-108515 Labeling of arts and crafts materials

PENAL CODE

594.1 Aerosol containers of paint

Management Resources:

CDE PROGRAM ADVISORIES:

0712.94 Toxic Art Supplies List of Approved Products CIL :94/95-01

Policy RESCUE UNION SCHOOL DISTRICT

adopted: September 2004 Rescue, California

Rescue Union ESD

Board Policy

Evaluation Of The Instructional Program

BP 6190

Instruction

Note: The following **optional** policy may be revised to reflect district practice.

The Governing Board recognizes that it is accountable to students, parents/guardians, and the community for the effectiveness of the district's educational program in meeting district goals for student learning. The Superintendent or designee shall conduct a continual evaluation of the curriculum and the instructional program in order to identify strategies for improving~~improve~~ student achievement.

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 6000 - Concepts and Roles)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

Note: The district may revise the following paragraph to specify the data and reports that will be used to evaluate the district's instructional program.

Education Code 52060-52061 require that the district's local control and accountability plan (LCAP) establish goals, for all students and for each numerically significant subgroup, that are aligned with the state priorities, and that the district annually review progress toward the goals; see BP/AR 0460 - Local Control and Accountability Plan. Pursuant to Education Code 52052, numerically significant student subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, foster youth, and homeless students, when the subgroup consists of at least 30 students with a valid test score or 15 foster or homeless youth. The California School Dashboard reports the status of district and school performance on multiple state and local indicators and is intended to assist districts in identifying strengths and areas in need of improvement in each priority area addressed by the LCAP.

The Superintendent or designee shall provide the Board and the community with regular reports on student ~~progress toward Board-established standards of expected~~ achievement. ~~The reports at each grade level in each area of study. In addition, he/she~~ shall ~~include evaluate and report~~ data for each district school and for ~~each~~every numerically significant student subgroup, as defined in Education Code 52052, including, but not limited to, school and subgroup performance on statewide achievement indicators and progress toward goals specified in the district's local control and accountability plan (LCAP).

(cf. 0460 - Local Control and Accountability Plan)

(cf. 0510 - School Accountability Report Card)

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

(cf. ~~6173 - Education for Homeless Children~~6162.52 – High School Exit Examination)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6174 - Education for English ~~Language~~-Learners)

In addition, the Superintendent or designee shall conduct an evaluation of any new instructional program implemented in the district and shall regularly assess district progress toward increasing student achievement in all subject areas taught in the district. The findings of such evaluations and assessments shall be reported to the Board.

Based on these reports, the Board shall take appropriate actions to maintain the effectiveness of programs and to improve the quality of education provided to~~that~~ district students ~~receive~~.

Annual Evaluation~~Monitoring~~ of Consolidated Application Programs

Note: The following optional section should be revised to reflect district practice. Pursuant to Education Code 64000-64001, the consolidated application is used by the California Department of Education to distribute funds from certain federal categorical programs. Pursuant to 5 CCR 3942, as a condition of receiving continued funding for these programs, the district must make certain general assurances and certifications, including an assurance that the district's annual evaluation of categorical programs demonstrates that each program is "not one of low effectiveness." The district does not need to sign or return the general assurances, but does need to keep them on file for compliance reviews, complaint investigations, or audits.

Pursuant to 5 CCR 3942, criteria for the annual program evaluation are to be established by the Governing Board. The district may consider measures of the academic progress of students participating in the program, including numerically significant student groups, in addition to other measures contained in school plans or adopted by the Board.

The Board and the Superintendent or designee shall annually determine whether the district's categorical programs funded through the state's consolidated application are effective in meeting the needs of the students they are intended to serve. As a basis for this evaluation, the Superintendent or designee shall recommend for Board approval the specific, measurable criteria that shall be used at each school and at the district level. These criteria may include, but are not necessarily limited to, the progress of all students participating in the program and of each numerically significant subgroup toward goals contained in the district's LCAP, the school's single plan for student achievement, ~~Title I local educational agency plan,~~ and/or other applicable district or school plans.

~~To ensure that the district's categorical programs comply with applicable legal requirements, the Superintendent or designee shall, on an ongoing basis, conduct a district self-evaluation which may utilize tools developed by the district or the California Department of Education (CDE).~~

~~When the district is selected by the CDE for a Federal Program Monitoring (FPM) compliance review, the Superintendent or designee shall gather and submit all documentation and data required for the review and shall cooperate with CDE staff to facilitate program monitoring.~~

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

~~(ef. 35178.4), the Superintendent or designee shall notify parents/guardians in writing of the inspection results and/or shall post the information on the district's or school's web site. (Education Code 35178.4)~~

~~0420—School Plans/Site Councils)~~

~~(cf. 0520.2—Title I Program Improvement Schools)~~

~~(cf. 0520.3—Title I Program Improvement Districts)~~

~~(cf. 1312.3—Uniform Complaint Procedures)~~

~~(cf. 1312.4—Williams Uniform Complaint Procedures)~~

~~(cf. 4112.24—Teacher Qualifications Under the No Child Left Behind Act)~~

~~(cf. 4131—Staff Development)~~

~~(cf. 5020—Parent Rights and Responsibilities)~~

~~(cf. 5148—Child Care and Development Programs)~~

~~(cf. 5148.2—Before/After School Programs)~~

~~(cf. 5148.3—Preschool/Early Childhood Education)~~

~~(cf. 6020—Parent Involvement)~~

~~(cf. 6142.7—Physical Education and Activity)~~

~~(cf. 6171—Title I Programs)~~

~~(cf. 6173—Education for Homeless Children)~~

~~(cf. 6175—Migrant Education Program)~~

~~(cf. 6178—Career Technical Education)~~

~~(cf. 6178.1—Work Based Learning)~~

~~(cf. 6200—Adult Education)~~

~~In the event that the FPM review results in a finding of noncompliance in relation to any program, the Superintendent or designee shall submit a proposed resolution to the CDE within 45 days of the date the district was notified of the finding. The resolution shall be implemented in accordance with the terms and timeframe specified in the resolution agreement with the CDE.~~

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

~~(cf. 5145.6 - Parental Notifications)~~

~~If any district school loses its accreditation status, the Board shall give official notice at a regularly scheduled Board meeting. The Superintendent or designee shall provide written notification to each parent/guardian of a student in the school that the school has lost its accreditation status, including the potential consequences of the loss of accreditation status. This notice shall also be posted on the district's web site and the school's web site. (Education Code 35178.4)~~

~~The Superintendent or designee shall report to the Board regarding the results of the review process.~~

Legal Reference:

EDUCATION CODE

33400-33407 Educational evaluations

35178.4 Notice of accreditation status

44662 Evaluation and assessment guidelines, certificated employee performance

48985 Compliance with translation of parental notifications

51041 Education program, evaluation and revisions
51226 Model curriculum standards
~~52052 Accountability~~~~52052-1 Academic Performance Index~~; numerically significant student subgroups
52060-52077 Local control and accountability plan
62005.5 Failure to comply with purposes of funds
64000-64001 Consolidated application process
CODE OF REGULATIONS, TITLE 5
3930-3937 Program requirements
3942 Continuity of funding
UNITED STATES CODE, TITLE 20
6311 ~~State plans~~~~Adequate yearly progress~~

Management Resources:

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~FPM Frequently Asked Questions~~

~~Federal Program Monitoring Instruments~~

WESTERN ASSOCIATION OF SCHOOLS AND COLLEGES PUBLICATIONS

Focus on Learning: Joint ACS WASC/CDE Process Guide, 2017~~2014~~

WEB SITES

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

California Department of Education, ~~Testing and Accountability~~: <http://www.cde.ca.gov/ta>

Western Association of Schools and Colleges (WASC), Accrediting Commission for Schools:

<http://www.acswasc.org>

Policy RESCUE UNION SCHOOL DISTRICT
adopted: September 2004 Rescue, California
revised: August 16, 2016
considered: April 9, 2019

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: Resolution Number 19-04 - Intention to Eliminate/Reduce Classified Positions

BACKGROUND:

Periodically changes occur which result in the reduction of hours/elimination of positions for classified employees. The Board must formally approve a reduction of hours and/or elimination of positions.

STATUS:

Education Code 45117(a) and (b) requires notice to be given to affected employees a minimum of 60 days prior to the effective date of the lay-off. The District is proposing the elimination or reduction in days of the following positions for 2019-2020.

Due to the lack of funds or lack of work it shall be necessary to reduce the total annual days/hours worked and/or elimination of the following positions:

<u>Position(s)</u>	<u>Reduction/Elimination</u>
Instructional Assistant, Special Day Class (PO# 090074)	6 hours/day, 193 days/year
Instructional Assistant, Kindergarten (PO# 190008)	2 hours/day, 193 days/year
Instructional Assistant, Title 1 (PO# 190009)	1 hour/day, 193 days/year

FISCAL IMPACT:

This reduction will be reflected in the 2019-2020 budget.

BOARD GOAL:

Board Focus Goal IV – STAFF NEEDS:

Attract and retain diverse, knowledgeable, dedicated employees who are skilled and supported in their commitment to provide quality education for our students.

RECOMMENDATION:

Recommendation to adopt Resolution No. 19-04 to eliminate/reduce classified positions, including transmittal of appropriate notices to affected employee(s), if any, pursuant to Education Code sections 45114, 45115, 45117, 45298 and 45308.

RESCUE UNION SCHOOL DISTRICT

*Resolution of Intention to Eliminate/Reduce Classified Positions
Effective June 30, 2019*

Resolution #19-04

WHEREAS, due to the lack of work and/or lack of funds, the Governing Board hereby finds that it is in the best interest of the Rescue Union School District ("District"), to reduce or eliminate the following position(s):

NOW, THEREFORE, BE IT RESOLVED that the following classified position shall be eliminated effective June 30, 2019:

<u>Classification</u>	<u>Position(s)</u>	<u>Reduction</u>
Instructional Assistant, Special Day Class (PO# 090074) (Currently Vacant)	1	6 hours/day, 193 days/year
Instructional Assistant, Kindergarten (PO# 190008)	1	2 hours/day, 193 days/year
Instructional Assistant, Title 1 (PO# 190009)	1	1 hour/day, 193 days/year

BE IT FURTHER RESOLVED THAT the Superintendent or her designated representative is directed by the Governing Board to:

1. Give notice of layoff to the affected classified employees if any, pursuant to District rules and regulations as well as the applicable provisions of the Education Code of the State of California, which shall include their re-employment and displacement rights, if any, no later than sixty (60) days prior to the effective date of layoff as set forth above.

PASSED AND ADOPTED at the regular meeting of the Governing Board held on April 9, 2019 by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

President, Board of Education

I hereby certify that the foregoing is a true and correct copy of a Resolution of the Governing Board of the Rescue Union School District of El Dorado County, California, adopted by said Governing Board at its meeting on April 9, 2019.

Clerk/Secretary, Board of Education

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: Job Description and Salary Schedule: Behaviorist

BACKGROUND:

Since 2017-18, behaviorist contracted service has increased over 40%, and it is anticipated to continue to increase due to limited options for service and increasing need of students. Rescue USD currently contracts with an outside agency for behaviorist service, which is budgeted to exceed \$110,000 for the 2018-19 school year.

To help control cost, and provide a broader level of service and support, the creation of a behaviorist position is being presented. This position along with support staff (Itinerant Independence Facilitator/Behaviorist Paraeducators) will allow the District to eliminate the need for contracting out for the majority of behaviorist service.

There is minimal ability to expand services, provide training to staff, and work as a collaborative special education team with the current behaviorist contracted staff. The current behaviorist contracted service is on an as-needed basis and averages approximately 40 days a year. For the same cost, the District hopes to employ a behaviorist for the entire school year.

STATUS:

This position will be under the Classified Management group and salary schedule due to the need to directly supervise the implementation of behavior plans and services for students provided by IIF/Behaviorist paraeducators.

The Board will consider approval of the job description and revised classified management salary schedule for the behaviorist position.

FISCAL IMPACT:

It is projected that the costs related to the behaviorist position will be cost neutral from the elimination of the outside contract for service.

BOARD GOAL:

Board Focus Goal I - STUDENT NEEDS

- A. Student Safety and Well Being: Enhance and encourage social, emotional, ethical and civic learning by providing a safe, supportive and diverse environment.
- B. Curriculum and Instruction: Provide a meaningful, innovative learning environment using Common Core, and other student content standards and research-based, progressive, effective instructional methodology, instructional materials, staff development and technology that will ensure student success in career and college.

Board Focus Goal II – FISCAL ACCOUNTABILITY

Keep the district fiscally solvent through prudent LCAP aligned budget processes in order to meet the needs of our students.

Board Focus Goal IV – STAFF NEEDS:

Attract, retain and support diverse staff of knowledgeable, skilled dedicated employees committed to providing and supporting quality education.

RECOMMENDATION:

The District Staff recommends that the Board of Trustees approve the job description and revised classified management salary schedule for the behaviorist position.

RESCUE UNION SCHOOL DISTRICT

JOB TITLE: BEHAVIORIST

CLASSIFICATION: Classified Management

SUPERVISOR: Director, Student Support Services

BASIC FUNTION: The Behaviorist will plan and implement in-service training programs for teachers, instructional assistants, parents, administration, and classified staff. Provides training and coaching to schools for universal (school-wide) and targeted (group) behavioral interventions. Provides training and consultation for intensive (individualized) behavioral interventions. Performs Functional Behavioral Assessments and Functional Analysis Assessments in accordance with state and federal education code. Provides consultation with other professionals regarding behavioral assessments, data collection systems, and implementation of interventions.

