

WESTERN PLACER UNIFIED SCHOOL DISTRICT
600 SIXTH STREET, SUITE 400,
LINCOLN, CALIFORNIA 95648
Phone: 916.645.6350 Fax: 916.645.6356

MEMBERS OF THE GOVERNING BOARD

Paul Carras – President
 Paul Long – Vice President
 Brian Haley – Clerk
 Damian Armitage – Member
 Kris Wyatt – Member

DISTRICT ADMINISTRATION

Scott Leaman, Superintendent
 Gabe Simon, Assistant Superintendent of Personnel Services
 Audrey Kilpatrick, Assistant Superintendent of Business & Operations
 Kerry Callahan, Assistant Superintendent of Educational Services

	<u>STUDENT ENROLLMENT</u>		
	2017-18		
School	CALPADS	6/6/2018	9/13/2018
Sheridan Elementary (K-5)	52	56	58
First Street Elementary (K-5)	434	433	440
Carlin C. Coppin Elementary (K-5)	430	437	450
Creekside Oaks Elementary (K-5)	614	643	602
Twelve Bridges Elementary (K-5)	649	651	644
Foskett Ranch Elementary (K-5)	428	431	415
Lincoln Crossing Elementary (K-5)	649	644	673
Glen Edwards Middle School (6-8)	896	903	874
Twelve Bridges Middle School (6-8)	759	765	794
Lincoln High School (9-12)	1,955	1,892	1,965
Phoenix High School (10-12)	75	84	98
SDC Program (18-22)	10	9	15
TOTAL	6951	6,965	7,028

SDC Pre-School

Foskett Ranch	41
First Street/LIP	52
Carlin C. Coppin	27

Parent Education

Continuing Educ. Classes	19
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GLOBAL DISTRICT GOALS

- Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential.
- Foster a safe, caring environment where individual differences are valued and respected.
- Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
- Promote the involvement of the community, local government, business, service organizations, etc. as partners in the education of our students.
- Promote student health and nutrition in order to enhance readiness for learning.

Western Placer Unified School District

Regular Meeting of the Board of Trustees

October 16, 2018

Twelve Bridges Middle School – Multi-Purpose Room

770 Westview Drive, Lincoln, CA 95648

AGENDA

2018-2019 Goals & Objectives (G & O) for the Management Team: Component I: Quality Student Performance; Component II: Curriculum Themes; Component III: Special Student Services; Component IV: Staff & Community Relations; Component V: Facilities/Administration/Budget.

All Open Session Agenda related documents are available to the public for viewing at the Western Placer Unified School District Office located at 600 Sixth Street, Fourth Floor in Lincoln, CA 95648.

6:15 P.M. START

1. **CALL TO ORDER** – Twelve Bridges Middle School – Multi-Purpose Room
2. **COMMUNICATION FROM THE PUBLIC**

This portion of the meeting is set aside for the purpose of allowing an opportunity for individuals to address the Board regarding matters on the agenda. The Board is not allowed to take action on any item, which is not on the agenda except as authorized by Government Code Section 54954.2. Request forms for this purpose are located at the entrance to the Meeting Room. Request forms are to be submitted to the Board Clerk prior to the start of the meeting.

6:20 P.M.

3. **CLOSED SESSION** – Twelve Bridge Middle School – Front Office Conference Room
 - 3.1 **CONFERENCE WITH LABOR NEGOTIATOR**
Bargaining groups: WPTA & CSEA Negotiations
Agency Negotiators:
~Scott Leaman, Superintendent
~Gabe Simon, Assistant Superintendent of Personnel Services
~Audrey Kilpatrick, Assistant Superintendent of Business and Operations
~Kerry Callahan, Assistant Superintendent of Educational Services
 - 3.2 **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
CAL200 et al. v. Apple Valley et al., S.F. County Superior Court Case No. CPF15-514477
 - 3.3 **STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918**
Student Discipline – Expulsion Student #18-19-A
 - 3.4 **PERSONNEL**
Public Employee Employment/Discipline/Dismissal/Release

7:00 P.M.

4. **ADJOURN TO OPEN SESSION/PLEDGE OF ALLEGIANCE** – Twelve Bridges Middle School - Multi-Purpose Room
The Board of Trustees will disclose any action taken in Closed Session regarding the following items:
 - 4.1 **Page 9 - CONFERENCE WITH LABOR NEGOTIATOR**
Bargaining groups: WPTA & CSEA Negotiations

Regular Meeting of the Board of Trustees

October 16, 2018

Agenda

Agency Negotiators:

~Scott Leaman, Superintendent

~Gabe Simon, Assistant Superintendent of Personnel Services

~Audrey Kilpatrick, Assistant Superintendent of Business and Operations

~Kerry Callahan, Assistant Superintendent of Educational Services

4.2 Page 10 - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

CAL200 et al. v. Apple Valley et al., S.F. County Superior Court Case No. CPF15-514477

4.3 Page 11 - STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918

Student Discipline – Expulsion Student #18-19-A

4.4 Page 12 - PERSONNEL

Public Employee Employment/Discipline/Dismissal/Release

5. Page 14 - SPECIAL ORDER OF BUSINESS

School Being Featured: Twelve Bridges Middle School

6. Page 17-39 - CONSENT AGENDA

NOTICE TO THE PUBLIC

All items on the Consent Agenda will be approved with one motion, which is not debatable and requires a unanimous vote for passage. If any member of the Board, Superintendent, or the public, so request, items may be removed from this section and placed in the regular order of business following the approval of the consent agenda.

6.1 Classified Personnel Report

6.2 Williams Uniform Quarterly Report

6.3 Ratification of Contract – Hyatt Regency Sacramento for LHS Senior & Junior Prom on March 16, 2019

6.4 Ratify Contract between Capitol Public Finance Group and Western Placer Unified School District – Municipal Security Issuance Services

6.5 Ratification of Contract with Pacific Environmental Education Center and Foskett Ranch Elementary School

6.6 Ratification of Contract – Center for Hearing Health

Roll call vote:

7. COMMUNICATION FROM THE PUBLIC

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8. REPORTS & COMMUNICATION

➤Lincoln High School Student Advisory – Lindsey Ridgway

- Western Placer Teacher's Association – Tim Allen
- Western Placer Classified Employee Association – Jim Houck
- Superintendent – Scott Leaman

9. **◆ ACTION ◆ DISCUSSION ◆ INFORMATION**

Members of the public wishing to comment on any items should complete a yellow **REQUEST TO ADDRESS BOARD OF TRUSTEES** form located on the table at the entrance to the Board Room. Request forms are to be submitted to the Board Clerk before each item is discussed.

9.1 Information **Page 41 – 2017-2018 SMARTER BALANCED ASSESSMENT (SBAC) RESULTS – Leehane**

(18-19 G & O Component I, II, III, IV, V)

- We have received and analyzed our 2017-2018 SBAC results in English Language Arts and Math for grades 3-8 and 11. A summary and analysis of results will be presented during the board meeting.

9.2 Action **Page 55 – APPROVE 2017-2018 LOCAL INDICATORS FOR THE CALIFORNIA SCHOOL DASHBOARD – Leehane**

(18-19 G & O Component I, II, III, IV, V)

- Prior to the state releasing school district performance on the California School Dashboard, districts are required to provide a self-assessment and rating on the Local Indicators, which are then included in the overall performance summary released on the Dashboard.

9.3 Information **Page 63 - WPUSD FOOD AND NUTRITION SERVICES PROGRAM – RALEY'S GRANT AWARD AND NUTRITION EDUCATION – Kilpatrick**

(18-19 G & O Component I, II, III, IV, V)

- On September 6, 2018, the district was notified that they were awarded the Raley's Extra Credit Grant in the amount of \$8,000. The Raley's grant program is designed to impact youth through purposeful exposure to agriculture, food and nutrition.

9.4 Action **Page 64 - ADOPTION OF REVISED/NEW POLICIES/EXHIBITS/REGULATIONS – Leaman** *(18-19 G & O Component I, II, III, IV, V)*

- The District Policy Committee and Management Team have reviewed the following new and revised policies/regulations/exhibits as per CSBA. They are now being presented for adoption by the Board of Trustees.

- BP 4119.21/4219.21/4319.21 – Professional Standards
- BP 5144 – Discipline
- BP/AR 5144.1 – Suspension and Expulsion/Due Process
- AR 5148.2 – Before/After School Programs
- BP 6152 – Class Assignment
- BP 6152.1 – Placement in Mathematics Courses
- BP 6161.1 – Selection and Evaluation of Instructional Materials
- BP/AR/E 6162.52 – High School Exit Examination

Regular Meeting of the Board of Trustees

October 16, 2018

Agenda

10. BARD OF TRUSTEES

10.1 FUTURE AGENDA ITEMS

The following are a number of agenda items that the Board of Trustees has been monitoring. They are NOT action items for tonight's meeting, but are noted here for continuing purposes and to ensure that when there are changes or new information they will be called up as Action/Discussion/Information.

- School Safety

10.2 BOARD MEMBER REPORTS/COMMENTS

11. ESTABLISHMENT OF NEXT MEETING(S)

The President will establish the following meeting(s):

➤ **November 6, 2018 7:00 P.M.**, Regular Meeting of the Board of Trustees –
District Office/City Hall Bldg., 3rd Floor Conference Room

➤ **November 20, 2018 7:00 P.M.**, Regular Meeting of the Board of Trustees –
District Office/City Hall Bldg., 3rd Floor Conference Room

12. ADJOURNMENT

Accommodating Those Individuals with Special Needs:

In compliance with the Americans with Disabilities Act, the Western Placer Unified School District encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the Office of the Superintendent, at (916) 645-6350 at least 48 hours in advance of the meeting you wish to attend so that we may make every reasonable effort to accommodate you, including auxiliary aids or services.

**DISCLOSURE
OF ACTION
TAKEN IN
CLOSED SESSION,
IF ANY**

Western Placer Unified School District

CLOSED SESSION AGENDA

Place: Twelve Bridges Middle School – Office Conference Room

Date: Tuesday, October 16, 2018

Time: 6:20 P.M.

1. LICENSE/PERMIT DETERMINATION
2. SECURITY MATTERS
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
6. LIABILITY CLAIMS
7. THREAT TO PUBLIC SERVICES OR FACILITIES
8. PERSONNEL
 - * PUBLIC EMPLOYEE APPOINTMENT
 - * PUBLIC EMPLOYEE EMPLOYMENT
 - * PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 - * PUBLIC EMPLOYEE EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE
 - * COMPLAINTS OR CHARGES AGAINST AN EMPLOYEE
9. CONFERENCE WITH LABOR NEGOTIATOR
10. STUDENTS
 - * STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
 - * STUDENT PRIVATE PLACEMENT
 - * INTERDISTRICT ATTENDANCE APPEAL
 - * STUDENT ASSESSMENT INSTRUMENTS
 - * STUDENT RETENTION APPEAL, Pursuant to BP 5123
 - * DISCLOSURE OF CONFIDENTIAL STUDENT RECORD INFORMATION
 1. LICENSE/PERMIT DETERMINATION
 - A. Specify the number of license or permit applications.
 2. SECURITY MATTERS
 - A. Specify law enforcement agency
 - B. Title of Officer
 3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
 - A. Property: specify the street address, or if no street address the parcel number or unique other reference to the property under negotiation.
 - B. Negotiating parties: specify the name of the negotiating party, not the agent who directly or through an agent will negotiate with the agency's agent.
 - C. Under negotiations: specify whether the instructions to the negotiator will concern price, terms of payment or both.

4. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
 - A. Name of case: specify by reference to claimant's name, names or parties, case or claim number.
 - B. Case name unspecified: specify whether disclosure would jeopardize service of process or existing settlement negotiations.
5. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**
 - A. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9 (if the agency expects to be sued) and also specify the number of potential cases.
 - B. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9 (if the agency intends to initiate a suit) and specify the number of potential cases.
6. **LIABILITY CLAIMS**
 - A. Claimant: specify each claimants name and claim number (if any). If the claimant is filing a claim alleging district liability based on tortuous sexual conduct or child abuse, the claimant's name need not be given unless the identity has already been publicly disclosed.
 - B. Agency claims against.
7. **THREATS TO PUBLIC SERVICES OR FACILITIES**
 - A. Consultation with: specify name of law enforcement agency and title of officer.
8. **PERSONNEL:**
 - A. **PUBLIC EMPLOYEE APPOINTMENT**
 - a. Identify title or position to be filled.
 - B. **PUBLIC EMPLOYEE EMPLOYMENT**
 - a. Identify title or position to be filled.
 - C. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
 - a. Identify position of any employee under review.
 - D. **PUBLIC EMPLOYEE EMPLOYMENT/DISCIPLINE/DISMISSAL/RELEASE**
 - a. It is not necessary to give any additional information on the agenda.
 - E. **COMPLAINTS OR CHARGES AGAINST AN EMPLOYEE, UNLESS EMPLOYEE REQUESTS OPEN SESSION**
 - a. No information needed
9. **CONFERENCE WITH LABOR NEGOTIATOR**
 - A. Name any employee organization with whom negotiations to be discussed are being conducted.
 - B. Identify the titles of unrepresented individuals with whom negotiations are being conducted.
 - C. Identify by name the agency's negotiator
10. **STUDENTS:**
 - A. **STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918**
 - B. **STUDENT PRIVATE PLACEMENT**
 - a. Pursuant to Board Policy 6159.2
 - C. **INTERDISTRICT ATTENDANCE APPEAL**
 - a. Education Code 35146 and 48918
 - D. **STUDENT ASSESSMENT INSTRUMENTS**
 - a. Reviewing instrument approved or adopted for statewide testing program.
 - E. **STUDENT RETENTION/ APPEAL**
 - a. Pursuant to Board Policy 5123
 - F. **DISCLOSURE OF CONFIDENTIAL STUDENT RECORD INFORMATION**
 - a. Prevent the disclosure of confidential student information.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

DISTRICT GLOBAL GOALS

1. Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
2. Foster a safe, caring environment where individual differences are valued and respected.
3. Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
4. Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.
5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Bargaining Groups:

WPTA & CSEA Negotiations

Agency Negotiators:

Scott Leaman, Superintendent

Gabe Simon, Assistant Superintendent
of Personnel Services

Audrey Kilpatrick, Assistant Superintendent
Business and Operations

Kerry Callahan, Assistant Superintendent of
Educational Services

AGENDA ITEM AREA:

Disclosure of action taken in
closed session

REQUESTED BY:

Scott Leaman
Superintendent

ENCLOSURES:

No

DEPARTMENT:

Personnel

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

Labor Negotiator will give the Board of Trustees an update on Western Placer Teachers Association & Classified Schools Employee Association Bargaining Groups.

ADMINISTRATION RECOMMENDATION:

Administration recommends the board of trustees be updated on negotiations.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.	
DISTRICT GLOBAL GOALS	
<ol style="list-style-type: none">1. Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students2. Foster a safe, caring environment where individual differences are valued and respected.3. Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.4. Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.5. Promote student health and nutrition in order to enhance readiness for learning.	

SUBJECT:

CONFERENCE WITH LEGAL COUNSEL –
EXISTING LITIGATION

AGENDA ITEM AREA:

Disclosure of Action Taken in
Closed Session

REQUESTED BY:

Scott Leaman, Superintendent
Kerry Callahan,
Assistant Superintendent of Educational Services

ENCLOSURES:

No

DEPARTMENT:

Administration

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The Board of Trustees will disclose any action taken in closed session in regard to Case: Mark Babbin and CAL200, S.F. County Superior Court (Case No. CPF-15-514477.

RECOMMENDATION:

Administration recommends the Board of Trustees disclose action taken in closed session in regard to Existing Litigation.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

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SUBJECT:

Student Discipline
Expulsion Student #18-19-A

AGENDA ITEM AREA:

Closed Session

REQUESTED BY:

Chuck Whitecotton
District Hearing Officer

ENCLOSURES:

Yes

DEPARTMENT:

Administration

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The Board of Trustees will disclose any action taken during Closed Session in regards to the expulsion of Student 18-19 A

RECOMMENDATION:

The Administration recommends the Board of Trustees disclose any action taken in regards to the above item.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

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5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

PUBLIC EMPLOYEE EMPLOYMENT/DISCIPLINE/
DISMISSAL/RELEASE

AGENDA ITEM AREA:

Closed Session

REQUESTED BY:

Gabe Simon
Assistant Superintendent of Personnel Services

ENCLOSURES:

No

DEPARTMENT:

Personnel

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

Yes

BACKGROUND:

The Board of Trustees will disclose any action taken in closed session in regards to Public Employee Employment/Discipline/Dismissal/Release.

RECOMMENDATION:

Administration recommends the Board of Trustees disclose action taken in closed session in regards to Public Employee Employment/Discipline/Dismissal/Release.

**SPECIAL
ORDER
OF
BUSINESS**

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

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SUBJECT:

Featured School:
Twelve Bridges Middle School

AGENDA ITEM AREA:

Special Order of Business

REQUESTED BY:

Scott Leaman,
Superintendent

ENCLOSURES:

Yes

DEPARTMENT:

Administration

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL VOTE:

No

BACKGROUND:

Twelve Bridges Middle School will share a short presentation to the Board of Trustees.

RECOMMENDATION:

Administration recommends the Board of Trustees enjoy the presentation.



**TWELVE BRIDGES
MIDDLE SCHOOL**

770 Westview Dr.
Lincoln, CA 95648

Phone (916) 434-5270
Fax (916) 434-5273

Principal

Randy Woods

Assistant

Principal

Heather Pierce

Counselor

Wendy Hollis



**WESTERN
PLACER
UNIFIED
SCHOOL
DISTRICT**

600 Sixth Street
Suite 400
Lincoln, CA 95648

Phone (916) 645-6350
Fax (916) 645-6356

Superintendent

Scott Leaman

October 11, 2018

Re: WPUSD School Board Meeting
Tuesday, October 16, 2018
7:00 p.m., TBMS Multipurpose Room

Agenda

Pledge of Allegiance:

- Michael Dallas, Student Body President

Introductions:

- Randy Woods (Principal)
- Heather Pierce (Assistant Principal)
- Marcie Petersen (School Secretary)
- Tawnia Warner (PTC President)
- Michael Dallas (Student Body President)

Welcome, New Programs and Areas of Pride (Top 3)

- AVID
 - AVID Certified School as of 17-18
- YDI
 - Summer Bridge slide show
- STEAM
 - Robotics
 - 3-D Animation
 - Blender

Student Body Activities and update

- Michael Dallas (Class President)

CONSENT

AGENDA

ITEMS

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

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SUBJECT:

Classified Personnel Report

AGENDA ITEM AREA:

Consent Agenda

REQUESTED BY:

Gabriel Simon *GS*
Assistant Superintendent of Personnel Services

ENCLOSURES:

Yes

DEPARTMENT:

Personnel

FINANCIAL INPUT/SOURCE:

General Fund/Categorical

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

BACKGROUND:

The Board of Trustees will take action to approve the classified personnel report.

RECOMMENDATION:

Administration recommends ratification of the classified personnel report.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
PERSONNEL REPORT**

October 16, 2018

CLASSIFIED/MANAGEMENT

NEW HIRES:

1. Name:	Lyudmila Nazarov	Effective: 10/9/18
Position:	Food Service Assistant	Site: Lincoln High School
Salary:	Range 12, Step C	Replacement
Hours:	2.25 Hours/5 Days a week	
Days:	10 Months/Year	

REHIRE: None

TRANSFER/PROMOTION

1. Name:	Tami Quinn	Effective: 10/2/2018
Position:	Paraprofessional Phys. Hlth Care	Site: Lincoln High School
Hours:	5.66 Hours/5 Days a week	
Days:	10 Months/Year	
2. Name:	Heidi Edwards	Effective: 10/9/2018
Position:	Paraprofessional Phys. Hlth Care	Site: Carlin C Coppin Elementary School
Hours:	3.75 Hours/5 Days a week	
Days:	10 Months/Year	

RESIGNATIONS/RETIREMENTS:

1. Name:	Robin Davis
Position:	Food Service Assistant
Hours:	3.5 Hours/ 5 Days a week
Site:	Twelve Bridges Middle School
Effective:	10/12/18
2. Name:	Hailee Gullett
Position:	Program Facilitator
Hours:	4.0 Hours/ 5 Days a week
Site:	Sheridan Elementary School
Effective:	10/18/18

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

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SUBJECT:

Williams Uniform Quarterly
Complaint Report

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Scott Leaman,
Superintendent

ENCLOSURES:

Yes

DEPARTMENT:

Administration

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

One component of the Williams Settlement Legislation requires each district to submit a quarterly report to the County Superintendent and the Governing Board on the nature and resolution of complaints addressing insufficient instructional material, teacher vacancies and misassignments, and emergency or urgent facilities issues.

RECOMMENDATION:

Administration recommends the Board of Trustees approve the results of the Williams Uniform Complaint report.

Quarterly Report on Williams Uniform Complaints
[Education Code § 35186(d)(e)]

District: Western Placer Unified School District

Person completing this form: Rosemary Knutson

Title: Secretary to the Superintendent

Quarterly Report Submission Date:
(Check one)

☐

April

Due: April 30th

☐

July

Due: July 31st

☒

October

Due: October 31st

☐

January

Due: January 31st

Date quarterly report was or will be reported publicly at a regularly scheduled board meeting: 10/16/18

☒

No complaints were filed with any school in the district or with a district official during the quarter indicated above.

☐

Complaints were filed with a school(s) in the district or with a district official during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	-0-	-0-	-0-
Teacher Vacancy or Misassignment	-0-	-0-	-0-
Facilities Conditions	-0-	-0-	-0-
CAHSEE Intensive Instruction & Services	-0-	-0-	-0-
TOTALS	-0-	-0-	-0-

Scott Leaman

Print Name of District Superintendent



Signature of District Superintendent

October 10, 2018

Date

Please submit to: Jessica Garlock, Administrative Assistant
County Superintendent of Schools
Placer County Office of Education
360 Nevada Street, Auburn, CA 95603
(530) 889-5581 / Fax: (888) 292-4936

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.	
DISTRICT GLOBAL GOALS	
1.	Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
2.	Foster a safe, caring environment where individual differences are valued and respected.
3.	Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
4.	Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.
5.	Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Ratification of Contract – Hyatt Regency
Sacramento for LHS Senior & Junior
Prom on March 16, 2019

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Audrey Kilpatrick
Assistant Superintendent of Business & Operations

ENCLOSURES:

Yes

DEPARTMENT:

Business Services

FINANCIAL INPUT/SOURCE:

Student Donations

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The District has contracted on behalf of Lincoln High School with the Hyatt Regency Sacramento for facilities rental for the high school's Senior & Junior Prom on March 16, 2019. The cost is \$2,000.00 and will be paid from Student Donations.