REPRESENTATIVE DUTIES:

- Collaborate with and provide behavioral consultation services to district staff, and parents as needed, to assure the highest level of effectiveness in interventions and instructional strategies
- Provide direct observation and collection of data for individualized students in need of behavior supports
- Respond to and process referrals for student behavior intervention services.
- Design, implement, and monitor effective behavior management/intervention systems for students
- Complete functional behavior assessments
- Collaborate with site staff in the development of Behavior Intervention Plans (BIPs)
- Collaborate with staff members who are responsible for implementing behavioral intervention plans and/or supports
- Design and/or create measurable IEP goals in the area of behavior as well as monitor and report progress on existing behavior goals
- Teach and reinforce positive behavior choices made by students on assigned caseload
- Provide individual and/or group social skills trainings to students (i.e. pro-social communication, anger management, conflict resolution, etc.)
- Participate in the IEP process as a member of the IEP team by presenting oral and written information
- Develop and maintain relationships with other agencies serving students with behavioral needs
- Provide transitional support services; meet with staff, observe students, and create plans to support students moving to or coming from a more restrictive environment
- Acts as a liaison between community resources and the school for students with behavioral needs
- Provide prudent and appropriate responses to behavioral crises
- Attend program related meetings, trainings, and workshops
- Provide staff training on establishing classroom schedules, overall classroom management, and the implementation of specific instructional and behavioral strategies
- Supervises and evaluates the performance of assigned staff
- Perform related duties as assigned

EDUCATION AND EXPERIENCE: Any combination of training, experience, and/or education equivalent to graduation from an accredited college or university with a Master of Arts degree in a related field such as psychology, or behavior analysis and experience providing positive behavior support in the schools. Past supervisory experience and training in the field of behavior analysis and Positive Behavior Support is required.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

- Behavior analysis and evidenced based interventions
- Skill in public speaking, designing presentations and trainings for small and large groups of school professionals
- State and federal mandates as they apply to behavior assessments
- Functional analysis assessments, and interventions in the schools including crisis management, emergency procedures, and prohibited interventions
- Skill in communicating assessment results both orally and in writing; interpersonal communication, consultation and group leadership skills necessary to work effectively with students, parents, teachers and administrators

ABILITY TO:

- Plan, implement, assess and evaluate programs
- Communicate effectively in both oral and written form
- Effectively transmit knowledge and skill to others
- Plan, develop, and conduct meetings and training programs
- Develop and monitor measurable goals and objectives, and set priorities
- Maintain positive working relationships with administrators, teachers, parents and others
- Make presentations to various audiences
- Deal with challenges inherent in working with multiple agencies

WORKING CONDITIONS:

ENVIRONMENT: Indoor work environment

PHYSICAL ABILITIES: Sit for extended periods of time; see and read a computer screen and printed matter with or without vision aids; hear and understand speech at normal levels; stand, walk, and bend over; reach overhead; grasp, push, pull, and move, lift and/or carry up to 25 pounds to waist height; operate a vehicle in the course of carrying out assigned duties

LICENSES AND REQUIREMENTS:

- Certification as a Board Certified Behavior Analyst (BCBA)
- A valid California driver's license and evidence of insurability
- Department of Justice clearance
- TB test clearance

Board Approved:

Rescue Union School District
Classified Management Salary Schedule

2018 - 2019

Revised 04/09/2019

DRAFT

Established Classification	Work Days	Step:											
		1	2	3	4	5	6	7	8	9	10	11-15	16-20
Assistant Superintendent- Business Services - Classified	222	108,164	110,868	113,640	116,480	119,393	122,377	125,437	128,573	131,787	135,082	141,836	148,928
Chief Business & Operations Official	225	103,510	106,098	108,750	111,469	114,256	117,112	120,040	123,041	126,117	129,270	135,733	142,520
Director of Human Resources Media/Technology Director	225	102,800	105,370	108,004	110,704	113,472	116,309	119,217	122,197	125,252	128,383	134,802	141,542
Facilities Director	225	85,733	87,877	90,074	92,325	94,634	96,999	99,424	101,910	104,458	107,069	112,423	118,044
Personnel Services Coordinator Transportation Director Information Technology Manager Food Services Director <i>(2 Districts RUSD & BUSD)</i>	225	69,600	71,340	73,123	74,951	76,825	78,746	80,714	82,732	84,800	86,920	91,266	95,830
Behaviorist Occupational Therapist	185	64,529	66,142	67,795	69,490	71,228	73,008	74,833	76,704	78,622	80,587	84,617	88,848
Food Services Director	225	64,529	66,142	67,795	69,490	71,228	73,008	74,833	76,704	78,622	80,587	84,617	88,848
Maintenance & Operations Coordinator	225	60,199	61,704	63,247	64,828	66,449	68,110	69,813	71,558	73,347	75,181	78,940	82,887
Custodial Supervisor	225	56,279	57,686	59,128	60,607	62,122	63,675	65,267	66,898	68,571	70,285	73,799	77,489

Board Approved: XXXXXX
Board Approved: 2019.02.12
Board Approved: 2018.05.22
Board Approved: 2016.12.13

Position - Behaviorist Eff -4/10/19
Position - Occupational Therapist Eff -2/13/19
1% salary increase, effective 7-1-17 / 2 YR AGREEMENT, 1% salary increase effective 7-1-18
Position - Custodial Supervisor, effective 12-14-16

RESCUE UNION SCHOOL DISTRICT

**AGENDA ITEM: **REVISED Retirement Incentive for Non-Management
Classified/Confidential Employees****

BACKGROUND:

The California School Employees Association (CSEA) Rescue Chapter #737 requested a retirement incentive during negotiations.

The District reviewed many factors including cost savings, past retirement incentives, enrollment and staffing projections, and determined that a certificated retirement incentive would be appropriate.

At the February 12 board meeting, a retirement incentive for the non-management classified/confidential employees was approved. One of the qualifications of the incentive, to ensure a savings to the District, requires participation of at least 10 employees by April 1. If less than 10 employees participate, the incentive would not be automatically triggered, but the board could take action at the April 9 meeting to approve a new incentive if the specific employees participating would create a savings.

STATUS:

As of April 1, the District received five letters of resignation in conjunction with the retirement incentive offered. The incentive required 10 participants, so the board will need to take action to accept the letters of resignation and approve the incentive for those that wished to participate.

The makeup of the remaining employees who wish to participate in the incentive does create a savings to the District by making a change to the assumptions that the first four retirees (no savings) is based upon using the oldest age. The board may take action to approve the incentive with the change noted in the assumptions with five participants.

FISCAL IMPACT:

Any incentive offered must show a cost savings to the district. Cost and savings varies depending on retirees, but under the most conservative scenario, the district would create a net savings.

BOARD GOAL:

Board Focus Goal II – FISCAL ACCOUNTABILITY

Keep the district fiscally solvent through prudent LCAP aligned budget processes in order to meet the needs of our students.

Board Focus Goal IV - STAFF NEEDS

Attract and retain diverse, knowledgeable, dedicated employees who are skilled and supported in their commitment to provide quality education for our students.

Board Focus Goal VI – CULTURE OF EXCELLENCE

Create and promote programs that support, reward and incentivize employees to perform at exceptional levels for the benefit of our students.

RECOMMENDATION:

District staff recommends the Board of Trustees should consider taking action on the revised 2018-19 retirement incentive for Non-Management Classified/Confidential Employees of the Rescue Union School District with five participants.

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: Approval of Bid for Rescue Roofing Project

BACKGROUND:

The roofs on the permanent buildings A and B at Rescue Elementary School were identified as a high need for replacement by staff. California Design West (architect firm) was hired to design and bid out this project for the district. The project is scheduled to be completed during the 2019 summer break.

The scope of work included removing the existing roofs on buildings A and B at Rescue, including the canopy connecting the two buildings, repair of flashing, and installation of a new roof. The project also included a 5% contingency for repairs and replacement of plywood, and fascia where needed.

Three roofing contractors walked and bid on the project - California Single Ply, MCM Roofing, and Waterproofing Association Inc.

STATUS:

The three bids that were received were from California Single Ply for \$181,755.00, MCM Roofing for \$185,305.05 and Waterproofing Association Inc. for \$217,145.25. These bids include a 5% contingency.

Additionally, there is alternate amount for gutter replacement of \$32.50/linear ft. and an estimated replacement of 550 ft. for an additional cost of \$17,875.

After reviewing the bids with the architect firm, it was determined that the district should accept the low bid for the project.

FISCAL IMPACT:

This project is anticipated to be \$199,630. The funds for this project are from the unrestricted one-time reserve for facilities that the board allocated.

BOARD GOAL(S):

Board Focus Goal V – FACILITY/HOUSING:

Build, improve and maintain school facilities to meet current and future education needs while integrating the most effective and efficient use of resources.

RECOMMENDATION:

Board to approve the low bid from California Single Ply at \$181,755 which includes a 5% contingency and the addition of the gutter alternate of \$17,875 for a total project cost of \$199,630.

Rescue Union School District
 Rescue C Wing Roofing Project
 Bid Opening
 3-19-19 – 10:00 A.M.

NAME	DATE	TIME	BID AMOUNT	CONTINGENCY AMOUNT	TOTAL BASE BID
MCM ROOFING INC.	3/19/19	9:21am	\$176,481 -	\$4,824.05	\$181,305.05
WATERPROOFING ASSOC. INC.	3/18/19	3:32pm	\$206,805 -	\$10K ACTUAL \$10,340.25	\$216,805 ACTUAL + 5% CONT. \$217,145.25
CALIFORNIA SINGLE PLY	3/19/19	9:42am	\$173,100 -	\$8,655 -	\$181,755 -

SECTION 00 41 00 – BID FORM – ADDENDUM # 1

Owner: **RESCUE UNION SCHOOL DISTRICT**
2390 BASS LAKE ROAD
RESCUE, CA 95672

Pursuant to and in compliance with all Contract Documents, prepared by California Design West Architects, relating to the Project:

RESCUE ELEMENTARY SCHOOL – 2019 ROOF REPLACEMENT PROJECT

California Single Ply, Inc., the Undersigned Bidder, having become thoroughly familiar with the terms and conditions of the Contract Documents and with local conditions affecting the performance and the costs of the Work at the location where the Work is to be done, hereby proposes and agrees to enter into an agreement to fully perform the Work within the time stated in strict accordance with the Contract Documents (including the furnishing of any and all labor, materials, tools, expendable equipment, and utility and transportation services necessary to fully perform the Work and complete it in a workmanlike manner) for the total sum of:

BASED UPON ALL WORK REQUIRED TO SATISFACTORILY COMPLETE THE WORK INDICATED IN THE RELATED PLANS AND SPECIFICATIONS.

BASE BID: \$ 173,100.00

CONTINGENCY ALLOWANCE: \$ 8,655.00

TOTAL BASE BID: \$ 181,755.00

One hundred eighty-one thousand, seven hundred fifty-five DOLLARS
(WRITTEN OUT IN WORDS)

SEE SECTION 01 23 00 FOR DETAILED INFORMATION ON ALTERNATES AND UNIT PRICES.

ALTERNATE # 1 (DEDUCTIVE): INSTALL NEW ROOFING OVER EXISTING ROOF.

\$ 32,000.00

Thirty two thousand DOLLARS
(WRITTEN OUT IN WORDS)

ALTERNATE # 2 (ADDITIVE): REMOVAL / REPLACEMENT OF ELEVEN (11) DOWNSPOUT SWEEPS.

\$ 1,800.00

One thousand eight hundred DOLLARS
(WRITTEN OUT IN WORDS)

UNIT PRICE # 1: REMOVAL AND REPLACEMENT OF 2X WOOD DECKING (DETAIL C2/A-561) IN AREAS OF DRY ROT, PER SQUARE FOOT.

\$ 65.00 / SQUARE FOOT

Sixty-five dollars per square foot DOLLARS
(WRITTEN OUT IN WORDS)

UNIT PRICE # 2: REMOVAL AND REPLACEMENT OF GUTTERS, PER LINEAR FOOT.

\$ 32.50 / LINEAR FOOT

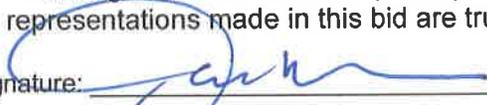
Thirty- two dollars and fifty cents per linear foot DOLLARS
(WRITTEN OUT IN WORDS)

EXECUTION OF BIDS

If the Bidder is a corporation, state the capacity/title of the corporate officer signing and affix the corporate seal; if a partnership, all partners should sign under the partnership name on a separate page attached to and made part of the bid. Unsigned bids will not be accepted.

Bidder acknowledges that other allowances required by Specification Sections are included in the bid.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Signature: 

James Mahle- Chief Financial Officer


Signature

Trina Mahle
Print Name

President
Title

California Single Ply, Inc.
Name of Company as Licensed

662255
Contractor License Number

C39, C43, B
Class

7/31/2020
Expiration Date

1000007318
D.I.R. Number

P.O. Box 2799
Address

Rocklin, CA 95677
City, State and Zip Code

(916) 408-6800
Telephone Number

calsingleply@surewest.net
Email or Fax Number

(SEAL – if BID is by a Corporation)

END OF BID FORM – ADDENDUM # 1.

SECTION 00 43 13 – BID BOND

KNOW ALL MEN BY THESE PRESENT,

That we, California Single Ply Inc., the undersigned Bidder, as Principal and Western Surety Company, as Surety, are hereby held and firmly bound unto the Rescue Union School District ("District"), in the penal sum of Ten Percent (10%) of the Total Amount of the Bid-- Dollars (\$ --10%--), being at least ten percent (10%) of the total amount of the bid, for payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH THAT:

WHEREAS, the Principal has submitted to the District a certain bid, attached hereto and hereby made a part hereof, to enter into a Contract in writing for the construction of:

**RESCUE ELEMENTARY SCHOOL – 2019 ROOF REPLACEMENT
RESCUE UNION SCHOOL DISTRICT**

in strict accordance with Contract Documents.

NOW, THEREFORE,

- a. If said bid shall be rejected, or, in the alternative;
- b. If said bid shall be accepted and the Principal shall execute and deliver a contract in the form of agreement attached hereto and shall execute and deliver Performance and Payment Bonds in the forms attached hereto (all properly completed in accordance with said bid), and shall in all other respects perform the agreement created by the acceptance of said bid;

Then this obligation shall be void, otherwise the same shall remain in full force and effect, it being expressly understood and agreed that the liability of the Surety for any and all default of the Principal hereunder shall be the amount of this obligation as herein stated.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract on the call for bids, or to the Work to be performed hereunder, or the specifications accompanying the same, shall in any way affect its obligation under this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said Contract or the call for bids, or to the Work, or to the specifications.

IN WITNESS WHEREOF, the above-bounden parties have executed this instrument under several seals this 18th day of March, 2019, the name and corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Bidder:

California Single Ply Inc.
Principal's Name

By: 
Signature

Trinam Mahle, President
Printed Name and Title

P.O. Box 2799, Rocklin, CA 95677
Business Address

(Corporate Seal)

Surety:

Western Surety Company
Surety's Name

By: 
Signature of Attorney-In-Fact for Surety

Julie A. Shiroma, Attorney-in-Fact
Printed Name

8880 Cal Center Drive Ste. 410, Sacramento, CA 95826
Business Address

916-857-2413
Telephone Number

(Corporate Seal)

END OF BID BOND.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Jana B Pilgard, Kathy Rangel, Stephen D Bender, Robert D Laux, Dona Lisa Buschmann, Edward D Johnson, Julie A Shiroma, Karina Palmer, Individually

of Roseville, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 12th day of July, 2017.



WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 12th day of July, 2017, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2021



J. Mohr

J. Mohr, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 18th day of March, 2019.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer)

On March 18, 2019 before me, Kathy Rangel, Notary Public
(insert name and title of the officer)

personally appeared Julie A. Shiroma,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Kathy Rangel (Seal)



SECTION 00 43 36 – DESIGNATION OF SUBCONTRACTORS

Each bidder shall set forth below the name and the location of the mill, shop or office of each subcontractor and the license number of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the Work or improvement to be performed under these specifications, in an amount in excess of one-half of 1 percent (0.5%) of the bidder's total bid, and the portion of the Work which will be done by each subcontractor.

Failure to provide this information in a legible manner may result in the rejection of an otherwise acceptable bid.

If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the Contract, the Contractor shall be deemed to have agreed to perform such portion itself, and shall not be permitted to subcontract that portion of the Work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the Work as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the legislative body of the Owner.

NOTE: Reproduce page two of this section for additional listings needed beyond the length of this form.

CONTRACTOR: California Single Ply, Inc.

PORTION OF WORK	NAME OF SUBCONTRACTOR & PHONE NUMBER	LOCATION OF SUBCONTRACTOR	DIR #	LICENSE NUMBER
roof removal non hazardous	Alliance Contracting Svcs (510) 264-9900	980 9th Street Sacramento, CA 95814	1000002516	948348

RESCUE ELEMENTARY SCHOOL – 2019 ROOF REPLACEMENT
RESCUE UNION SCHOOL DISTRICT

CONTRACTOR: California Single Ply, Inc.

PORTION OF WORK	NAME OF SUBCONTRACTOR & PHONE NUMBER	LOCATION OF SUBCONTRACTOR	DIR #	LICENSE NUMBER

END OF DESIGNATION OF SUBCONTRACTORS FORM.

NON-COLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID.

The undersigned:

Trinamable *Amable*

(Name)

President

of California Single Ply, Inc.

(Title)

(Contracting Firm Name)

says that he or she has read the foregoing statement and attests under penalty of perjury to the fact that the enclosed bid is in no way collusive, a sham bid or a fixed bid as described above.

Subscribed and sworn to before me this _____ day of _____, 20__.

My commission expires: _____.

END OF NON-COLLUSION DECLARATION.

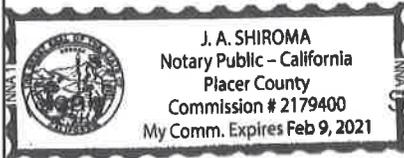
SEE ATTACHED JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Placer

Subscribed and sworn to (or affirmed) before me on this 18th
day of March, 2019, by Trina Mahle

proved to me on the basis of satisfactory evidence to be the
person(s) who appeared before me.



Signature J. A. Shiroma

NON-COLLISION AFFIDAVIT
RESCUE Union School District
2019 ROOF REPLACEMENT

SECTION 00 45 11 – CONTRACTOR'S STATEMENT

I understand the District has the right to accept or refuse any or all bids and that this bid may not be withdrawn for a period of Ninety (90) Days after the date set for the Opening.

The Undersigned agree(s) to sign the proposed Articles of Agreement and furnish the required Bonds and Certificates of Insurance within ten (10) days after notification by District of the acceptance of this bid. If the Undersigned defaults in executing and delivering the above-named Agreement, Bonds and Certificates of Insurance, the accompanying bid bond and the money payable thereon shall become and remain the property of the District.

The Undersigned agree(s) to complete the specified work in the time specified in Article 4 of the Agreement. The Undersigned agrees to pay the sum of **One Thousand Dollars and No Cents (\$1,000.00)** as liquidated damages for each calendar day in excess of that time that the work remains incomplete. If the Undersigned fails or refuses to pay, the amount of liquidated damages will be deducted from the amount of compensation to be paid to the Undersigned for each calendar day beyond the time specified in Article 4 of the Agreement.

The names of all persons interested in the foregoing bids as principals are:

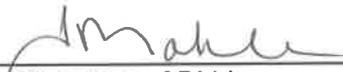
Trina Mahle

James Mahle

Licensed in accordance with an act for the registration of contractors, and with license number

662255

SIGN HERE:


Signature of Bidder

END OF SECTION.

**Minutes of Special Meeting
Of the Board of Directors of
California Single Ply, Inc.
A California Corporation**

RECITATION OF AUTHORITY

A special meeting of the Board of Directors of California Single Ply, Inc. was held on June 1, 2012.

ATTENDANCE

Trina Mahle, President and James Mahle, Vice President

ADOPTION OF RESOLUTION

Upon motion duly made, seconded, and unanimously carried, the following resolution was adopted:

The following people's signatures are authorized to sign for and bind the corporation on corporate instruments or documents:

Trina Mahle, President and Secretary

James Mahle, Vice President and Chief Financial Officer

Resolved that Trina Mahle, President and Secretary and James Mahle, Vice President and Chief Financial Officer are hereby authorized to sign for and bind the corporation on any corporate instruments or documents without limitations.

ADJOURNMENT

On motion duly made, seconded, and unanimously carried the meeting adjourned until the next regular meeting of the Board of Directors.



TRINA MAHLE, SECRETARY

SECTION 00 52 00 – AGREEMENT BETWEEN OWNER AND CONTRACTOR

This Agreement made and entered into this 9th day of April, 2019, between the Rescue Union School District ("District") and California Single Ply ("Contractor").

Contractor and District agree as follows:

ARTICLE 1 – THE PROJECT

Contractor agrees to obtain all necessary permits and licenses as are required by law, furnish all labor and materials, including required tools, implements, and appliances and to perform all the work in a good and workmanlike manner, free from any and all liens and claims of mechanics, material, men, subcontractors, artisans, machinists, teamsters, and laborers required in the bid proposal, all in strict compliance with the Drawings, and other Contract Documents, required for the Project:

RESCUE ELEMENTARY SCHOOL – 2019 ROOF REPLACEMENT PROJECT
RESCUE UNION SCHOOL DISTRICT

All in strict compliance with the plans, drawings, and specifications prepared by:

California Design West Architects, Inc.
2100 19th Street
Sacramento, CA 95818
(916) 446-2466

Unless otherwise specifically noted, the Contractor shall provide and pay for all labor, materials, equipment, transportation, and other facilities and services necessary for the proper execution and completion of the Project. The Contractor shall at all times enforce strict discipline and good order among Contractor's employees and shall not employ on the Project any unfit person or anyone not skilled in the task assigned.

ARTICLE 2 – CONTRACT DOCUMENTS

The Contractor and the District agree that the advertisement (Notice to Bidders), Non-collusion Declaration Form, the Bid Form, the General Conditions, the Instructions to Bidders, the specifications, the drawings, and the addenda and bulletins thereto, together with this Agreement, form the contract documents. The specifications and drawings are intended to compliment, so that any work exhibited in the drawings and not mentioned in the specifications, or vice versa, is to be executed the same as if both mentioned in the specifications and set forth in the drawings to the true intent and meaning of the said drawings and specifications, when taken together.

ARTICLE 3 – CONTRACTOR'S LICENSE

Contractor shall have, and maintain in good standing, a contractors license appropriate to the work during the entire term of this Project.

ARTICLE 4 – COMPLETION DATE/NOTICE TO PROCEED

Time is of the essence in this Agreement and the time of completion for the Project shall be 30 calendar days, from June 1st, 2019 with an anticipated completion date of June 30th, 2019.

If the Notice to Proceed is issued more than ten (10) but less than one hundred twenty (120) days after the Notice of Award, Contractor's sole remedy shall be an extension to the Completion Date, measured by the number of days beyond ten (10) it took to issue the Notice to Proceed. Contractor shall not be entitled to any monetary damages or other compensation for lost profit or overhead or for increased cost of performance.

The term "day" as used in the Contract Documents shall mean calendar day.

ARTICLE 5 – CONTRACT SUM

The contract sum is the total amount payable by District to Contractor for the performance of work under the contract documents, after receipt of properly documented and submitted Applications for Payment. The contract sum is One Hundred Eighty One Thousand Seven Hundred Fifty Five Dollars. (\$ 181,755.00), unless modified in accordance with the contract documents.

ARTICLE 6 – LIQUIDATED DAMAGES

- a. The time limit specified in Article 4 is of the essence of the Agreement. The Contractor shall complete the Project by the date specified in Article 4 unless District agrees in writing to an extension of time.
- b. Failure to complete the Project within the time and in the manner provided for by the Contract Documents shall subject the Contractor to liquidated damages. For purposes of liquidated damages, the concept of substantial completion shall not constitute completion and is not part of the Contract Documents. The actual occurrence of damages and the actual amount of the damages which the District would suffer if the Project were not completed within the specified times set forth are dependent upon many circumstances and conditions which could prevail in various combinations and, from the nature of the case, it is impracticable and extremely difficult to fix the actual damages. Damages which the District would suffer in the event of delay include, but are not limited to, loss of the use of the Project, disruption of school activities, costs of administration, inspection, supervision and the loss suffered by the public within the District.
- c. Accordingly, the parties agree that the amount herein set forth shall be presumed to be the amount of damages which the District shall directly incur upon the failure of the Contractor to complete the Project within the time specified: **One Thousand Dollars and No Cents (\$1,000.00)**, plus the extra inspection costs incurred by the District, during or as a result of each calendar day by which completion of the Project is delayed beyond the completion date.
- d. If the Contractor becomes liable for liquidated damages under this section, the District, in addition to all other remedies provided by law, shall have the right to withhold any and all retained percentages of payments, and to collect the interest thereon, which would otherwise be or become due the Contractor until the liability of the Contractor under this

section has been finally determined. If the retained percentage is not sufficient to discharge all liabilities of the Contractor incurred under this Article, the Contractor and its sureties shall continue to remain liable to the District until all such liabilities are satisfied in full.

- e. If the District accepts any work or makes any payment under this Agreement after a default by reason of delays, the payment or payments shall in no respect constitute a waiver or modification of any Agreement provisions regarding time of completion and liquidated damages.

ARTICLE 7 – EARLY COMPLETION

Regardless of the cause therefore, the Contractor may not maintain any claim or cause of action against the District for damages incurred or claimed to be incurred as a result of its failure or inability to complete its work on the Project in a shorter period than established in Article 4 of this Agreement, the District having established such period as a reasonable time within which to perform the work on the Project.

ARTICLE 8 – PAYMENT

The District agrees to pay the Contractor in current funds for the satisfactory performance of the Agreement the amount proposed in this bid, including approved change orders, and to make payments on account thereof as follows: Ninety percent (90%) of the value, proportionate to the amount of the Agreement, of labor and materials incorporated in the Project up to the first day of that month as estimated by the District or the Architect, less the aggregate of previous payments. On substantial completion of the Contractor work and obligations under this Agreement, a sum sufficient to increase the total payments to ninety percent (90%) of the contract price, and thirty-five (35) days after the notice of completion has been recorded, provided the Project to be fully completed and the Agreement fully performed, the balance due under the Agreement. The payment of progress payments by the District shall not be construed as an acceptance of the work done up to the time of such payments. The entire Project is to be subjected to inspection and approval of District or Architect to defects not obvious upon inspection during the progress of the work at the time when it shall be claimed by the Contractor that the Agreement is completed. The District or Architect shall exercise all reasonable diligence in the discovery, and report to the Contractor as the Project progresses, materials and labor which are not satisfactory to the District, so as to avoid unnecessary trouble and cost to the Contractor in making good defective parts or work.

In accordance with the provisions of Public Contract Code section 22300, the District shall at the request and expense of the Contractor permit the substitution of securities or the payment of funds equivalent to the amount of monies withheld as retention from progress payments.

ARTICLE 9 – TERMINATION FOR CAUSE

The District and Contractor may terminate the Agreement as provided in the General Conditions.

ARTICLE 10 – PERFORMING A PORTION OF THE WORK

If the Contractor fails to correct defective work or persistently fails to carry out the work in accordance with the Contract Documents, the District, by written order, may order the

Contractor to stop the work, or any portion thereof, until the cause of such order has been eliminated. The District shall not have any duty to stop the work for the benefit of the Contractor or any other person or entity. If the District chooses to correct or carry out the work itself, it shall normally give the Contractor seven (7) days to commence and continue correction of such default or neglect with diligence and promptness. If, however, the condition constitutes an emergency which may subject the District to penalties or termination of the Project by outside jurisdictional agencies, the District may do so without notice to the Contractor. In either case, an appropriate change order shall be issued, deducting, from the payments then or thereafter due the Contractor the cost of correcting such deficiencies, including compensation for the Architect's and consultants' additional services made necessary by such default, neglect, or failure. If payments then or thereafter due the Contractor are not sufficient to cover such amount, the Contractor and its surety shall pay the District the difference.

ARTICLE 11 – USE OF SUBCONTRACTORS

Contractor agrees that, as required by State law and the Instruction to Bidders, all subcontractors which will perform work on this project shall be listed on the List of Subcontractors form, provided with the contract documents.

ARTICLE 12 – PREVAILING WAGE RATES

The Project is a public work and all work shall be performed as a Public Work and pursuant to the provisions of section 1770 et seq. of the Labor Code which are hereby incorporated by reference and made a part hereof. The Director of the Department of Industrial Relations of the State of California has determined the general prevailing rates or wages and employer payments for health and welfare, pension, vacation, travel time, and subsistence pay as provided for in Section 1773.8.

The rate of prevailing wage for any craft, classification or type of workmanship to be employed on this Project is the rate established by the applicable collective bargaining agreement which rate so provided is hereby adopted by reference and shall be effective for the life of this Agreement or until the Director of the Department of Industrial Relations determines that another rate be adopted. It shall be mandatory upon the Contractor and on any subcontractor to pay not less than the said specified rates to all workers employed in the execution of this Agreement.

It shall be mandatory upon the Contractor herein and upon any subcontractor to pay not less than the said specified rates to all laborers, workers and mechanics employed by them in the execution of the Agreement. The Contractor shall forfeit a penalty for each calendar day, or portion thereof, during which each worker was paid less than the stipulated prevailing rate for such work or craft in which such worker is employed for any work done under the Agreement by him or by any subcontractor under him, the amount of which is to be determined in accordance with Labor Code section 1775.

In addition to said penalty and pursuant to said section 1775, the difference between such stipulated prevailing wage rates and the amount paid to each workman for each calendar day or portion thereof for which each workman was paid less than the stipulated prevailing wage rate shall be paid to each workman by the Contractor.

The Contractor and each subcontractor shall keep or cause to be kept an accurate record showing the names and occupants of all laborers, workers and mechanics employed by him in

connection with the execution of this Agreement of any subcontract there under, and showing also the actual per diem wage paid to each of such workers, which records shall be open at all reasonable hours to inspection by the District, its officers and agents and to the representatives of the Division of Labor Law Enforcement of the State Department of Industrial Relations. Attention is directed to the provisions in section 1777.5 and section 1777.6 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under him.

Public works projects shall be subject to compliance monitoring and enforcement by the Department of Industrial Relations. A contractor or subcontractor shall not be qualified to submit a bid or to be listed in a bid proposal subject to the requirements of Public Contract Code section 4104 unless currently registered and qualified under Labor Code section 1725.5 to perform public work as defined by Division 2, Part 7, Chapter 1 (§§1720 et seq.) of the Labor Code. A contractor or subcontractor shall not be qualified to enter into, or engage in the performance of, any contract of public work (as defined by Division 2, Part 7, Chapter 1 (§§1720 et seq.) of the Labor Code) unless currently registered and qualified under Labor Code section 1725.5 to perform public work.