RECOMMENDATION:

Administration recommends the Board ratify the agreement for facilities rental between the Hyatt Regency Sacramento and Western Placer Unified School District.



HYATT REGENCY SACRAMENTO
1209 L STREET

SACRAMENTO, CA 95814- US

Telephone: (916) 443-1234
Fax: (916) 321-3788

September 25, 2018

CATERING CONTRACT

GROUP NAME: LINCOLN HIGH SCHOOL
FUNCTION NAME: SENIOR PROM
CONTACT NAME: MARY MACQUEEN
ADDRESS: 790 J STREET
LINCOLN, CA 95648
PHONE NUMBER: (916) 645 6360
EMAIL ADDRESS: MMACQUEEN@WPUSD.ORG

Day	Date	Function	Time	Set Up	# of guests	Room Rental
Saturday	3/16/2019	SET UP	11:00 AM-05:00 PM	BANQUET ROUNDS/RECEPTION	600	\$ 0
Saturday	3/16/2019	SENIOR PROM	05:00 PM-12:00 AM	BANQUET ROUNDS/RECEPTION	600	\$ 2,000

LINCOLN HIGH SCHOOL ("Group") and HYATT REGENCY SACRAMENTO ("Hotel") agree as follows:

DEFINITE BOOKING

Once you sign and return this agreement, along with the required deposit of **\$2,000.00**, your reservation will be confirmed and considered a definite booking. This signed contract and deposit of **\$2,000.00** are due on **9/28/2018**.

MINIMUM REVENUE COMMITMENT

Based on the approximate number of guests set forth above, a minimum of **\$18,000.00** in combined banquet food and beverage revenue and **\$2,000.00** in meeting room rental will be spent at your function. This minimum does not include guestroom charges, service charges, any applicable taxes, labor charges, audiovisual, or any other miscellaneous charges incurred. Should your final count drop below the approximate number of guests listed above, we will be happy to advise you on additional alternatives in food and beverage which will bring you back up to the agreed upon minimum revenue figures for your function.

SPECIAL HOTEL CONCESSIONS

In consideration of achievement of Group's minimum revenue commitment, the Hotel will provide the following:

- Complimentary Menu Tasting for up to (4) Guests
- Your Choice of (2) Complimentary Standard Rooms or (1) Complimentary Suites on the Night of March 16, 2019
- (5) Complimentary Valet Parking Passes (Not Valid for Overnight Guests)

CANCELLATION POLICY

Either the Hotel or Group may cancel this contract without cause at any time prior to the event by paying to the other party liquidated damages (agreed not to constitute a penalty) based on the following scale:

More than six(6) months from arrival date (40% of estimate revenue)	\$8,000.00
Less than six(6) months to one(1) month from arrival date (60% of estimate revenue)	\$12,000.00
Less than one(1) month up to arrival date (75% of estimate revenue)	\$15,000.00

Cancellations made under this provision shall be made by the canceling party to the non-canceling party by written notice and payment of the liquidated damages due at that time.

Failure to remit payment when due will result in Group's cancellation of this Agreement and Group shall be liable for the Cancellation Fee as set forth herein.

FORCE MAJEURE

The parties' performance under this Agreement is subject to acts of God, war, government regulation, terrorism, disaster, strikes, civil disorder, curtailment of transportation facilities, restriction on food, beverage or other supplies or any other emergency of a comparable nature beyond the parties' control, making it impossible, illegal or which materially affects a party's ability to perform its obligations under this Agreement. In order to terminate this agreement under this provision, the terminating party must provide written notice to the other party within five (5) days of the occurrence of any of these events. In the event of termination by the Hotel under this section, the Hotel shall refund all deposits and/or prepayments made by the Group within five (5) days of the notice of termination.

GUARANTEE COUNTS

In arranging for private functions, the final attendance must be received by the Catering Office no later than 11:00 a.m. three (3) working days prior to the commencement of the function. This number will be considered a guarantee, not subject to reduction, and charges will be made accordingly. Please provide the guarantees on the following days*:

Day of Function:	Guarantee due on the preceding:
Saturday	Wednesday

*National Holidays are not considered working days and should be taken into consideration when submitting guarantees.

The Hotel will be prepared to serve 3% more than the guaranteed number of attendees and cannot be responsible for service to more than 3% over the guarantee for groups of up to 1,000 persons.

TAXES

All federal and local taxes / charges which may be imposed or be applicable to this agreement and to the service rendered by the Hotel are in addition to the prices herein agreed upon, and the Group agrees to pay them.

FOOD AND BEVERAGE

No food and beverage of any kind may be brought into the Hotel by the Group or any of the Group's guests or invitees.

PAYMENT

The hotel requires full prepayment on all events seven (7) business days prior to a group's arrival. Payment may be made by credit card or check. The estimated charges for this event are due March 7, 2019.

SERVICE CHARGE

A 23% Service Charge and applicable taxes shall be added to all food and beverage and room rental fees.

INDEMNIFICATION AND HOLD HARMLESS

Hotel agrees to defend, indemnify and hold harmless Group from and against all claims, actions, causes of action, or liabilities, including reasonable attorneys' fees, arising out of or resulting from any act undertaken or committed by Hotel pursuant to the performance of its obligations under this Agreement. Hotel also agrees to defend, indemnify and hold harmless Group from any liability resulting from any claim, action or cause of action, which may be asserted by third parties arising out of Hotel's performance pursuant to this Agreement, except for those actions or liabilities which are due to the misconduct or negligence of the Group.

Group agrees to defend, indemnify, and hold harmless Hotel from and against all claims, actions, causes of action, or liabilities, including reasonable attorneys' fees, arising out of or resulting from any act undertaken or committed by Group or any contractors hired or engaged by the Group in connection with performance of Group's obligations under this Agreement. Group also agrees to defend, indemnify, and hold harmless Hotel from any liability resulting from any claim, action or cause of action, which may be asserted by third parties arising out of the performance of Group's obligations pursuant to this Agreement, except those actions which are due to the misconduct or negligence of Hotel.

INSURANCE

Group and Hotel are required to insure their obligations set forth in the section entitled "Indemnification and Hold Harmless" above, and to provide evidence of such insurance upon request. For any activity introduced onto the premises by an outside contractor hired by Group, Group will be fully responsible for the actions of such outside contractor. Upon

request, Group will provide a certificate of insurance covering the actions of such outside contractor, naming the Hotel and Hyatt Corporation as additional insureds with regard to the activities of such outside contractor.

PERMITS/LICENSES

In the event that the Group's function requires a permit or license from any governing body, local, state or federal, the Group is solely responsible for obtaining such license or permit at Group's expense.

EVENT ROOM

The Hotel reserves the right to assign another room for the Customer's functions in the event the room originally designated for such function shall be unavailable or inappropriate, in the Hotel's sole opinion.

CHANGES; NOTICE

Any changes to these terms must be made in writing and signed by both parties to be effective. Any modifications, additions or corrective lining out made on this Agreement will not be binding unless such modifications have been signed or initialed by both parties. Any notice hereunder shall be given to the individuals listed on the first page of this Agreement at the addresses set forth herein. Notice must be given through certified or registered mail, return receipt requested, overnight delivery, with a signature signifying receipt, or by facsimile in order to be effective under this agreement and shall be deemed delivered upon receipt.

DAMAGES

Neither party shall be liable to the other for any special, indirect, incidental, consequential, punitive or exemplary damages, including, but not limited to, lost profits, even if such party has knowledge of the possibility of such damages.

AGREEMENT

This Agreement, along with the attached Hotel's Information Sheet, which is incorporated herein by reference, are all of the terms agreed to by the parties. The agreement shall be considered accepted once both parties have signed below. It is our understanding that you are empowered by your organization to make these arrangements. A signature delivered by facsimile or electronic means will be considered binding for both parties. All prior agreements, verbal or written, are no longer effective once this Agreement is signed by the parties.

Date: _____

Signature: _____
JESSICA NEAL
(HYATT REGENCY SACRAMENTO)

Date: 9/27/18

Signature: _____
Printed: MARY MACQUEEN
(LINCOLN HIGH SCHOOL)
Audrey K. Kipatnick
Asst Supt of Business Svs and Operations

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

DISTRICT GLOBAL GOALS

1. Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
2. Foster a safe, caring environment where individual differences are valued and respected.
3. Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
4. Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.
5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Ratify Contract between Capitol Public Finance Group and Western Placer Unified School District - Municipal Security Issuance Services

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Audrey Kilpatrick, 
Assistant Superintendent of Business & Operations

ENCLOSURES:

Yes

DEPARTMENT:

Business Services

FINANCIAL INPUT/SOURCE:

Measure A & N Bond Funds

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The contract presented with Capital Public Finance Group is specifically for municipal security issuance services related to the issuance of General Obligation Bonds, Election of 2014, Series B and Election of 2016, Series A. As part of the Municipal Advisor rules a separate contract must be made for the issuance of debt. The cost for services will be a flat fee of \$48,750.00 contingent on the closing of the bonds.

RECOMMENDATION:

Administration recommends Board ratify the contract with Capitol Public Finance Group and Western Placer Unified School District for municipal security issuance services of the related to the issuance of General Obligation Bonds, Election of 2014, Series B and Election of 2016, Series A.

**AGREEMENT FOR
PROFESSIONAL SERVICES
BETWEEN
WESTERN PLACER UNIFIED SCHOOL DISTRICT
AND
CAPITOL PUBLIC FINANCE GROUP, LLC**

1. Parties and Date.

This Agreement ("Agreement") is made and entered into this **28th day of September, 2018**, by and between **WESTERN PLACER UNIFIED SCHOOL DISTRICT** (the "District") and **CAPITOL PUBLIC FINANCE GROUP, LLC** ("Consultant") (collectively referred to as the "Parties" and each individually as the "Party").

2. Recitals.

2.1 **Consultant.** Consultant is a professional consultant, experienced and properly certified/licensed to provide the professional services described herein, and is familiar with the plans of the District.

3. Terms.

3.1 Scope of Services, Qualifications and Term.

(a) General Scope of Services. Consultant promises and agrees to furnish all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately supply professional services, as more particularly described in the scope of work proposal and fee schedule set forth in **Exhibit "A"** attached hereto and incorporated herein by reference (collectively "Services"). All Services shall be subject to, and performed in accordance with, this Agreement, the exhibits attached hereto and incorporated herein by reference, and all applicable local, state and federal laws, rules and regulations.

(b) Fiduciary Duty. In accordance with the Municipal Securities Rulemaking Board Proposed Rule 42, Consultant has provided a Conflict of Interest Disclosure as set forth in **Exhibit "B"**. Consultant shall provide the District with periodic updates of Exhibit "B" on an as-needed basis, including written disclosures of actual or pending conflicts of interests, legal or disciplinary actions, and flat or contingent fee arrangements associated with the issuance of municipal securities or financial products.

3.2 **Term.** The term of this Agreement shall be from the date first written above and shall continue until December 31, 2018, unless earlier terminated as provided herein. The Parties may mutually agree to extend this term by written amendment.

3.3 Responsibilities of Consultant.

(a) Control and Payment of Consultants and its Subordinates. The District retains Consultant on an independent contractor basis and Consultant is not an employee of the District. Any additional personnel performing the Services under this Agreement on behalf of

Consultant shall at all times be under Consultant's exclusive direction and control. Consultant shall pay all wages, salaries, and other amounts due such personnel in connection with their performance of Services under this Agreement and as required by law including, but not limited to, the payment of prevailing wage, as applicable.