ARTICLE 13 – WORKING HOURS

In accordance with the provisions of sections 1810 to 1815 of the Labor Code of the State of California, which are hereby incorporated and made a part hereof, eight (8) hours labor shall constitute a days work, and no laborer, workman, or mechanic in the employ of the Contractor, or any subcontractor, doing or contracting to do any part of the work contemplated by this Agreement, shall be required to or permitted to work more than eight (8) hours in one calendar day or forty (40) hours during any one calendar week unless such work is compensated at the lawful overtime rate set forth in section 1815. The Contractor and each subcontractor shall also keep an accurate record showing the names and actual hours worked of all workers employed by him in connection with the work contemplated by this Agreement, which record shall be open at all reasonable hours to the inspection of the District, or its officers or agents and to the Chief of the Division of Labor Statistics and Law Enforcement of the Department of Industrial Relations, his deputies or agents; and it is hereby further agreed that Contractor shall forfeit as a penalty to District the sum of twenty-five dollars (\$25.00) for each laborer, workman or mechanic who is required or permitted to labor more than eight (8) hours a day or forty (40) hours a week in violation of this stipulation.

ARTICLE 14 – EMPLOYMENT OF APPRENTICES

Contractor agrees to comply with all provisions of the law regarding the employment of apprentices. (Labor Code sections 1773.3, 1777.5, 1777.6, and 3077 et. seq.) These sections, which are hereby incorporated and made a part hereof, require that contractors and subcontractors employ apprentices in apprenticeable occupations in a ratio of not less than one (1) apprentice for each five (5) journeyman hours, unless and exemption is granted, and that contractors and subcontractors shall not discriminate among otherwise qualified employees as indentured apprentices on any public work solely on the grounds of race, religious creed, color, national origin, ancestry, sex, or age. Only apprentices, as defined in Labor Code section 3077, who are in training under written apprenticeship agreements will be employed on public works in apprenticeable occupations. The responsibility for compliance with these provisions for all apprenticeable occupations rests with the Contractor.

ARTICLE 15 – DSA OVERSIGHT PROCESS

The Contractor must comply with the applicable requirements of the Division of State Architect (“DSA”) Construction Oversight Process (“DSA Oversight Process”), including but not limited to (a) notifying the District’s Inspector of Record/Project Inspector (“IOR”) upon commencement and completion of each aspect of the work as required under DSA Form 156; (b) coordinating the Work with the IOR’s inspection duties and requirements; (c) submitting verified reports under DSA Form 6-C; and (d) coordinating with the District, District’s Architect, any Construction Manager, any laboratories, and the IOR to meet the DSA Oversight Process requirements without delay or added costs to the Project.

Contractor shall be responsible for any additional DSA fees related to review of proposed changes to the DSA-approved construction documents, to the extent the proposed changes were caused by Contractor’s wrongful act or omissions. If inspected work is found to be in non-compliance with the DSA-approved construction documents or the DSA-approved testing and inspection program, then it must be removed and corrected. Any construction that covers unapproved or uninspected work is subject to removal and correction, at Contractor’s expense, in order to permit inspection and approval of the covered work in accordance with the DSA Oversight Process.”

ARTICLE 16 – FORCE MAJEURE

The parties to the Agreement shall be excused from performance there under during the time and to the extent that they are prevented from obtaining, delivering or performing by unusually severe weather, act of God, fire, strike, loss or shortage of transportation facilities, lockout, commandeering of materials, products, plants, or facilities by the Government, act of a separate contractor, or action or inaction of the part of the Division of the State Architects, when satisfactory evidence thereof is presented to the other party, provided that it is satisfactorily established that the nonperformance is not due to the fault or neglect of the party not performing. Any delay caused by any factor(s) listed hereunder shall be grounds for an extension of time, measured in length by the amount of delay actually suffered by Contractor as a result thereof but shall not be grounds for any increase in compensation to the Contractor, whether for home, office, general or administrative expenses, field expenses, increased costs of materials or labor, or any other thing. A Contractor seeking an extension of time as a result of acts beyond the Contractor's control, must present the request for an extension of time to the District within five (5) calendar days of the commencement of the act causing the delay. A Contractor's failure to provide notice of a request for an extension of time results in an irrevocable waiver by Contractor.

ARTICLE 17 – INSURANCE

By this statement the Contractor represents that it has secured the payment of Workers' Compensation in compliance with the provisions of the Labor Code of the State of California and during the performance of the work contemplated herein will continue so to comply with said provisions of said Code. The Contractor shall supply the District with certificates of insurance evidencing that Workers' Compensation Insurance is in effect and providing that the District will receive thirty (30) days' notice of cancellation. Contractor shall provide the insurance set forth in the General Conditions, and as listed below. The amount of general liability insurance shall be \$1,000,000.00 per occurrence for bodily injury, personal injury and property damage and \$2,000,000.00 aggregate, and a \$1,000,000.00 umbrella policy.

ARTICLE 18 – INDEMNIFICATION AGAINST LIABILITY

The Contractor will defend, indemnify and hold harmless the District, its governing board, officers, agents, trustees, employees and others as provided in the General Conditions.

ARTICLE 19 – MISCELLANEOUS PROVISIONS

- a. Entire Agreement: This Agreement constitutes the entire agreement between the parties and supersedes any prior agreement between the parties, oral or written, including the District's award of the project to Contractor, unless such agreement is expressly incorporated herein. The District makes no representations or warranties, express or implied, not specified in this Agreement. The Agreement is intended as the complete and exclusive statement of the parties' agreement pursuant to Code of Civil Procedure section 1856.
- b. Execution of Other Documents: The parties to this Agreement shall cooperate fully in the execution of any and all other documents and in the completion of any additional actions that may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.
- c. Binding Effect: Contractor, by execution of this Agreement, acknowledges that Contractor has read this Agreement, understands it, and agrees to be bound by its terms and conditions. This Agreement shall inure to the benefit of and shall be binding upon the Contractor and District and their respective successors and assigns.
- d. Severability: If any provision of this Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
- e. Amendments: The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever except by written agreement signed by the parties and approved or ratified by the District's Governing Board.
- f. Assignment of Agreement: The Contractor shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of the surety on the payment bond, the surety on the performance bond and the District.
- g. Written Notice: Written notice shall be deemed to have been duly served if delivered in person to the individual or member of the firm or to an officer of the corporation for whom it was intended, or if delivered at or sent by registered or certified first class mail to the last business address known to him who gives the notice.
- h. Attorneys' and Architects' Fees: In any legal action or proceeding arising out of this Agreement, or to enforce the terms of this Agreement, the prevailing party shall be entitled to recover all reasonable attorneys' and architects' fees, costs and expenses incurred therein.
- i. If the School District retains legal counsel to assist in resolution of any dispute which arises during the performance or closeout of this Project and notice is given as specified herein, the parties' reasonable attorneys' and architects' fees shall be paid

by the parties in the same proportion as the disputed compensation is resolved. "Disputed compensation" shall include disputed payment of contract funds, payment which is requested pursuant to change order requests, liquidated damages, and payment demanded pursuant to indemnification rights.

- ii. Notice that a party demands payment for its attorneys' and architects' fees pursuant to this provision shall be given by sending a notice by certified mail to other party which cites this provision and informs the other party that all attorneys' and architects' fees which are incurred more than five (5) days after the date of mailing will be subject to division and allocation pursuant to this Article.
- i. Anti-discrimination: It is the policy of the District that in connection with all work performed under purchasing contracts there shall be no discrimination against any prospective or active employee engaged in the Project because of race, color, ancestry, nation origin, sex or religious creed. Therefore, the Contractor agrees to comply with applicable federal and California laws including, but not limited to, the California Fair Employment and Housing Act. In addition, the Contractor agrees to require like compliance by all subcontractors employed on the Project by him.
- j. Execution in Counterparts: This Agreement may be executed in counterparts such that the signatures may appear on separate signature pages. A copy, or an original, with all signatures appended together, shall be deemed a fully executed Agreement.
- k. Governing Law and Venue: The Contract shall be governed by the laws of the State of California. Any action or proceeding seeking any relief under or with respect to this Agreement shall be brought solely in the Superior Court of the State of California for the County of Merced, subject to transfer of venue under applicable State law, provided that nothing in this Agreement shall constitute a waiver of immunity to suit by District.

IN WITNESS WHEREOF the parties have executed this Agreement on the date first hereinabove written.

Contractor hereby certifies awareness of and compliance with Labor Code Sections 1861 and 3700 concerning Worker's Compensation Law.

Name of Contractor: California Single Ply, Inc.

By:

[Handwritten Signature]
Signature

President
Title

Trina Mahle
Type or Print Name

3/29/19
Date

Rescue Union School District

Signature

Title

Type or Print Name

Date

END OF SECTION 00 52 00.

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: Bond Voter Survey Presentation and Contract

BACKGROUND:

In 2015, the Board received information from Greg Isom of Isom Advisors on the District's Facility Funding Program and the options available to the District to fund current and future facility needs including modernization projects and the construction of permanent classrooms to replace deteriorating interim/portable classrooms.

Subsequently, Isom Advisors were engaged to survey the Rescue USD community in order to explore the feasibility of a general obligation bond on an upcoming ballot to fund the facility improvements.

On June 9, 2015, the results of the survey revealed that voters in the District are sensitive to higher taxes but in general showed a moderate level of support for a general obligation bond.

On August 1, 2017 Jon Isom, of Isom Advisors provided the Board an updated analysis and review of the District's debt program, discuss local voter support for a general obligation bond, and provide a timeline for moving forward with a potential general obligation bond election in 2018

The board decided to not take action to move forward for a bond for the 2018 cycle.

STATUS:

At the March study session the board requested information and cost related to completing an updated voter survey regarding support for a general obligation bond in 2020.

A presentation of the survey process, information on past survey results from 2015, current district voter demographics, and a timeline for the bond process will be presented.

A contract to complete an updated voter survey will be available for the board to review and if they so choose to take action on.

FISCAL IMPACT:

The cost for the survey is not to exceed \$7,000.

BOARD GOAL(S):

Board Focus Goal II – FISCAL ACCOUNTABILITY:

Keep the district fiscally solvent through prudent LCAP aligned budget processes in order to meet the needs of our students.

Board Focus Goal V - FACILITY / HOUSING

Build, improve and maintain school facilities to meet current and future education needs while integrating the most effective and efficient use of resources.

RECOMMENDATION:

It is the recommendation of staff for the board to discuss the process and give direction/action on next steps for a survey of voters.



Isom Advisors A Division of
URBAN FUTURES | Incorporated

Rescue Union School District

Survey Overview

by

Isom Advisors,
a Division of Urban Futures, Inc.

April 9, 2019



1470 Maria Lane, Ste. 315 - Walnut Creek, CA 94596

Survey Overview

Survey Overview



There are 23,281 registered voters in the District

Rescue Union School District

- ❖ The Rescue Union School District is currently assessing the feasibility of placing a general obligation bond measure on an upcoming ballot.
- ❖ A survey would be conducted consisting of a random sample of registered voters that reflect the overall demographics of the District.
- ❖ The survey would assess support for the proposed bond measure, test voter attitudes regarding the District, projects to be funded by the proposed measure, and tax tolerances.
- ❖ 400 individual voters would be contacted, which would result in an overall margin of error of less than 5.00%.

Survey Services & Fee



The survey fee would be at cost

Rescue Union School District

- ❖ Prepare a voter survey to assist District to assess the feasibility of a voter approved funding measure in the District.
- ❖ Conduct telephone survey with a not to exceed amount of 400 voters that match demographics of those voting on proposed election dates
- ❖ Produce a written report of findings with complete cross tabulations.
- ❖ Provide a survey results presentation to District to summarize results of voter survey.
- ❖ The financial advisory services contract with Isom Advisors states the survey will be kept at cost, not to exceed \$7,000.
- ❖ The survey that was completed for the District in 2015 had a final cost of \$5,125.

June 2015 Survey Results

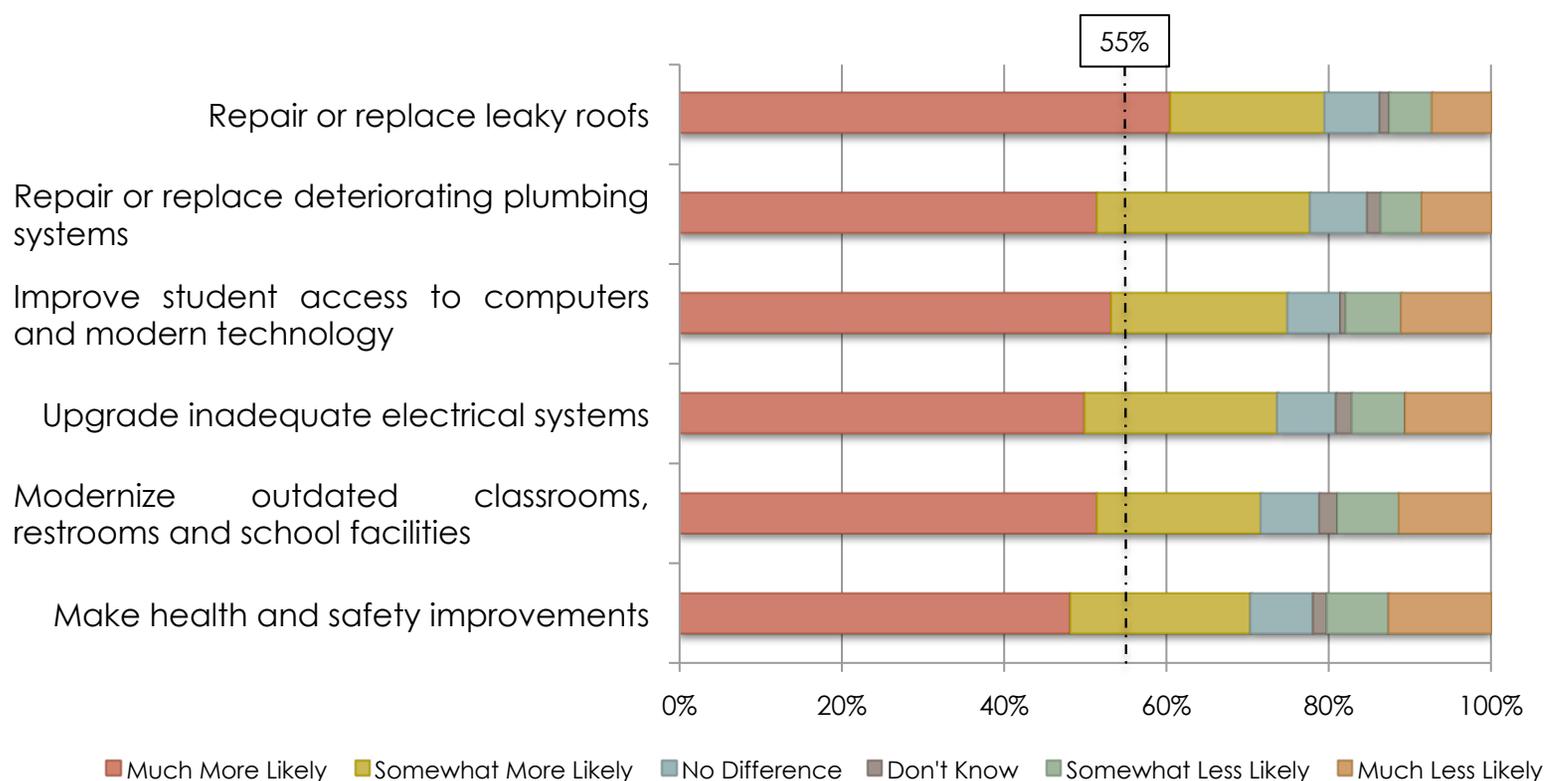


G.O. Bond Projects

All projects tested below received 70% support and above

Rescue Union School District

- ❖ For each project, please tell me whether it would make you More Likely or Less Likely to vote in favor of the measure if you knew funds would be used to:



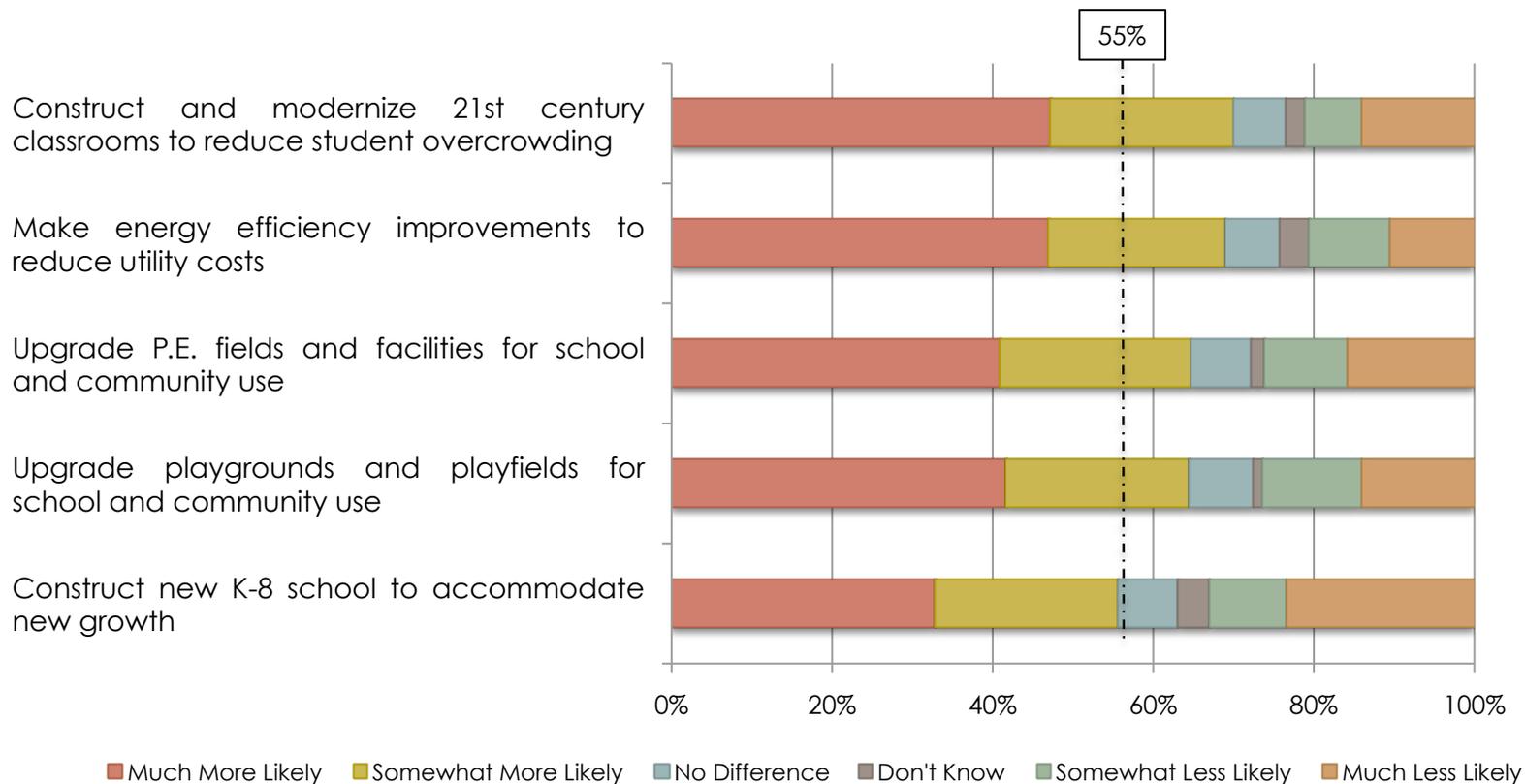


G.O. Bond Projects

All projects tested below received 55% support and above

Rescue Union School District

- ❖ For each project, please tell me whether it would make you More Likely or Less Likely to vote in favor of the measure if you knew funds would be used to:



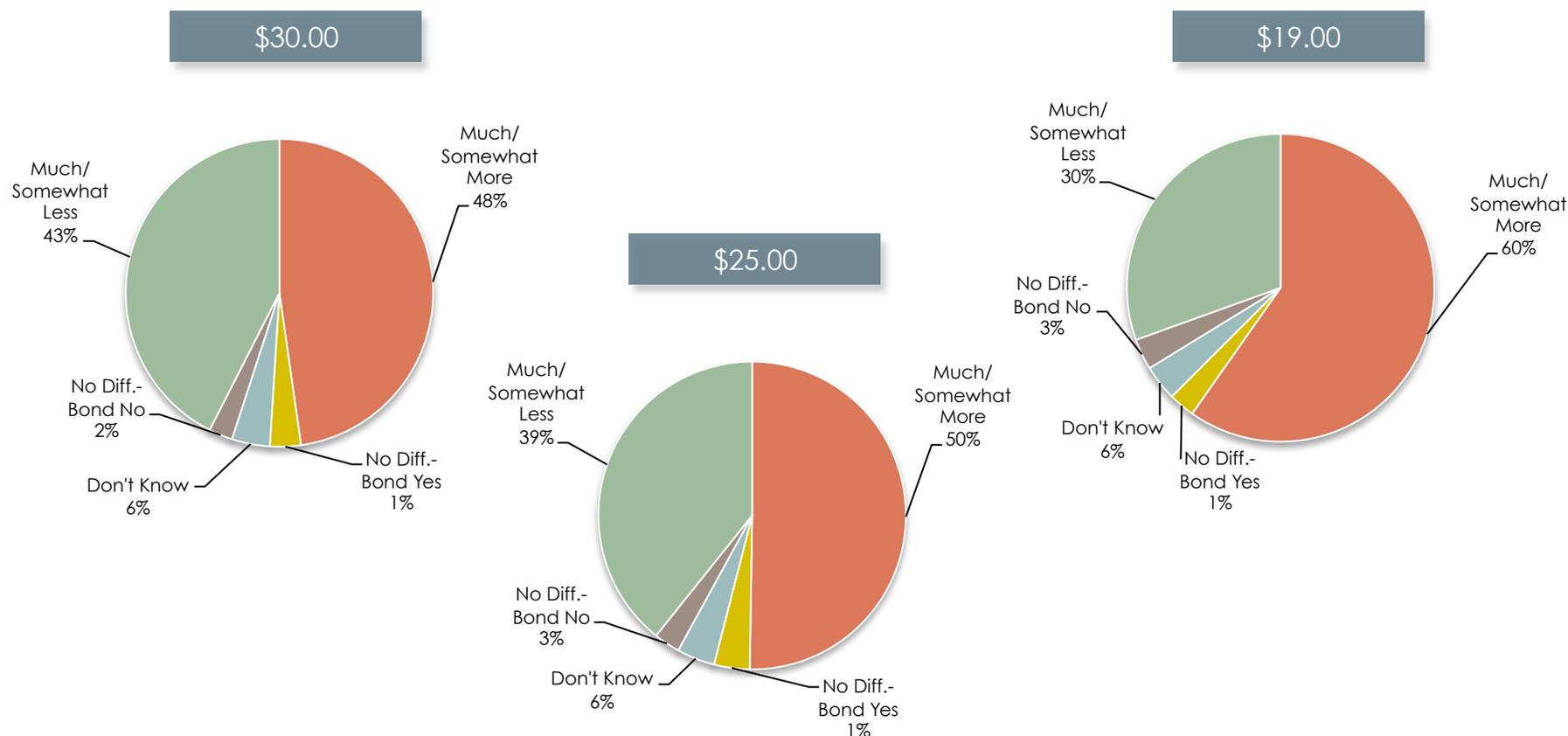


Tax Tolerances

Voters in the District are sensitive to higher tax rates

Rescue Union School District

- ❖ The proposed measure would cost property owners \$30/\$25/\$19 per \$100,000 of assessed valuation per year, would you be More or Less Likely to vote "yes" in Favor of or "no" to Oppose the measure?



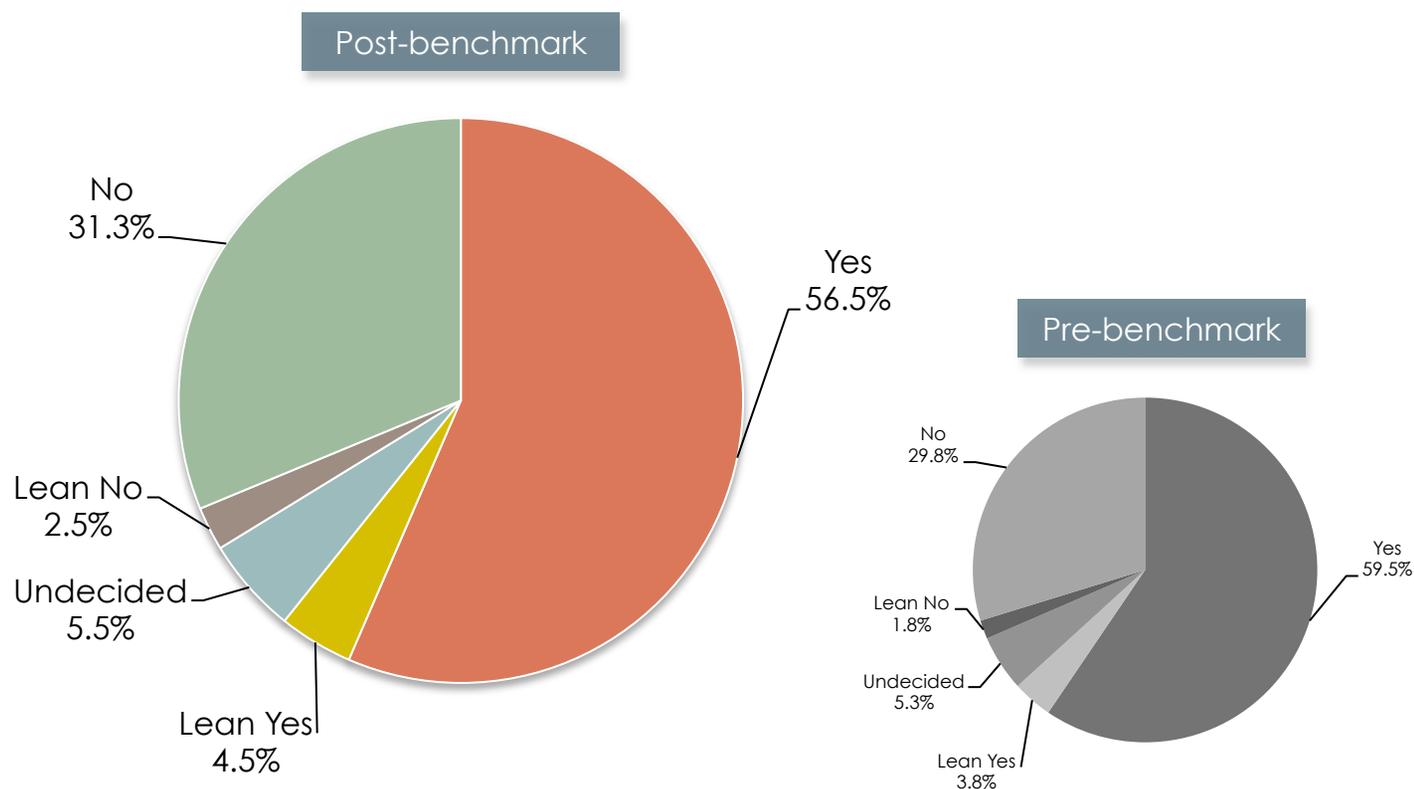


Ballot Measure

Support remains above 55% threshold after voter education

Rescue Union School District

- ❖ Now that you have heard some more information regarding the proposed measure, projects, and cost, if the election were held today, would you vote YES in favor of the measure or would you vote NO to oppose the measure?



Voter Demographics



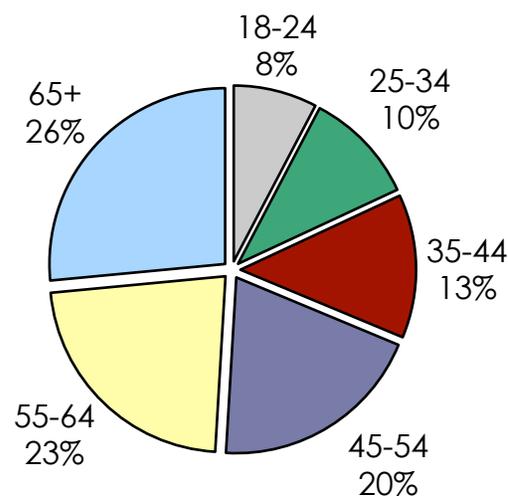
Voter Demographics

Voter demographics are conservative

Rescue Union School District

- ❖ District has 23,281 total voters
- ❖ Majority of voters are Republicans (45%)
- ❖ 75% of voters vote-by-mail
- ❖ District has an older voting population with 49% of voters aged 55 and older

Voter Age Demographics



District Voter Demographics		
	<u>Total</u>	<u>Percent</u>
Republicans	10,455	45%
Democrats	5,983	26%
Other	6,843	29%
VBM Voters	17,546	75%

Source: Political Data



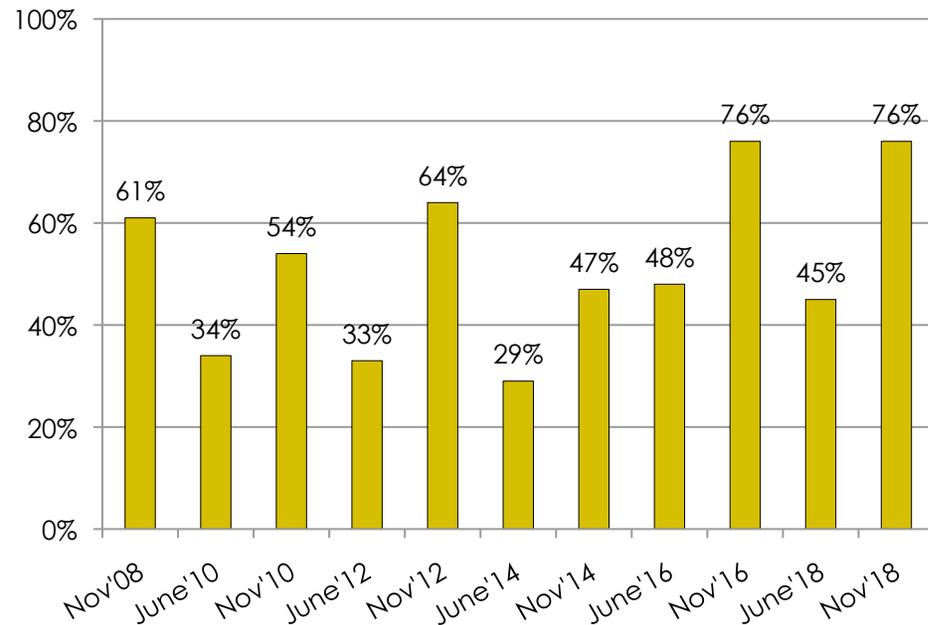
Voter Turnout

Turnout can have a significant bearing on success

Rescue Union School District

- ❖ Historical voter turnout has ranged from a low of 29% in June of 2014 to a high of 76% in November 2016 and November of 2018
- ❖ Voter turnout varies considerably by election date and type of election and must be considered as different voters show up for different elections
- ❖ March 2020 turnout is estimated to be 50%

Recent District Voter Turnouts



Source: Political Data

Next Steps



Timeline – March 2020 Election

Following these steps are key to District's success

Rescue Union School District

Task	Responsible Party	Date
Prepare project list	District/Architect	2019
Board Meeting - approve "exploring" feasibility of a tax measure	District	March/April
Conduct Survey	Consultant	April
Initiate public information program, speaking with elected officials, large taxpayers, community service groups to discuss proposed tax measure	District	April - June
Board Meeting – Survey Results Presentation	Consultant	May - June
Finalize Capital and Financing Plan based on Community Outreach	Consultant	September
Prepare Resolution for Calling Election, including Ballot Language, Project List, Tax rate Statement	Consultant/Bond Counsel	October
Board Meeting - Board action to adopt Resolution Calling Election	District	November
Submit Resolution Calling Election and Tax Rate Statement	District	December
Prepare Argument in Favor of Measure	Consultant/District	December
Submit Argument in Favor of Measure	Consultant/District	December
Form campaign committee and conduct campaign kick-off meeting	Campaign Committee	December
Run Campaign	Campaign Committee	Dec. - March
Election Day		March 3, 2020

Consulting Services Agreement

This CONSULTING SERVICES AGREEMENT (this "Agreement") is dated as of the latest date set forth on the signature page hereto (the "Effective Date") and is entered into by and between Isom Advisors, a Division of Urban Futures Inc., a California corporation ("Advisor"), and the Rescue Union School District ("District").

Advisor agrees to:

1. Prepare a telephone voter survey of the voters of the District, the purpose of which is to assess the feasibility of a voter approved tax measure in the District.
2. Survey an audience that consists of a random sample of registered voters that represents a subset of the various demographics in the community (i.e. age, political party, ethnicity, parent/non-parent, gender, and geographic location)
3. Test specific project support, tax tolerances, voter attitudes, and overall support for a local school district tax measure.
4. Prepare a summary survey presentation to be presented to the District and Board at a public board meeting.

District agrees to:

1. Fully cooperate and assist Advisor in providing appropriate background data unique to the District including project lists for the development of the survey on behalf of District.

Consideration:

1. In consideration for the above services, District agrees to pay Advisor pursuant to the following:
 - a. The fee for the survey will be kept at cost, not to exceed Seven Thousand Dollars (\$7,000) and is to be paid upon presentation of results to the District.
 - b. This agreement shall terminate with 30 days written notice from either party sent via certified mail.

Arbitration:

In the event of a dispute between the parties regarding the terms or performance of this Agreement, the parties agree to decide this dispute under the rules of the American Arbitration Association.

Complete Agreement:

The parties agree that this Agreement is the complete agreement between the parties superseding all prior written or oral agreements between the parties. The parties further agree that this Agreement can be altered or modified only through a writing signed and dated by both parties.

Rescue Union School District

Isom Advisors, a Division of
Urban Futures Inc.

Cheryl Olson, Superintendent

Jon Isom, Managing Principal

RESCUE UNION SCHOOL DISTRICT

AGENDA ITEM: PG&E EV Fleet Program Grant Application

BACKGROUND:

Transportation is the largest source of greenhouse gas (GHG) emissions in California. The state is now pushing for a large increase in the adoption of electric vehicles. In 2012, Governor Brown signed an Executive Order calling for 1.5 million zero emission vehicles on our roads by 2025.

The PG&E EV Fleet Program was created to make it easier and more cost-effective to install charging infrastructure. The EV Fleet program offers dedicated electrical infrastructure design and construction services, significant cost offsets for electrical infrastructure work, and additional EV charger rebates for eligible equipment. PG&E's goal is to get 700+ organizations converted to electric fleet vehicles by 2023 to support the adoption of at least 6,500 medium- and heavy-duty electric vehicles.

STATUS:

Rescue Union School District (RUSD) submitted an application to participate in the PG&E EV Fleet Program to help with the infrastructure costs related to the eight new electric buses that RUSD anticipates to receive through the different air quality grants.

Under the EV Fleet Program, PG&E will design, construct, own and maintain EV supply infrastructure to the meter only. Rescue USD will design, build, own, operate, and maintains make-ready infrastructure; PG&E provides a rebate up to 80% of the project cost.

Separate from this application RUSD has also applied for an EV Truck Grant that would replace up to six of the district's maintenance vehicles and the potential infrastructure for these trucks are also included in the application.

FISCAL IMPACT:

This program will cover 50% of the EV charging stations and 80% of up to \$56,000 in infrastructure cost. The District's portion of the cost is anticipated to be \$75,000 to \$150,000.

BOARD GOAL:

Board Focus Goal II – FISCAL ACCOUNTABILITY:

Keep the district fiscally solvent through prudent LCAP aligned budget processes in order to meet the needs of our students.

RECOMMENDATION:

District staff recommends the Board of Trustees approve the program application with PG&E for the EV Fleet Program.

FleetReady Program Terms and Conditions (“Contract”)

Definitions

As used in this Contract, the following terms have the following meanings:

Disadvantaged Community: Census tracts in PG&E's service territory with a top quartile score according to California Environmental Protection Agency's CalEnviroScreen 3.0, or current version.

EV Service Connection: Traditional utility infrastructure from the utility distribution system to the meter, which may include but is not limited to cable, conductors, conduit, transformers and associated substructures from the utility distribution system. Also referred to as To The Meter (TTM) infrastructure.

EV Supply Infrastructure: Infrastructure from the meter (“but not including the meter”) to the parking space, this may include an electrical panel, cable and conduit necessary to deliver power to the parking space. Also referred to as Behind The Meter (BTM) infrastructure.

EVSE: Electric vehicle supply equipment used for charging EVs. The conductors, including the ungrounded, grounded, and equipment grounding conductors, the electric vehicle chargers, connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy from the Premises wiring to the electric vehicle.

EVSE Package: EVSE hardware, software, and network services.

EVSP: Electric vehicle service provider is a company that provides EV charging solutions to Site Host, including but not limited to network services, billing, and customer support.

Site Host: The entity participating in the FleetReady Program that owns, leases or manages the Premises where the EVSE Packages are installed. The Site Host is also the customer of record for PG&E. Site Host will receive the bill for the energy delivered to the EVSE Package.

Operation and Maintenance (O&M): includes, but is not limited to,: network fees, resetting of breakers, replacement of parts, and associated services necessary to keep the EVSE and/or EV Supply Infrastructure operational.

Premises: Premises includes all of the real property and apparatus employed in a single enterprise on an integral parcel of land undivided, excepting in the case of industrial, agricultural, oil field, resort enterprises, and public or quasi-public institutions, by a dedicated street, highway or public thoroughfare or railway. Automobile parking lots constituting a part of and adjacent to a single enterprise may be separated by an alley from the remainder of the Premises served. All Premises must be reviewed by PG&E to determine where service could be provided and at what cost. PG&E may agree to include some or all of the Premises in the FleetReady Program. Multiple Premises may be listed in Exhibit A.

Rate Plan: The PG&E electric rate that Site Host pays for using EVSE. Detail on PG&E rates and eligibility criteria can be found at www.pge.com/tariffs.

Specific Terms

Acknowledgement and Term: All parties agree to abide by the terms and conditions of this Contract for participation in the FleetReady Program, including all requirements included by reference. The duration of this Contract is ten (10) years from the date Site Host's EVSE Package becomes operational (the "Term"). PG&E will inform Site Host in writing when the EVSE Package becomes operational.

Ownership: Site Host has two options for ownership of EV Supply Infrastructure. Ownership of other components are listed below for reference. Sections in this Contract labeled "Specific Terms – Site Owned EV Supply Infrastructure" or "Specific Terms – PG&E Owned EV Supply Infrastructure" will apply depending on the ownership option a Site Host selects. Site Host should indicate their ownership option in Exhibit A. All other terms are common to both ownership options.

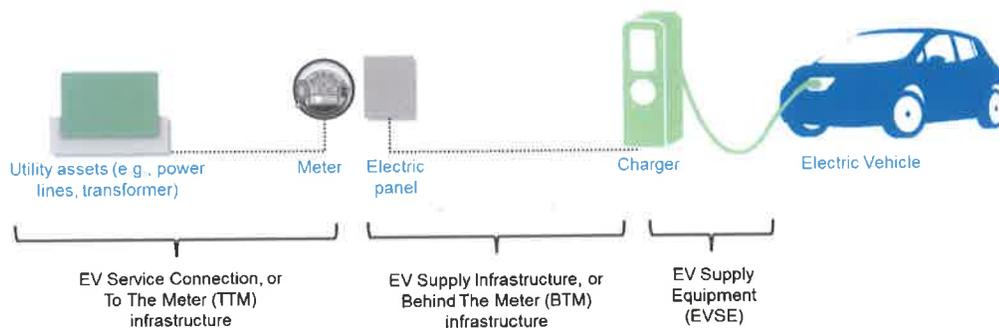
EV Service Connection: PG&E always constructs, owns, operates, and maintains the EV Service Connection.

EV Supply Infrastructure: Site Host has two options for EV Supply Infrastructure ownership;

1. PG&E owned: PG&E constructs, owns and maintains the EV Supply Infrastructure. PG&E covers costs in accordance with California Public Utilities Commission ("CPUC") requirements.
2. Site Host owned: Site Host is responsible for construction and maintenance of EV Supply Infrastructure, and receives an incentive in accordance with California Public Utilities Commission ("CPUC") requirements.

EV Supply Equipment (EVSE): Site Host always installs, owns, operates, and maintains the EVSE.

High level EV infrastructure configuration and terminology



Selection of Electric Vehicle Supply Equipment Package: Upon approval of application by PG&E, Site Host shall select and procure one EVSE Package from the PG&E approved list of qualified vendors. PG&E will share qualified vendor list with Site Host. Site Host shall install, operate and maintain the number and type of the EVSE Package, associated equipment and signage as selected by Site Host and approved by PG&E. Site Host acknowledges that PG&E makes no representations regarding manufacturers, dealers, contractors, materials or workmanship of the EVSE package. Site Host agrees that PG&E has no liability whatsoever concerning the quality and safety of such products.

EVSE Rebate: Site Host may qualify for a rebate of EVSE, in accordance with the California Public Utilities Commission ("CPUC") requirements. Rebate amounts will vary in accordance with the CPUC requirements. Rebates will be paid after (1) Site Host provides proof of purchase of EVSE Package, (2) at PG&E discretion PG&E inspects the installation of the EVSE and the physical location, and (3) the EVSE is operational.

Additional Services from EVSP: Separate and apart from the application and PG&E's obligations under the FleetReady Program, the EVSP selected by Site Host may offer and contract directly with the Site Host to provide any additional or complementary services, as long as these services do not interfere with the objectives of the FleetReady Program as fully described in the decision available on CPUC website: <http://www.cpuc.ca.gov/>. The costs of additional EVSP services, and any cost related to O&M of any additional EVSP services, will not be borne by PG&E, unless they are complementary services necessary to support the FleetReady Program objectives and are approved by PG&E in writing.

EV Drivers Right to Access: Site Host shall not restrict access to or use of the EVSE for reasons including, but not limited to, race, color, religion, age, sex, national origin, ancestry, physical or mental disability, or any basis prohibited by applicable law. However, Site Host may decide to make the EVSE available only to its employees or tenants; under the terms of the FleetReady Program, Site Host decides whether to make the EVSE available to other 3rd parties.

Accessibility Requirements: The installation of the EVSE and EV Service Connection is required to comply with the Americans with Disabilities Act (ADA) and California Building Standards. Site Host understands and accepts that such standards may impact parking layouts and reduce the number of non-accessible parking spaces available. Site Host understands and accepts that changes to initial design representations may occur during the design, construction and operational phases of the EVSE as may be dictated by design constraints, by law or regulation or by local jurisdictional authorities.

Easement Requirement: An easement may be required to maintain PG&E owned facilities. PG&E will use existing easements when possible to minimize encumbrances on Site Host property. If a new easement is required, access rights will follow standard utility requirements for providing electrical service. PG&E will determine if a new easement is required when Site Host application is evaluated, and will communicate that to Site Host. If Site Host does not wish to grant an easement for one or more Premises, Site Host and PG&E may mutually agree to remove those Premises from the FleetReady program. If Site Host accepts easement requirement, Site Host agrees to grant PG&E an easement for the installation of EV Service Connection and EV Supply Infrastructure. If the EV Service Connection must cross property owned by a third party to serve Site Host, PG&E may, at its option, install such EV Service Connection after appropriate rights of way or easements, satisfactory to PG&E, are obtained without cost to PG&E. Site Host agrees to sign and return easement to PG&E within 30 days of receipt. If the Site Host does not respond within 30 days, PG&E reserves the right to rescind Site Host's participation in the FleetReady Program. Upon termination of the Contract, PG&E shall upon written demand therefor execute and deliver to Site Host a good and sufficient quitclaim of said easement and right of way or such portion thereof conveyed in this document, at Site Host expense.