(b) Conformance to Applicable Requirements. All work prepared by Consultant is subject to the approval of the District and any and all applicable regulatory State agencies, and shall be the property of the District.

(c) Work Authorization/Task Order. Consultant shall obtain from the District a written work authorization for the Project prior to commencing any work or performing any Services under this Agreement. Such written work authorization shall reiterate Consultant's duties outlined herein and provide written confirmation of the specific Services, or portion thereof, to be performed, any applicable schedule requirements for such Services, as well as the agreed upon compensation to be provided for such Services consistent with the not to exceed fee set forth this Agreement.

(d) Coordination of Services. Consultant agrees to work closely with the District staff in the performance of Services and shall be available to the District's staff, consultants and other staff at all reasonable times.

(e) Standard of Care. Consultant shall perform all Services under this Agreement in a skillful, competent and timely manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Consultant represents and maintains that it is skilled in the professional calling necessary to perform the Services. Consultant warrants that all of Consultant's employees and subcontractors shall have sufficient skill and experience to perform the Services assigned to them. Consultant further represents that it, its employees and subcontractors or sub-consultants have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Services, and that such licenses and approvals shall be maintained throughout the term of this Agreement. Any of Consultant's employees who are determined by the District to be uncooperative, incompetent, a threat to the adequate or timely completion of the Project, a threat to the safety of persons or property, or any of Consultant's employees who fail or refuse to perform the Services in a manner acceptable to the District, shall be promptly removed from the Project by the Consultant and shall not be re-employed to perform any of the Services or to work on the Project.

(f) Laws and Regulations. Consultant shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Project or the Services, and shall give all notices required by law. Consultant shall be liable for all violations of such laws and regulations in connection with Services.

(g) Insurance. Consultant shall provide insurance in amount and type subject to the review and approval of the District. Consultant shall also provide District with the copies of its insurance policies prior to commencing work on the Project.

(h) Safety. Consultant shall execute and maintain its work so as to avoid injury or damage to any person or property. In carrying out its Services, the Consultant shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of its employees and subcontractors appropriate to the nature of the Services and the conditions under which the Services are to be performed.

(i) Project Staffing. Consultant shall provide adequate staff and resources to facilitate all contractors' activity. Should Consultant fail to adequately staff a project, the District may, at its sole discretion, retain third party inspection services and back charge Consultant for all third party fees.

3.4 Fees and Payments.

(a) Compensation. Consultant shall receive compensation, including reimbursements, for all Services rendered under this Agreement for the not-to-exceed fees set forth in Exhibit "A" attached hereto and incorporated herein by reference consistent with the applicable Work Authorization. Consultant shall not be entitled to any compensation under this Agreement except as confirmed in such written Work Authorization. Extra Work may be authorized, as described below, and if authorized, will be compensated at the rates and manner set forth in this Agreement.

(b) Reimbursement of Expenses. Consultant shall not be reimbursed for any expenses unless authorized in writing in advance by the District.

(c) Payment of Compensation. Consultant shall submit to the District an itemized statement which indicates work completed and hours of Services rendered by Consultant. The District shall pay Consultant within a reasonable time and in accordance with this Agreement.

(d) Extra Work. At any time during the term of this Agreement, the District may request that Consultant perform Extra Work. As used herein, "Extra Work" means any Services which are determined by the District to be necessary, but which the Parties did not reasonably anticipate would be necessary at the execution of this Agreement. Consultant shall not perform, nor be compensated for, Extra Work without written supplemental work authorization from the District.

(e) Authority to Amend Agreement. As the authorized representative for the District for the purposes of binding the District to amendments to this Agreement, the Superintendent or his/her designee, may authorize and execute an amendment to this Agreement to add Services and/or increase the not-to-exceed fee by up to twenty-five percent if the Superintendent identifies an immediate need for such an amendment. All such amendments executed by the Superintendent shall be subject to ratification by the District's governing board.

3.5 Maintenance of Accounting Records. Consultant shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Consultant shall allow a representative of the District during normal business hours to examine, audit, and make transcripts or copies of such records and any

other documents created pursuant to this Agreement. Consultant shall allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of four (4) years from the date of final payment under this Agreement.

3.6 General Provisions.

(a) Suspension of Services. The District may, in its sole discretion, suspend all or any part of Services provided hereunder without cost; provided, however, that if the District shall suspend Services for a period of ninety (90) consecutive days or more and in addition such suspension is not caused by Consultant or the acts or omissions of Consultant, upon rescission of such suspension, the compensation will be subject to adjustment to provide for actual costs and expenses incurred by Consultant as a direct result of the suspension and resumption of Services under this Agreement. Consultant may not suspend its service without the District's express written consent.

(b) Termination of Agreement.

(i) Grounds for Termination. The District may, by written notice to Consultant, terminate the whole or any part of this Agreement at any time and without cause by giving written notice to Consultant of such termination, and specifying the effective date thereof, at least seven (7) days before the effective date of such termination. Upon termination, Consultant shall be compensated only for those services which have been adequately rendered to the District, and Consultant shall be entitled to no further compensation. Consultant may not terminate this Agreement except for cause.

(ii) Effect of Termination. If this Agreement is terminated as provided in this Section, the District may require Consultant to provide all finished or unfinished documents, data, programming source code, reports or any other items prepared by Consultant in connection with the performance of Services under this Agreement. Consultant shall be required to provide such documents and other information within fifteen (15) days of the request.

(iii) Additional Services. In the event this Agreement is terminated in whole or in part as provided herein, the District may procure, upon such terms and in such manner as it may determine appropriate, services similar or identical to those terminated.

(c) Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective Parties at the following address, or at such other address as the respective Parties may provide in writing for this purpose:

CONSULTANT:

CAPITOL PUBLIC FINANCE GROUP

2436 Professional Drive, Suite 300

Roseville, CA 95661

Tel.: (916) 641-2734

Fax: (916) 921-2734

Attn: Jeffrey Small, Managing Partner

DISTRICT:

WESTERN PLACER UNIFIED SCHOOL DISTRICT

600 Sixth Street, Suite 400

Lincoln, CA 95648

Attn: Audrey Kilpatrick, Assistant Superintendent of Business Services and Operations

Such notice shall be deemed made when personally delivered to the address set forth above, or forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed as set forth above. Delivery of notice may also be made by overnight mail with proof of delivery; by facsimile with proof of transmission; or by email if receipt is acknowledged by the recipient of the email notice. Notice shall be deemed adequate on the date actual notice occurred, regardless of the method of service.

(d) Mediation. Disputes arising from this Agreement may be submitted to mediation if mutually agreeable to the Parties hereto. The type and process of mediation to be utilized shall be subject to the mutual agreement of the Parties.

(e) Ownership of Materials and Confidentiality.

(i) All materials and data, including but not limited to, data on magnetic media and any materials and data required to be made or kept pursuant to federal, state or local laws, rules or regulations, prepared or collected by Consultant pursuant to this Agreement, shall be the sole property of the District, except that Consultant shall have the right to retain copies of all such documents and data for its records. The District shall not be limited in any way in its use of such materials and data at any time, provided that any such use not within the purposes intended by this Agreement shall be at the District's sole risk and provided that Consultant shall be indemnified against any damages resulting from such use, including the release of this material to third parties for a use not intended by this Agreement.

(ii) All such materials and data shall be provided to the District, or such other agency or entity as directed by District or required by law, rule or regulation, immediately upon completion of the term of this Agreement as directed by the District. Should the District wish to obtain possession of any such materials or data during the term of this Agreement, it shall make its request in writing. Such information shall be provided to the District within forty-eight (48) hours of its request.

(f) Indemnification. To the fullest extent permitted by law, Consultant shall defend (with counsel of the District's choosing), indemnify and hold the District, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's Services, the Project or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and

other related costs and expenses. Consultant shall reimburse the District and its officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the District, its directors, officials officers, employees, agents, or volunteers.

(g) Entire Agreement. This Agreement contains the entire Agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements.

(h) Governing Law. This Agreement shall be governed by the laws of the State of California. Any action brought to enforce the terms of this Agreement shall be brought in a state or federal court located in the County of Placer, State of California.

(i) Time of Essence. Time is of the essence for each and every provision of this Agreement.

(j) The District's Right to Employ Other Consultants. The District reserves right to employ other consultants in connection with this Project. However, Consultant shall be the exclusive consultant for purposes of the Services as noted within this Agreement, unless terminated as provided herein.

(k) Successors and Assigns. This Agreement shall be binding on the successors and assigns of the Parties, and shall not be assigned by Consultant without the prior written consent of the District.

(l) Amendments. This Agreement may not be amended except by a writing signed by the District and Consultant.

(m) Severability. If any section, subsection, sentence, clause or phrases of this Agreement, or the application thereof to any of the Parties, is for any reason held invalid or unenforceable, the validity of the remainder of the Agreement shall not be affected thereby and may be enforced by the Parties to this Agreement.

(n) Interpretation. In interpreting this Agreement, it shall be deemed that it was prepared jointly by the Parties with full access to legal counsel of their own. No ambiguity shall be resolved against any party on the premise that it or its attorneys were solely responsible for drafting this Agreement or any provision thereof.

(o) Conflict of Interest. For the term of this Agreement, no member, officer or employee of the District, during the term of his or her service with the District, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

(p) Fingerprinting Requirements. Consultant hereby acknowledges that, if applicable, it is required to comply with the requirements of Education Code Section 45125.1 with respect to fingerprinting of employees who may have contact with the District's pupils. The Consultant shall also ensure that its consultants on the Project also comply with the requirements

of Section 45125.1. If required by Education Code Section 45125.1, the Consultant must provide for the completion of a Fingerprint Certification form, in the District's required format, prior to any of the Consultant's employees, or those of any other consultants, coming into contact with the District's pupils. Consultant further acknowledges that other fingerprinting requirements may apply, as set forth in Education Code Section 45125 et seq., and will comply with any such requirements.

(q) Non-Waiver. None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is expressly specified in writing.

(r) Board Approval Required. This Agreement shall not be binding nor take effect unless approved or ratified by the District Board of Education. Any amendments, except as required by law, to this Agreement shall require Board approval or ratification.

(s) Exhibits and Recitals. All Exhibits and Recitals contained herein are hereby incorporated into this Agreement by this reference.

(t) Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which shall constitute one agreement. Copies of signatures shall have the same force and effect as original signatures.

(u) Authority to Execute. The persons executing this Agreement on behalf of their respective Parties represent and warrant that they have the authority to do so under law and from their respective Parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement by their authorized officers as of the day, month and year first written above.

**WESTERN PLACER UNIFIED SCHOOL
DISTRICT**

**CAPITOL PUBLIC FINANCE GROUP,
LLC**

By: _____

Name: _____

Title: _____

By: _____



Name: Christopher Terry

Title: Managing Partner

EXHIBIT "A"
Scope of Work and Fee Schedule

Capitol Public Finance Group will provide the following, on an as needed basis, as specified by and at the direction of the District, general financial planning and advisory services to the District which include but are not limited to the following:

Municipal Security Issuance Services

- Issuance of Western Placer Unified School District, General Obligation Bonds, Election of 2014, Series C (2018)
- Issuance of Western Placer Unified School District, General Obligation Bonds, Election of 2016, Series B (2018)

In consideration of Municipal Security Issuance Services provided, Western Placer Unified School District will pay Capitol Public Finance Group a flat fee of \$48,750 per series contingent on the successful closing of the bonds.

EXHIBIT "B"
MSRB Rule G-42 Supplement

Conflict of Interest Disclosure
Western Placer Unified School District

As of September 28, 2018

As part of the fiduciary duty Municipal Advisors owe to their clients, Capitol PFG is providing this supplement to advise you of actual or potential conflicts of interest. Capitol PFG is identifying actual or potential conflicts of interest by marking the relevant conflict in the boxes below; providing a brief explanation of the nature, implications and potential consequences of each conflict; and providing an explanation of how Capitol PFG will manage or mitigate the conflict.

Municipal Security Issuance Services

- ☒ Potential conflict of interest arising from compensation for municipal advisory activities to be performed that is contingent on the size or closing of any transaction as to which the municipal advisor is providing advice.

Explanation of Conflict. The fees to be paid by the Western Placer Unified School District for Financial Transaction Services to Capitol PFG are contingent on the successful closing of the transaction. Although this form of compensation may be customary, it presents a conflict because Capitol PFG may have an incentive to recommend unnecessary financings or financings that are disadvantageous to the Western Placer Unified School District. For example, when facts or circumstances arise that could cause the financing or other transaction to be delayed or fail to close, Capitol PFG may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction. Capitol PFG manages and mitigates this conflict primarily by adherence to the fiduciary duty which it owes to municipal entities such as the Western Placer Unified School District which require it to put the interests of the Western Placer Unified School District ahead of its own.

Copies of Capitol PFG filings with the United States Securities and Exchange Commission can currently be found by accessing the SEC's EDGAR system Company Search Page which is currently available at <https://www.sec.gov/edgar/searchedgar/companysearch.html> and searching for either Capitol Public Finance Group, LLC or for our CIK number which is 0001614042. There have been no material changes to the legal or disciplinary events that Capitol PFG has disclosed to the SEC.

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

DISTRICT GLOBAL GOALS

1. Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
2. Foster a safe, caring environment where individual differences are valued and respected.
3. Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
4. Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.
5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Ratification of Contract with Pacific
Environmental Education Center and
Foskett Ranch Elementary School

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Audrey Kilpatrick 
Assistant Superintendent of
Business and Operations

ENCLOSURES:

Yes

DEPARTMENT:

Business Services

FINANCIAL INPUT/SOURCE:

Donations/Fundraising

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The attached contract is for services with Pacific Environmental Education Center and Foskett Ranch Elementary School for an outdoor educational program for the 2018-19 school year. The services include a 4-day stay for 63 students at Pacific Environmental Education Center. The cost of these services is \$11,705.00 and will be paid with the donations and fundraising.

RECOMMENDATION:

Administration recommends that the Board ratify the contract agreement between Pacific Environmental Education Center and Foskett Ranch Elementary School.

Contract for Services

This agreement between ___Foskett Ranch_____ and Pacific Environmental Education Center (PEEC), a 501©3 non-profit California corporation, is entered into for the purposes of providing educational services for an outdoor education program to be conducted on the Mendocino Coast, on behalf of said school by Pacific Environmental Education Center.

PEEC will provide:

1. **Outdoor School Staff** of one site director and staff naturalists at an approximate ratio of 1 per every 10-12 students.
2. **Room and Board** for students, teachers parent chaperones and program staff.
3. **Supplies and Materials** as required for implementation of the program.
4. **Insurance** covering accident and sickness for all students in attendance.
5. **Extra Vehicle** to transport supplies and to serve as an emergency vehicle on site.

School to provide:

1. **One Teacher** per class.
2. **Transportation** between school and PEEC as well as between PEEC study sites.
3. **Chaperones** in the ratio of one chaperone for every eight to ten students.
Additional chaperones will be required to pay full price.
4. **Liability Insurance** for program activities naming Pacific Environmental Education Center as an additional insured on said school's policy.

Fee Schedule

Deposit- A deposit of \$1000 per week will reserve your approved program dates. This amount will be applied toward student tuition fees. It may also be carried over for the following year's deposit upon request. The deposit amount will be refundable only upon written notice to the director 16 weeks prior to arrival date of school.

1st Payment- ½ of the estimated student and chaperone fees are due 21 days prior to the date of arrival. This fee is refundable only upon cancellation of the week's program by PEEC.

2nd Payment- Bring the final payment on the day of arrival adjusted as closely as possible for the total number of students and chaperones attending. Any underpayments will be billed and overpayments will be refunded.

Any late payments will accrue an additional 1% per week if more than 7 days late.

Contract for Services (Page 2)

PEEC trip for Spring/Fall _Fall_

School: Foskett Ranch Telephone: 916-434-5255

School Address: 1561 Joiner Pkwy, Lincoln, CA 95648

Teacher: Mr. Law Principal: Castillo

Approximate number of students: 63 Grade attending: 5th

Program Date: October 9-12, 2018

Fee per student: \$175 Fee per chaperone: \$85

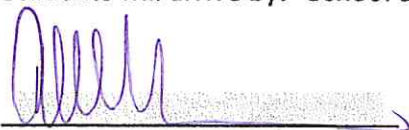
Estimated Total Fee: _____

Deposit status: \$1000 PAID

Estimated 1st payment: 1/2 total Due: September 24, 2018

Estimated final payment: Remainder Due: On Arrival

Students will arrive by: School Bus ☒ Charter Bus ☐ Private Vehicles ☐



School Signature _____

Date _____

Asst Supt of Business Svs and Operations

PEEC Signature _____

Date _____

Please complete and sign this contract. Return it to the PEEC office by ASAP_. We will review and return your copy promptly.

Pacific Environmental Education Center
P.O. Box 2376
Fort Bragg, CA 95437

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

DISTRICT GLOBAL GOALS

1. Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
2. Foster a safe, caring environment where individual differences are valued and respected.
3. Provide facilities for all district programs and functions that are suitable in terms of function, space, cleanliness and attractiveness.
4. Promote the involvement of the community, parents, local government, business, service organizations, etc. as partners in the education of the students.
5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Ratification of Contract
– Center for Hearing Health

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Kerry Callahan 
Assistant Superintendent

ENCLOSURES:

Yes

DEPARTMENT:

Educational Services

FINANCIAL INPUT/SOURCE:

Gen Fund – Nursing Budget

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

The attached contract is for renewal of our annual contract with Center for Hearing Health for 2018-2019 hearing screening of children enrolled in Western Placer Unified School District.

RECOMMENDATION:

Administration recommends that the Board ratify the contract proposal agreement between Center for Hearing Health and Western Placer Unified School District.

Center for Hearing Health, Inc., hereinafter known as "CHH" agrees to provide California Education Code hearing screening tests on mutually agreeable date(s), time(s), and site(s) for the students of hereinafter known as "School, The School, or Schools."

Western Placer Unified School District

School District or School Name

- 1) CHH simultaneously administers individual hearing screening tests for groups of eight students utilizing specially designed vehicles.
- 2) Screenings are administered for students in grades K or 1, 2, 5, 8, 10, preschool and Special Education. Pre-school and Special Education students, unable to respond in group screening, are individually tested at a separate fee as noted in the Contract Rate.
- 3) Fully compliant tests are administered by a Certified School Audiometrist or Licensed Audiologist in accordance with SECTION 2951 of the CALIFORNIA ADMINISTRATIVE CODE, TITLE 17.
- 4) The initial screening test is a pass/fail in response to a 25 decibel pure tone at 1000Hz, 2000Hz and 4000Hz. Students who fail the initial screening are further tested to record individual thresholds at 500Hz, 1000Hz, 2000Hz, and 4000Hz. Post follow-up (2-6 weeks) audiograms and parental notification will be the responsibility of The School.
- 5) A summary report totaling each category of screening and an audiometric record for each student who Failed or Could Not Condition (CNC) will be presented to each School upon completion of the schedule at each site.
- 6) It is the responsibility of The School to exclude participation of students who have corrective devices (e.g. hearing aids, cochlear implants) and students whose parents or guardians have filed a written statement with regard to Education Code, section 49451.
- 7) Employees of CHH are duly licensed by all applicable Local, State and Federal agencies to provide the services referred to herein and have complied with all laws and regulations to which employees of CHH are required to comply.
- 8) Employees of CHH who are in contact with students while providing the services referred to herein are subject to a criminal background check through the State of California Justice Department fingerprint program (CA Ed Code Section 45125.1) and it has been verified that these employees have not been convicted of a violent or serious felony as specified in Penal Code sections 667.5(c) and/or 1192.7(c).
- 9) The School and CHH shall maintain confidentiality of student records and information, in accordance with federal and state law, to include the Family Educational Rights and Privacy Act (FERPA), the California Education Code HIPAA and the Welfare and Institutions Code governing confidentiality. The discussion, transmission, or narration (in any form) of student information is forbidden except as permitted by law. This includes candid discussion between CHH employees and school personnel, including parent volunteers and teachers.

Contract rate per site (whichever is greater): \$525.00 up to 120 tests; \$2.90 each over 120 tests
or \$85.00 per hour from time of arrival until time of departure.

Individual tests: \$7.50 each, i.e., Pre-school; Special Ed

Terms: Net 10 Days - Tax ID: 942722490 - School Dist. PO # _____
(If applicable; not required)

 9/28/18
School Superintendent/Designee Date

Norma G. Ramirez 5/01/2018
Center for Hearing Health Date

- Return signed Service Agreement to CHH (mail, fax, or email); Retain copy
- Invoice presented upon completion or weekly for services extending beyond five days

INFORMATION

DISCUSSION

ACTION

ITEMS

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

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5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

2017-2018 Smarter Balanced Assessment
(SBAC) Results

AGENDA ITEM AREA:

Information

REQUESTED BY:

Kathleen Leehane 
Director of Supplemental Programs
& Accountability

ENCLOSURES:

Yes - PPT

DEPARTMENT:

Educational Services

FINANCIAL INPUT/SOURCE:

NA

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

We have received and analyzed our 2017-2018 SBAC results in English Language Arts and Math for grades 3-8 and 11. A summary and analysis of the results will be presented during the board meeting. The PPT is enclosed for your review ahead of time.

RECOMMENDATION:

Administration recommends the Board receive the information provided.