EVSE Operation and Maintenance: The Site Host is required to maintain the EVSE for the Term. Site Host will pay all Operation and Maintenance costs associated with the EVSE. Site Host shall maintain a consistent uptime at the direction of PG&E for EVSE installed. Site Host shall maintain the common area improvements immediately surrounding the EVSE in good condition, ordinary wear and tear excepted, and will promptly notify PG&E of any problems it is aware of related to the EVSE. Such maintenance by Site Host of the immediately surrounding common areas shall include, but not be limited to, pavement maintenance and snow removal services. Uninterrupted service is not guaranteed, and PG&E may interrupt service when necessary to ensure safety or to perform maintenance on PG&E owned infrastructure. PG&E will use reasonable efforts to notify Site Host in advance of interruptions to service, planned maintenance, and physical access to site. Site Host will immediately shut down chargers if there is a safety issue.

Billing: Site Host will be the PG&E customer of record and will be served according to the applicable Rate Plan. As the customer of record, Site Host will be responsible for paying the PG&E bill.

Compensation: Under no conditions shall Site Host or EV Drivers receive compensation of any kind (including but not limited to: cash, in-kind services, or otherwise) for any duties or requirements provided for in this Contract or for participation in any way as part of the FleetReady Program, including but not limited to: easements, use of data for lawful purposes, loss of business activity during construction or maintenance activities, or any other inconvenience or loss, without limitation, related to participation.

Changing Rate Plan: Site Host may change Rate Plan during the Term, but must remain on a retail PG&E rate for the duration of the Term. If Site Host switches to a non-retail PG&E rate during the Term, Site Host shall bear the full cost and sole expense, as circumstances may dictate, for losses incurred by PG&E on behalf of ratepayers, such as pro-rated costs of equipment, site design and installation.

Reliability: PG&E does not guarantee uninterrupted service. Site Host may pursue options to ensure that any impact to Site Host operations from potential loss of power is sufficiently mitigated. Site Host is responsible for the cost of any supplemental solutions to improve reliability.

Expansion of EVSE installation: At PG&E's sole discretion, Site Host may add more charging ports to their installation in the future. Site Host must coordinate with PG&E prior to any approved installation extension. Any installations or related work performed outside of FleetReady program will be at Site Host's expense and its liability.

EVSE replacement: At PG&E's sole discretion, Site Host may replace their EVSE during the term. Site Host must notify PG&E ahead of replacement to ensure infrastructure can accommodate the additional load and new EVSE complies with necessary CPUC requirements for program. If adequate infrastructure does not exist, Site Host must request increased capacity per standard PG&E practices. Any costs associated with future EVSE replacement are Site Host responsibility.

Vehicle purchase plans: PG&E will work with Site Host to understand their fleet electrification plans, and may install infrastructure to support future vehicle purchases. In Exhibit B, Site Host will provide the number, type, and charging levels of electric vehicles that will be used at the Premises over time to justify the requested infrastructure. At PG&E discretion, during the Term PG&E may request evidence that Site Host is operating these vehicles and associated charging in accordance with their plan. If Site Host is not operating vehicles consistent with their plan, at PG&E discretion Site Host may be responsible for PG&E costs associated with installing the excess infrastructure. This includes costs, as circumstances may dictate, for losses incurred by PG&E on behalf of ratepayers, such as costs of equipment, site design and installation. Site Host may, at any time

within the Term request from PG&E projected and final costs associated with this. At PG&E sole discretion, Site Host may be granted an exemption from this requirement for exceptional circumstances (e.g., delayed vehicle delivery).

Project scope: Site Host acknowledges that:

- Site Host agrees to the high level project scope listed in Exhibit B;
- Upon execution of this Contract, PG&E will begin incurring design fees and costs as Site Host project moves forward;
- If Site Host withdraws from the program, then PG&E reserves the right to recover all fees and costs incurred by it and its subcontractors after the execution of this Contract including, but not limited to, design cost, site walk costs, etc.;
- PG&E will conduct a site walk;
- If the existing infrastructure or physical site or equipment is substantially different than anticipated or described, then PG&E will make reasonable effort to redesign the project in a manner acceptable to both parties, but reserves the right to cancel Site Host participation in the program; and
- If Site Host does not submit required documentation (e.g., signed easement if needed) in a timely manner, then PG&E may grant extensions by request but reserves the right to waitlist Site Host application and/or cancel participation in the program.

Site Owned EV Supply Infrastructure Section

EV Supply Infrastructure Incentive: Site Host qualifies for an incentive towards the cost of EV Supply Infrastructure if they choose to own and maintain the EV Supply Infrastructure. Incentive amounts will vary in accordance with the California Public Utilities Commission ("CPUC") requirements. Incentive will be paid after (1) Site Host provides proof of actual EV Supply Infrastructure construction cost, (2) EV Supply Infrastructure construction is complete, (3) the EVSE is operational.

Installation of EV Service Connection: PG&E and/or its contractors shall design and construct the EV Service Connection. Site Host is responsible for providing all disclosures, including but not limited to hazardous materials, located at the site of the installation. If an easement is required, PG&E will provide a preliminary layout of proposed facilities to Site Host prior to preparation of easement for Site Host review and approval; such approval will not unreasonably be withheld. The easement will be executed and recorded in favor of PG&E so that PG&E may access the EV Service Connection as needed. It will be the Site Host's responsibility to provide a preliminary design of the EV Supply Infrastructure and associated electrical loads, so that PG&E can provide the associated EV Service Connection design. PG&E and Site Host will approve final design prior to construction beginning. Once design is approved, no material changes will be made without approval from PG&E and Site Host. After the EVSE is operational, Site Host may request a copy of "as built" designs, which will be provided by PG&E.

Installation of EV Supply Infrastructure: The Site Host and/or its contractors shall construct the EV Supply Infrastructure and EVSE, in compliance with the terms of this Contract, as well as all applicable local, state and federal laws and regulatory requirements; including PG&E requirements found at www.pge.com/greenbook. The Site Host is responsible for the costs to construct the EV Supply Infrastructure, purchase the EVSE Package and install the EVSE. After the EVSE is operational, Site Host receives incentive for EV Supply Infrastructure in accordance with terms of this Contract.

EV Supply Infrastructure Operation and Maintenance: If Site Host owns the EV Supply Infrastructure, Site Host is responsible for operation and maintenance of the EV Supply Infrastructure for the Term. Site Host will pay all Operation and Maintenance costs associated with the EV Supply Infrastructure. Site Host shall maintain the common area improvements immediately surrounding the EV Supply Infrastructure in good condition, ordinary wear and tear excepted, and will promptly notify PG&E of any problems it is aware of related to the EV Supply Infrastructure. Such maintenance by Site Host of the immediately surrounding common areas shall include, but not be limited to, pavement maintenance and snow removal services. Uninterrupted service is not guaranteed, and PG&E may interrupt service when necessary to ensure safety or to perform maintenance. PG&E will use reasonable efforts to notify Site Host in advance of interruptions to service, planned maintenance, and physical access to site.

Access to Site Host's Premises: PG&E shall at all times have the right to enter and leave the Site Host's Premises for any purpose connected with the furnishing of electric service to the EV Service Connection (meter reading, inspection, testing, routine repairs, replacement, maintenance, vegetation management, emergency work, etc.) and the exercise of any and all rights secured to it by law, or under PG&E's applicable tariff schedules. If Site Host does not grant PG&E reasonable access to the Premises, then PG&E may deenergize the EV Service Connection until access is granted. PG&E will work closely with Site Host to ensure this access does not unreasonably interfere with Site Host's property or operations.

End of Term: At the end of the Term, the Site Host will have the following options;

1. Continue operating EVSE and EV Supply Infrastructure
 - o Site Host has continued responsibility for Operation and Maintenance of EVSE and EV Supply Infrastructure.
 - o If an easement was required for installation, easement remains in place.
 - o PG&E continues to own EV Service Connection and will treat this under the standard provisions of CPUC filed tariffs such as Electric Rule 16.
2. Stop operating EVSE and EV Supply Infrastructure
 - o Remove the EVSE and/or EV Supply Infrastructure at Site Host's cost and expense.
 - o If an easement was required for installation, PG&E will deliver a quitclaim for the easement and the easement will be removed.
 - o PG&E will require access to any energized PG&E facilities. If EV Service Connection serves other load or assets, for example building load or solar, PG&E continues to own EV Service Connection and will treat this under the standard provisions of CPUC filed tariffs such as Electric Rule 16. If EV Service Connection serves only the EVSE installed under this Contract, PG&E will deenergize EV Service Connection and abandon facilities in place.

PG&E Owned EV Supply Infrastructure Section

Installation of Equipment: PG&E and/or its contractors shall design and construct the EV Service Connection and EV Supply Infrastructure in compliance with the terms of this Contract, as well as all applicable local, state and federal laws and regulatory requirements. Site Host is responsible for providing all disclosures, including but not limited to hazardous materials, located at the site of the installation. If an easement is required, PG&E will provide a preliminary layout of proposed facilities to Site Host prior to preparation of easement for Site Host review and approval; such approval will not unreasonably be withheld. The easement will be executed and recorded in favor of PG&E so that PG&E may access the EV Service Connection and EV Supply Infrastructure as needed. After Site Host approval of the preliminary design, PG&E will coordinate with the Site Host if there are any proposed material changes. A final design with no material changes from the agreed upon design, will be provided by PG&E prior to any installation activities. PG&E and Site Host will approve final design prior to construction beginning. Once design is approved, no material changes will be made without approval from PG&E and Site Host. An estimated installation schedule shall be provided by PG&E after execution of required easement and timely selection of EVSE Package. Should the installation schedule require modification, PG&E shall notify Site Host within a reasonable amount of time of such changes. The Site Host and/or its contractors shall construct the EVSE, in compliance with the terms of this Contract, as well as all applicable local, state and federal laws and regulatory requirements. The Site Host is responsible for the costs to purchase the EVSE Package and installation of the EVSE. Upon completion of installation of the EVSE, the Site Host understands and acknowledges that it will be responsible for the Operation and Maintenance of the EVSE installed through the FleetReady Program. After the EVSE is operational, Site Host may request a copy of "as built" designs, which will be provided by PG&E.

EV Supply Infrastructure Operation and Maintenance: If PG&E owns the EV Supply Infrastructure, PG&E is responsible for operation and maintenance of the EV Supply Infrastructure for the Term. PG&E will pay all Operation and Maintenance costs associated with the EV Supply Infrastructure. Site Host shall maintain the common area improvements immediately surrounding the EV Supply Infrastructure in good condition, ordinary wear and tear excepted, and will promptly notify PG&E of any problems it is aware of related to the EV Supply Infrastructure. Such maintenance by Site Host of the immediately surrounding common areas shall include, but not be limited to, pavement maintenance and snow removal services. Uninterrupted service is not guaranteed, and PG&E may interrupt service when necessary to ensure safety or to perform maintenance. PG&E will use reasonable efforts to notify Site Host in advance of interruptions to service, planned maintenance, and physical access to site.

Access to Site Host's Premises: PG&E shall at all times have the right to enter and leave the Site Host's Premises for any purpose connected with the furnishing of electric service to the EV Supply Infrastructure and EV Service Connection (meter reading, inspection, testing, routine repairs, replacement, maintenance, vegetation management, emergency work, etc.) and the exercise of any and all rights secured to it by law, or under PG&E's applicable tariff schedules. If Site Host does not grant PG&E reasonable access to the Premises, then PG&E may deenergize the EV Supply Infrastructure or EV Service Connection until access is granted. PG&E will work closely with Site Host to ensure this access does not unreasonably interfere with Site Host's property or operations.

End of Term: At the end of the Term, the Site Host will have the following options;

1. Continue operating EVSE
 - o Site Host has continued responsibility for Operation and Maintenance of EVSE.
 - o If an easement was required for installation, easement remains in place.
 - o PG&E continues to own EV Service Connection and EV Supply Infrastructure, and will treat these under the standard provisions of CPUC filed tariffs such as Electric Rule 16.
2. Stop operating EVSE
 - o Remove the EVSE at Site Host's cost and expense
 - o If an easement was required for installation, PG&E will deliver a quitclaim for the easement and the easement will be removed.
 - o PG&E will require access to any energized PG&E facilities. If EV Service Connection and/or EV Supply Infrastructure serves other load or assets, for example solar, PG&E continues to own EV Service Connection and/or EV Supply Infrastructure and will treat these under the standard provisions of CPUC filed tariffs such as Electric Rule 16. If EV Service Connection and/or EV Supply Infrastructure serves only the EVSE installed under this Contract, PG&E will deenergize EV Service Connection and EV Supply Infrastructure and abandon facilities in place.

General Terms

Permission to Use Data: Site Host agrees to allow PG&E, its agents and representatives to use data gathered as part of the FleetReady Program for use in regulatory reporting, ordinary business use, industry forums, case studies or other similar activities, in accordance with applicable laws and regulations.

Representations: Site Host understands that its participation in FleetReady Program shall not be construed as creating any agency, partnership, or other form of joint enterprise between the Site Host, PG&E, or their affiliates, contractors, vendors, representatives or designees nor create any obligations or responsibilities on their behalf except as may be expressly granted in writing, nor make any representations of any kind to this effect. Site Host represents and warrants that it is either (i) the fee title owner and has the ability to grant an easement (if required), or (ii) it is the authorized manager of the proposed FleetReady Program site working with the fee title owner, it has the power, authority and capacity to bind itself to undertake the FleetReady Program terms and conditions and to perform each and every obligation required of Site Host, and such fee title owner has the ability to grant an easement (if needed).

Changes: PG&E may initiate changes to the FleetReady Program as necessary to comply with CPUC directives. PG&E shall endeavor to provide Site Host with advance notice of any such changes. Site Host has the option to opt out of the Program subject to section Site Host Removal and Termination.

Compliance with Laws: All parties shall comply with all applicable federal, state, and local statutes, rules, regulations, laws, orders and decisions that relate to or govern its participation in the FleetReady Program and/or Site Host's interactions with customers in connection with the FleetReady Program.

Failure to Comply with Terms and Conditions: Without limitation, and to the greatest extent allowed by law, PG&E and Site Host reserve the right to seek damages and recovery for losses incurred due to any breach of this Contract on the part of Site Host or PG&E, whether intentional or unintentional.

Relocations: Should Site Host request relocation of EVSE or parts thereof, such relocation shall be per mutually agreeable terms and shall be at sole expense of Site Host and in accordance with any FleetReady Program requirements, laws, regulations or other applicable jurisdictional requirements. Additionally, if applicable and requested by PG&E, Site Host shall either amend the easement to include the legal description of the new location or enter into a new easement with PG&E.

PG&E Termination or Suspension: PG&E may terminate, or for any duration suspend, Site Host's participation in the FleetReady Program, with or without cause, at any time, and for any reason. Such reasons may include but are not limited to: failure to provide or maintain terms of easement, failure to abide by FleetReady Program terms and conditions, permitting issues, exceptional installation costs, environmental concerns, or any other reason(s) not in the best interests of the FleetReady Program or PG&E's ratepayers.