Student Test Scores

Scored on a scale of 4 to 1:

4 = Exceeded Standard

3 = Met Standard

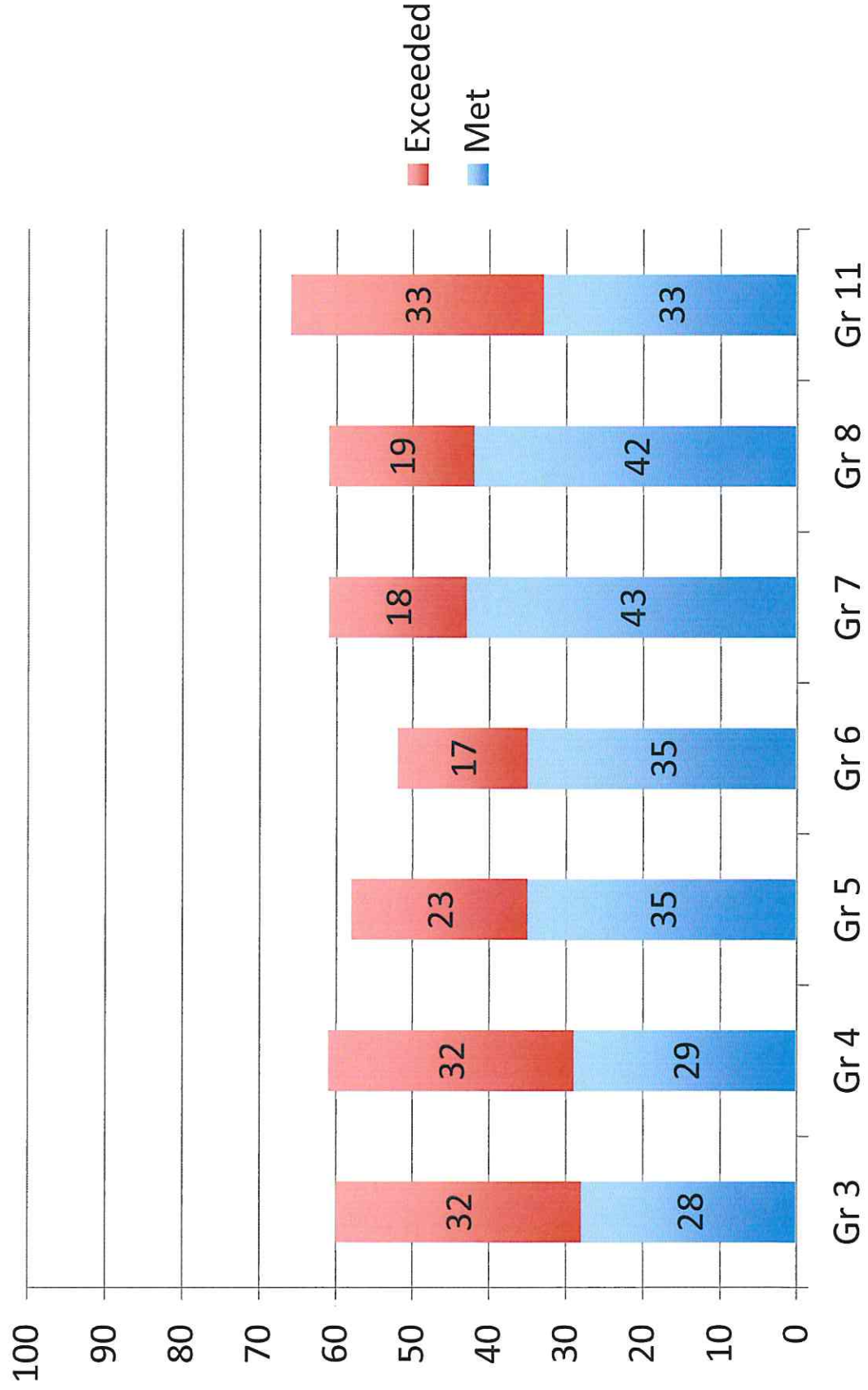
2 = Nearly Met Standard

1 = Did Not Meet Standard

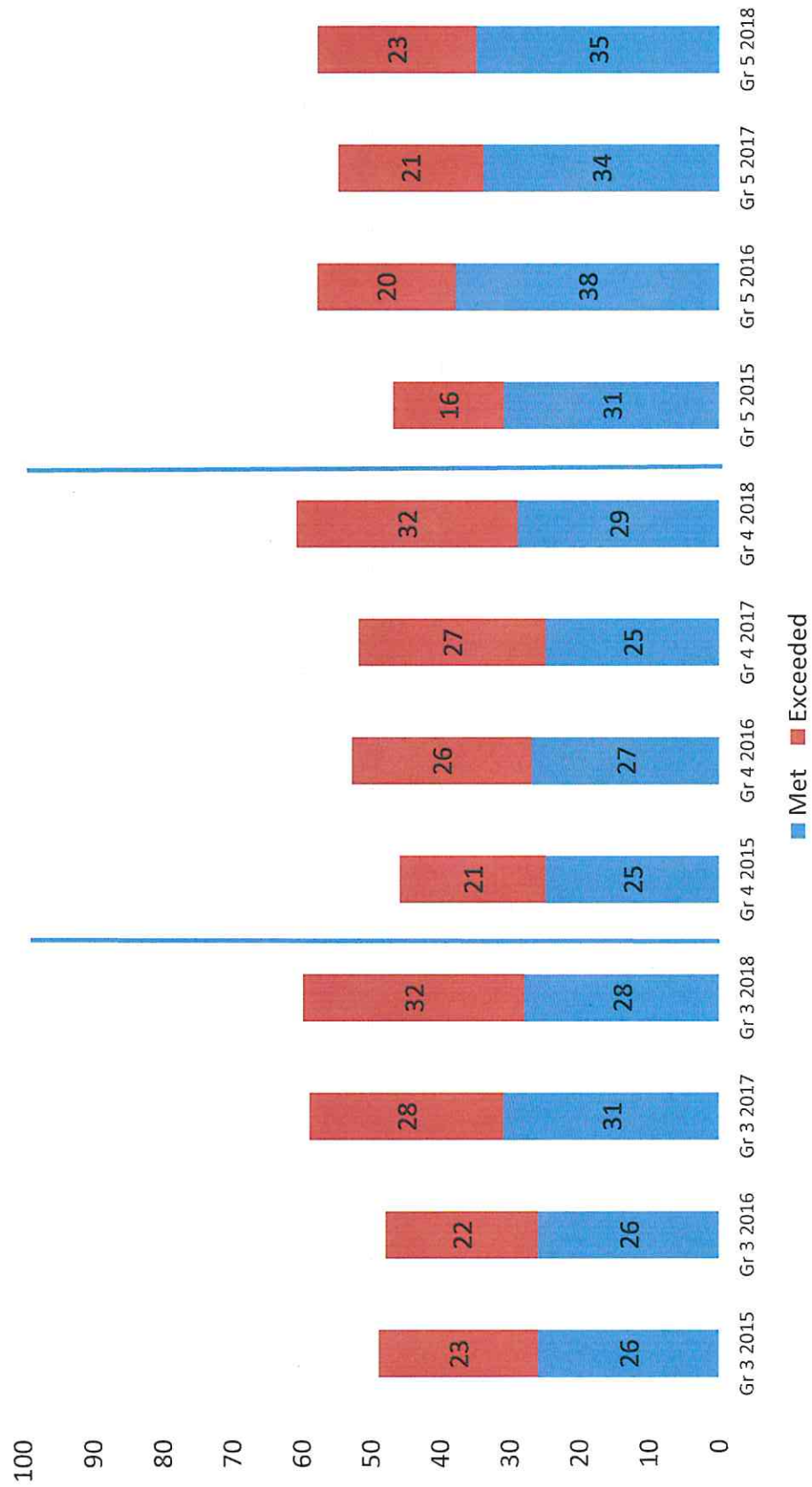
4 = college and career ready

3 = conditionally college and career ready

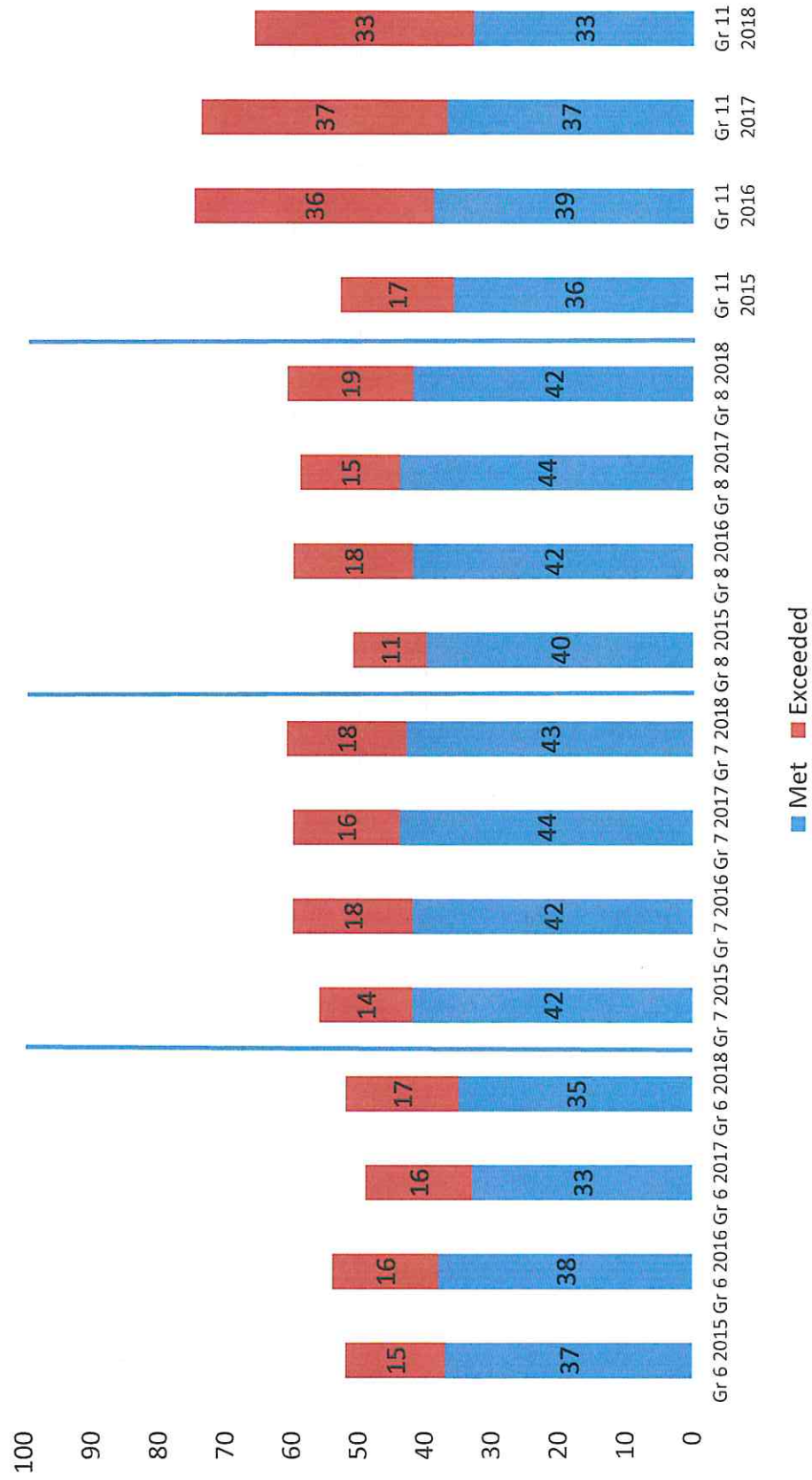
SBAC English Scores 2018
Grade by Grade (% Met or Exceeded Standard)



SBAC English Scores
2015 to 2018 Comparison (%)
By Grade Level - **ELEMENTARY**



SBAC English Scores
2015 to 2018 Comparison (%)
By Grade Level - **SECONDARY**



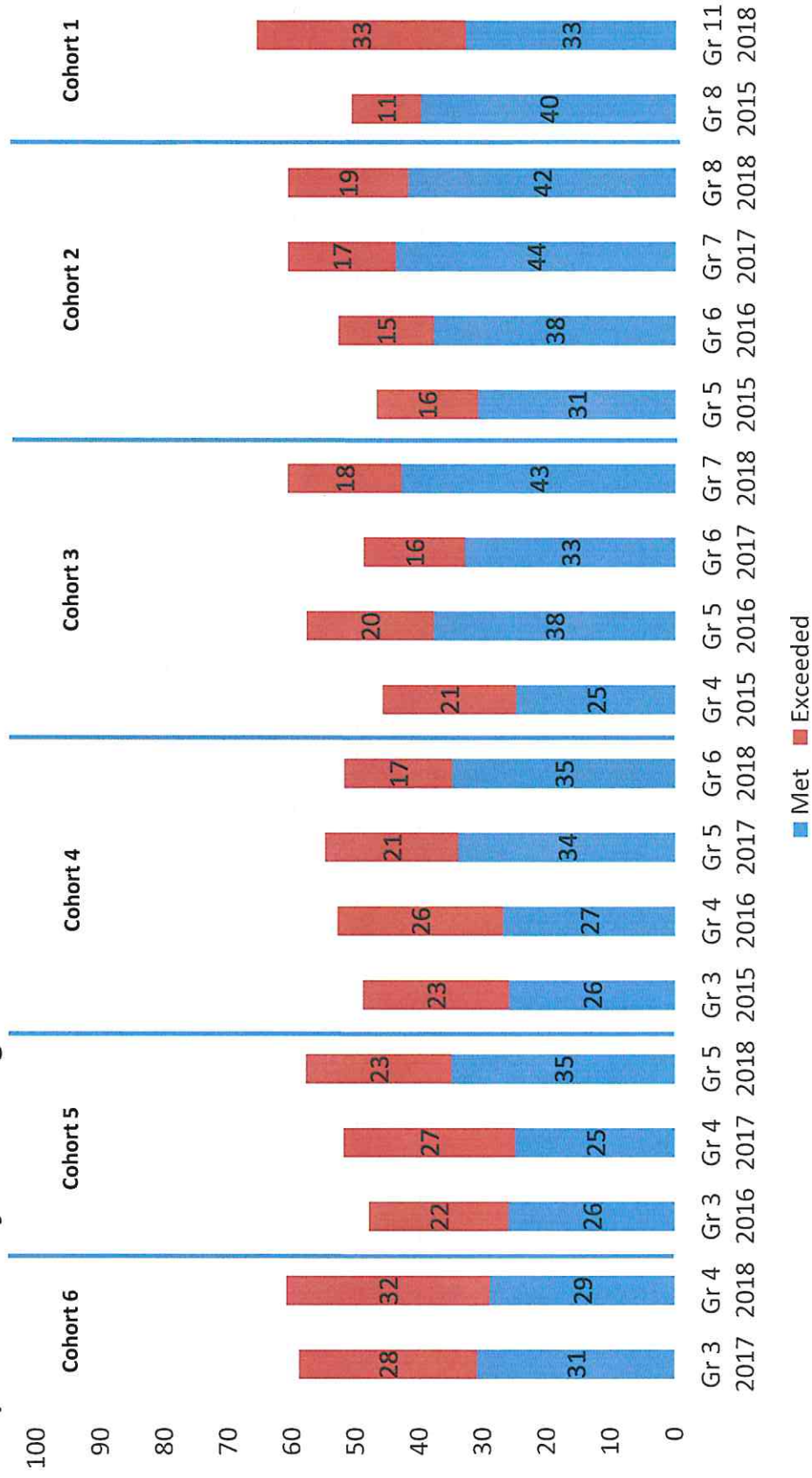
SBAC English Scores

2015 to 2018

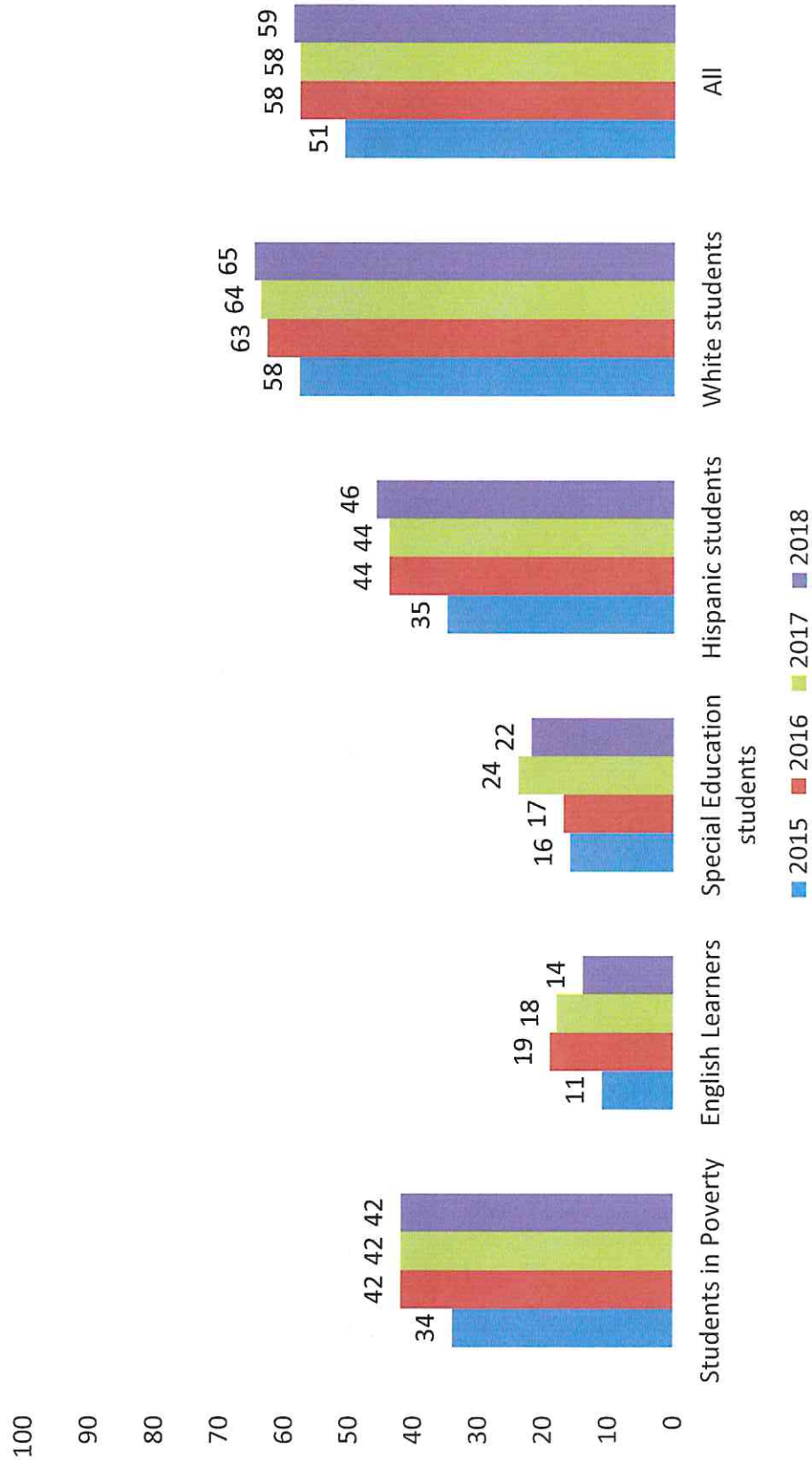
Comparison (%)