Site Host Removal or Termination: Should Site Host request removal or termination of EVSE or parts thereof prior to expiration of the Term, then Site Host shall bear the full cost and sole expense of such removal as well as costs, as circumstances may dictate, for losses incurred by PG&E on behalf of ratepayers, such as pro-rated costs of equipment, site design and installation. Site Host may, at any time within the Term request from PG&E projected and final costs associated with such a removal request. If the Site Host wishes to assign its rights and obligations of this Contract to a new Site Host prior to the expiration of the Term, the new Site Host may assume all rights and obligations for the remaining Term with PG&E consent. Such consent not to be unreasonably withheld.

Indemnification: Site Host shall indemnify, hold harmless and defend PG&E, its affiliates, subsidiaries, parent company, officers, managers, directors, agents, and employees, from and against all claims, demands, losses, damages, costs, expenses, and liability (legal, contractual, or otherwise), which arise from or are in any way connected with any: (i) injury to or death of persons, including but not limited to employees of PG&E or Site Host; (ii) injury to property or other interests of PG&E, Site Host, or any third party; (iii) violation of a local, state, or federal common law, statute or regulation, including but not limited to environmental laws or regulations; (iv) strict liability imposed by any law or regulation; so long as such injury, violation, or strict liability (as set forth in (i) - (iv) above) arises from or is in any way connected with Site Host's performance of, or failure to perform, this Contract. This indemnification obligation shall not apply to the extent that such injury, loss or damage is caused by the negligence or willful misconduct of PG&E, its officers, managers, or employees.

Site Host shall, on PG&E's request, defend any action, claim, or suit asserting a claim which might be covered by this indemnity, using counsel acceptable to PG&E. Site Host shall pay all costs and expenses that may be incurred by PG&E in enforcing this indemnity, including reasonable attorney's fees. To the extent necessary, each Party was represented by counsel in the negotiation and execution of this Contract. PG&E represents and warrants that it has indemnification language in its contract with any third party who PG&E may send to perform work on Site Host's physical site. PG&E agrees to work closely with Site Host on any concerns that may arise related to the party who will perform work on Site Host's physical site.

Insurance Requirements: Site Host shall procure, carry and maintain the following insurance coverage and Site Host is also responsible for its Subcontractors maintaining sufficient limits of the appropriate insurance coverage:

A. Personal Liability

1. The limit shall not be less than One Million Dollars (\$1,000,000) each occurrence for bodily injury, property damage and personal injury.
2. Coverage shall: a) By "Additional Insured" endorsement add as insureds PG&E, its directors, officers, agents and employees with respect to liability arising out of work performed by or for the 'Site Host'; b) Be endorsed to specify that the 'Site Host' insurance is primary and that any insurance or self-insurance maintained by PG&E shall not contribute with it.

B. Workers' Compensation and Employers' Liability

1. Workers' Compensation insurance or self-insurance indicating compliance with any applicable labor codes, acts, laws or statutes, state or federal, where Site Host performs Work.
2. Employers' Liability insurance shall not be less than \$1,000,000 for injury or death in each accident.

C. Commercial General Liability

1. Coverage shall be at least as broad as the Insurance Services Office (ISO) Commercial General Liability Coverage "occurrence" form, with no coverage deletions.
2. The limit shall not be less than \$1,000,000 each occurrence for bodily injury, property damage and personal injury.
3. Coverage shall: a) by "Additional Insured" endorsement add as insureds PG&E, its affiliates, subsidiaries, and parent company, and PG&E's directors, officers, agents and employees with respect to liability arising out of or connected with the Work performed by or for the Site Host. (ISO Form CG2010 or equivalent is preferred.) In the event the Commercial General Liability policy includes a "blanket endorsement by contract," the following language added to the certificate of insurance will satisfy PG&E's additional insured requirement: "PG&E, its affiliates, subsidiaries, and parent company, and PG&E's directors, officers, agents and employees with respect to liability arising out of the work performed by or for the Site Host are additional insureds under a blanket endorsement."; b) be endorsed to specify that the Site Host's insurance is primary and that any insurance or self-insurance maintained by PG&E shall not contribute with it.

D. Documentation Requirements

1. Site Host shall have all insurance in place before beginning any Work. Upon request, Site Host shall furnish PG&E with certificates of insurance, declaration pages and endorsements (collectively, "Documentation") of all required insurance. Documentation shall be signed and submitted by a person authorized by that insurer to issue certificates of insurance and endorsements on its behalf
2. The insurer shall deliver notification to PG&E in accordance with the policy provisions if any of the above-described policies are cancelled before the stated expiration date
3. PG&E may inspect the original policies in Section A or B or require copies, at any time. Site Host/Owner may redact non-essential exposure information from copies.
4. The minimum liability insurance requirements established in this Contract are not a representation by PG&E that the insurance limits are sufficient, nor do these requirements in any way limit Site Host's liability under this Contract.
5. Upon request, Site Host shall furnish PG&E the same evidence of insurance for its Subcontractors as PG&E requires of Site Host.

Casualty: If all or any portion of the EVSE on the Premises are damaged or destroyed by fire or other casualty which materially and adversely affects the operation of the EVSE (any such occurrence, a "**Casualty**"), Site Host shall have the right to terminate this Contract by written notice to PG&E in which event this Contract shall terminate on the date that is 10 days after the date of Site Host's termination notice and PG&E may elect to remove or replace the EVSE from the Site. In the event of any Casualty which materially and adversely affects the operation of the EVSE, PG&E shall have the right to terminate this Contract by written notice to Site Host within 14 days after the Casualty, in which event this Contract shall terminate on the date that is 10 days after the date of PG&E's termination notice and PG&E may elect to remove or replace the EVSE from the Site.

Dispute Resolution: After attempting in good faith to resolve a dispute, a party may request mediation by written notice to the other Party. The mediation shall be conducted by a mutually-agreeable mediator with appropriate experience. All negotiations and any mediation conducted pursuant to this provision are confidential and shall be treated as compromise and settlement negotiations, to which Section 1119 of the California Evidence Code shall apply, and Section 1119 is incorporated herein by reference.

No Partnership: This Contract shall not be construed as creating a partnership, joint venture, agency relationship, franchise or association, nor shall this Contract render PG&E and Site Host liable as partners, co-venturers or principals.

Enforceability: If any of the provisions, or application of any of the provisions, of this Contract are held to be illegal or invalid by a court of competent jurisdiction or arbitrator/mediator, PG&E and Site Host shall negotiate an equitable adjustment in the provisions of this Contract with a view toward effectuating the purpose of this Contract. The illegality or invalidity of any of the provisions, or application of any of the provisions, of this Contract will not affect the legality or enforceability of the remaining provisions or application of any of the provisions of the Contract.

Integration: This Contract, including all items incorporated herein by reference, constitutes the entire agreement and understanding between the Parties as to the subject matter of the Contract. It supersedes all prior or contemporaneous agreements, commitments, representations, writings, and discussions between parties, whether oral or written, express or implied, that relate in any way to the subject matter of this Contract. This Contract has been induced by no representations, statements or agreements other than those expressed herein. Neither party shall be bound by any prior or contemporaneous obligations, conditions, warranties or representations with respect to the subject matter of this Contract.

Survival: The provisions of this Contract which by their nature should survive expiration, cancellation or other termination of this Contract, including but not limited to provisions regarding warranty, indemnity, insurance, confidentiality, document retention, business ethics and availability of information, shall survive such expiration, cancellation or other termination.

Notice: Any and all notices shall be in writing and addressed to the parties at the addresses specified below or such other addresses as either party may direct by notice given in accordance with this section, and shall be delivered in one of the following manners: (i) by personal delivery, in which case notice shall be deemed to have been duly given when delivered; (ii) by certified mail, return receipt requested, with postage prepaid, in which case notice shall be deemed to have been duly given on the date indicated on the return receipt; or (iii) by reputable delivery service (including by way of example and not limitation Federal Express, UPS and DHL) which makes a record of the date and time of delivery, in which case notice shall be deemed to have been duly given on the date indicated on the delivery service's record of delivery.

If to PG&E:

Pacific Gas and Electric Company
Attn: Josh Fredriksson/ EV Programs Manager
77 Beale St
San Francisco, CA 94105
Email Address: J2F7@pge.com

If to Site Host:

Rescue Unified School District
2390 Bass Lake Rd.
Rescue, CA 95672
Sean Martin

The Parties have executed this Contract on the dates indicated below, to be effective upon the later date.

Rescue USD
Company Name
[Signature]
Signature
SEAN MARTIN
Print Name
ASSISTANT SUP
Title
3/28/19
Date

PACIFIC GAS AND ELECTRIC COMPANY

Signature

Print Name

Title

Date

EXHIBIT A

PREMISES

Address (e.g., 123 Main St., San Francisco, CA 94111)	Address description (e.g., City Hall parking lot)	EV Supply Infrastructure ownership (Site Host or PG&E)
2460 White Oak, Rescue, CA	School Bus Yard	Site Host

EXHIBIT B

PROJECT SCOPE
 2460 White Oak, Rescue, CA

Summary (Year 1 = year contract signed)

Description	Year 1	Year 2	Year 3	Year 4	Year 5	Total
# of vehicles	8		6			14
Anticipated load (kW)	134.4kW		110.4kW			244.8kW
# and type of vehicle	8 School Buses		6 - HD E 450			14
# and type of chargers to support vehicles	8 @ 16.8kW		6 @ 16.8kW			14 @ 16.8kW

Other project notes

PROJECT LAYOUT

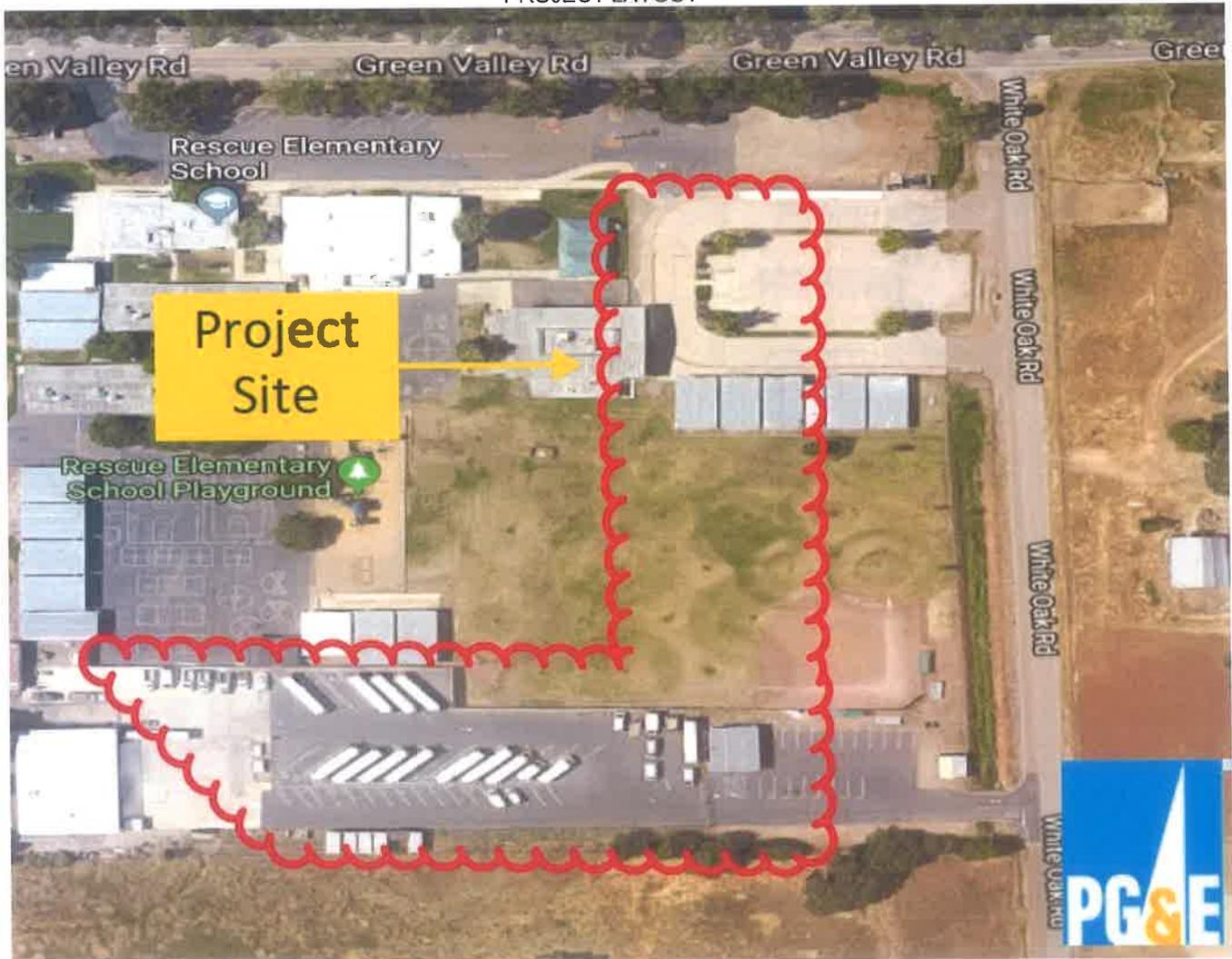


EXHIBIT C

REBATES AND INCENTIVES

Site Host may be eligible for two forms of incentive. Eligibility and amounts for the scope of work in this Contract are listed below. Calculations and eligibility for these may change in the future, and are not guaranteed for separate applications Site Host may choose to submit. Final amounts will be calculated based on EVSE and EV Supply Infrastructure costs incurred by Site Host, and paid in accordance with the terms of this Contract.

EVSE rebate		
Applies to transit buses, school buses, or Premises in a Disadvantaged Community.		
Power output	Rebate	# of EVSE
Up to 50kW	50% of the cost of EVSE, up to \$15,000 per EVSE	14
50 to up to 150kW	50% of the cost of EVSE, up to \$25,000 per EVSE	0
150+ kW	50% of the cost of EVSE, up to \$42,000 per EVSE	0
Power output (Total)	Rebate (Total)	Allowance (Total)
Up to 50kW	50% of cost, up to allowance	$(14) \times \$15,000 = \$210,000$
50 to up to 150kW	50% of cost, up to allowance	$(\# \text{ of EVSE}) \times \$25,000$
150+ kW	50% of cost, up to allowance	$(\# \text{ of EVSE}) \times \$42,000$

EV Supply Infrastructure Incentive		
Applies to Site Hosts who pay for, own, and maintain EV Supply Infrastructure.		
Vehicle type	Incentive	# of vehicles
Transit bus or Class 8 vehicle	\$9k per vehicle	0
Transport Refrigeration Unit (TRU), airport ground service equipment, forklifts	\$3k per vehicle	0
Other	\$4k per vehicle	14
Vehicle type (Total)	Incentive (Total)	Allowance (Total)
Total	80% of the cost of EV Supply Infrastructure, up to allowance	$(14) \times (\$4,000) = \$56,000$