Cohort Data – same kids year-to-year

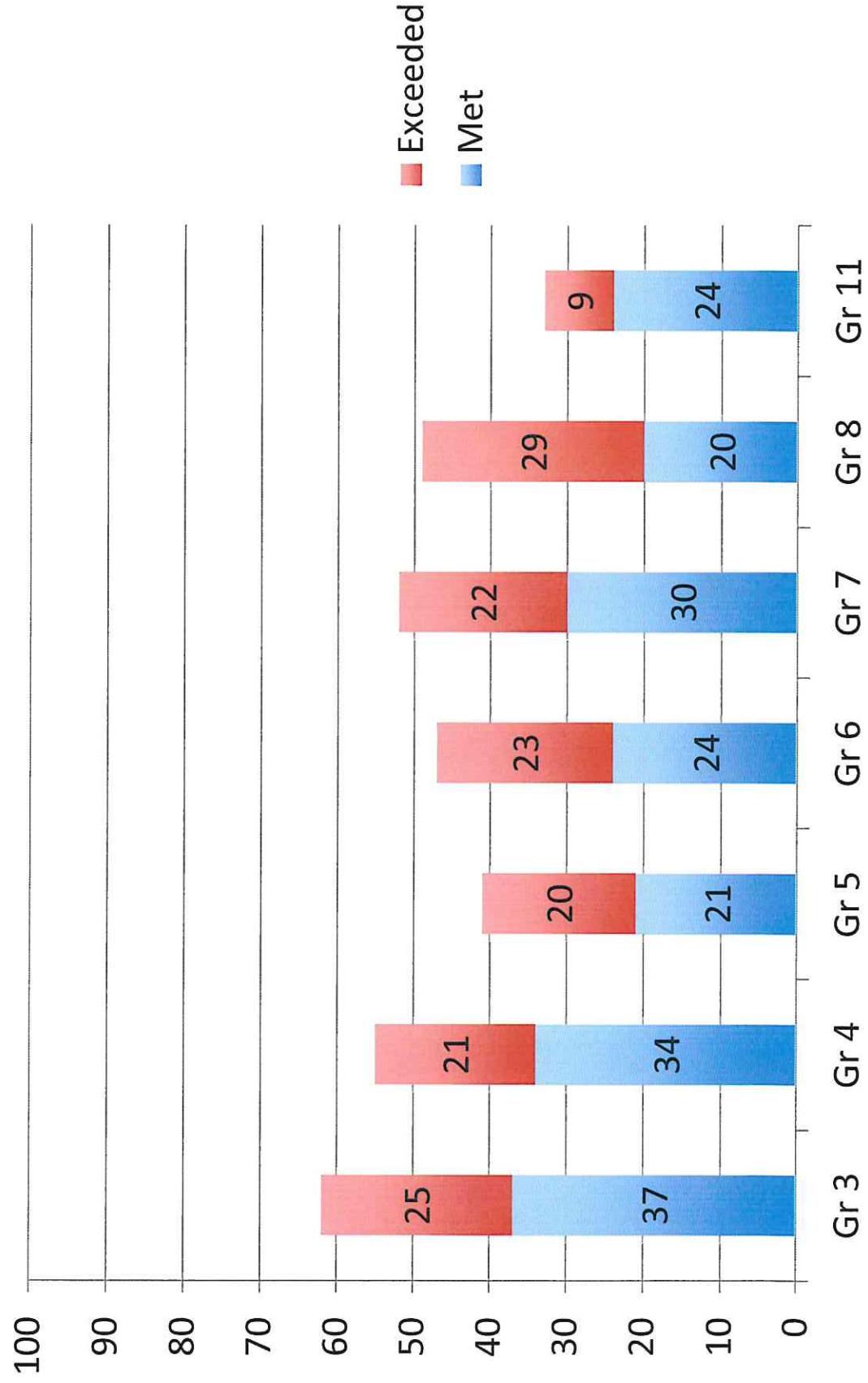
Only available for some grades



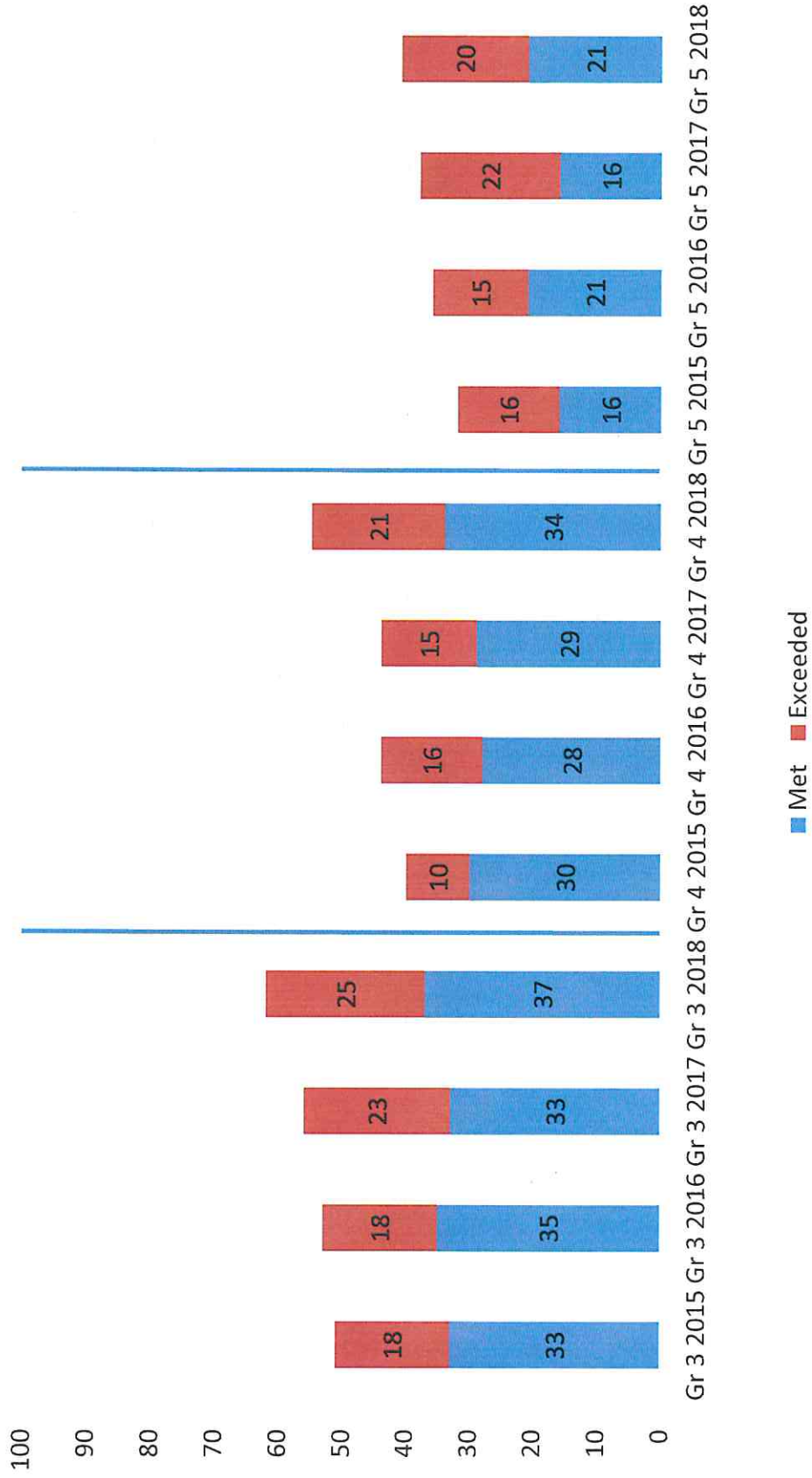
SBAC Scores ELA
Subgroup Comparisons – Met & Exceeded (%)
2015 to 2018 Comparison



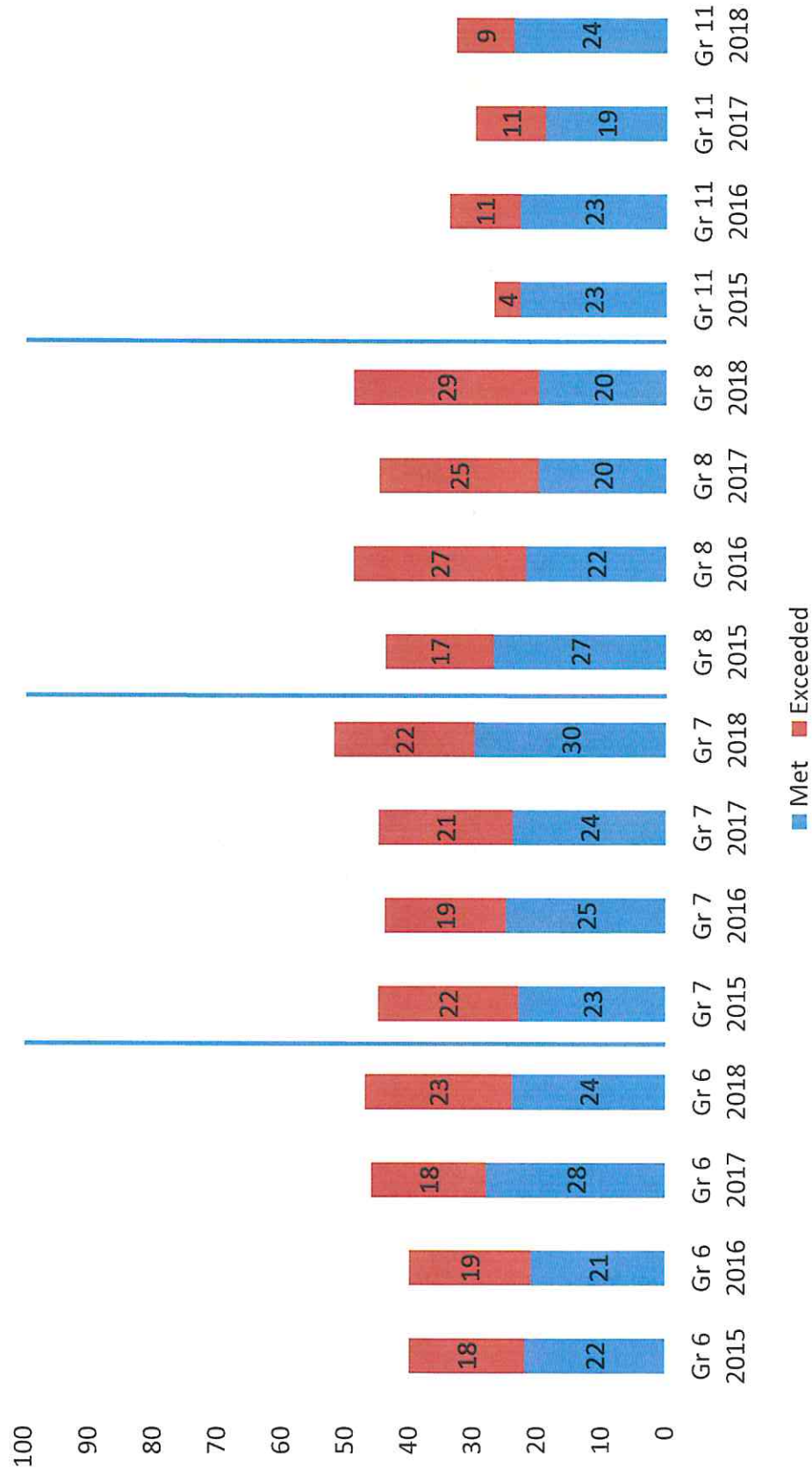
SBAC Math Scores 2018
Grade by Grade (% Met or Exceeded Standard)



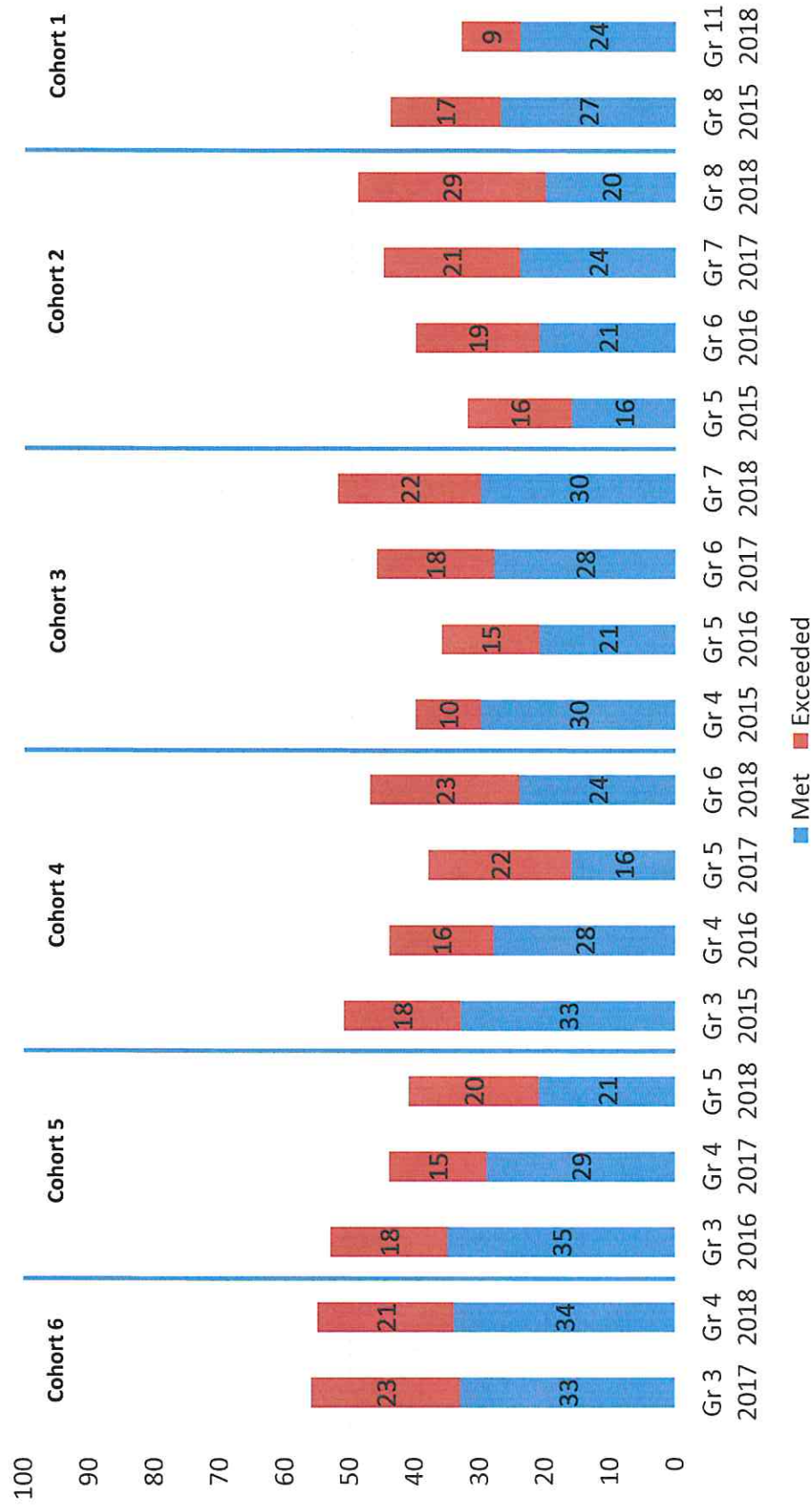
SBAC Math Scores
2015 to 2018 Comparison (%)
By Grade Level - **ELEMENTARY**



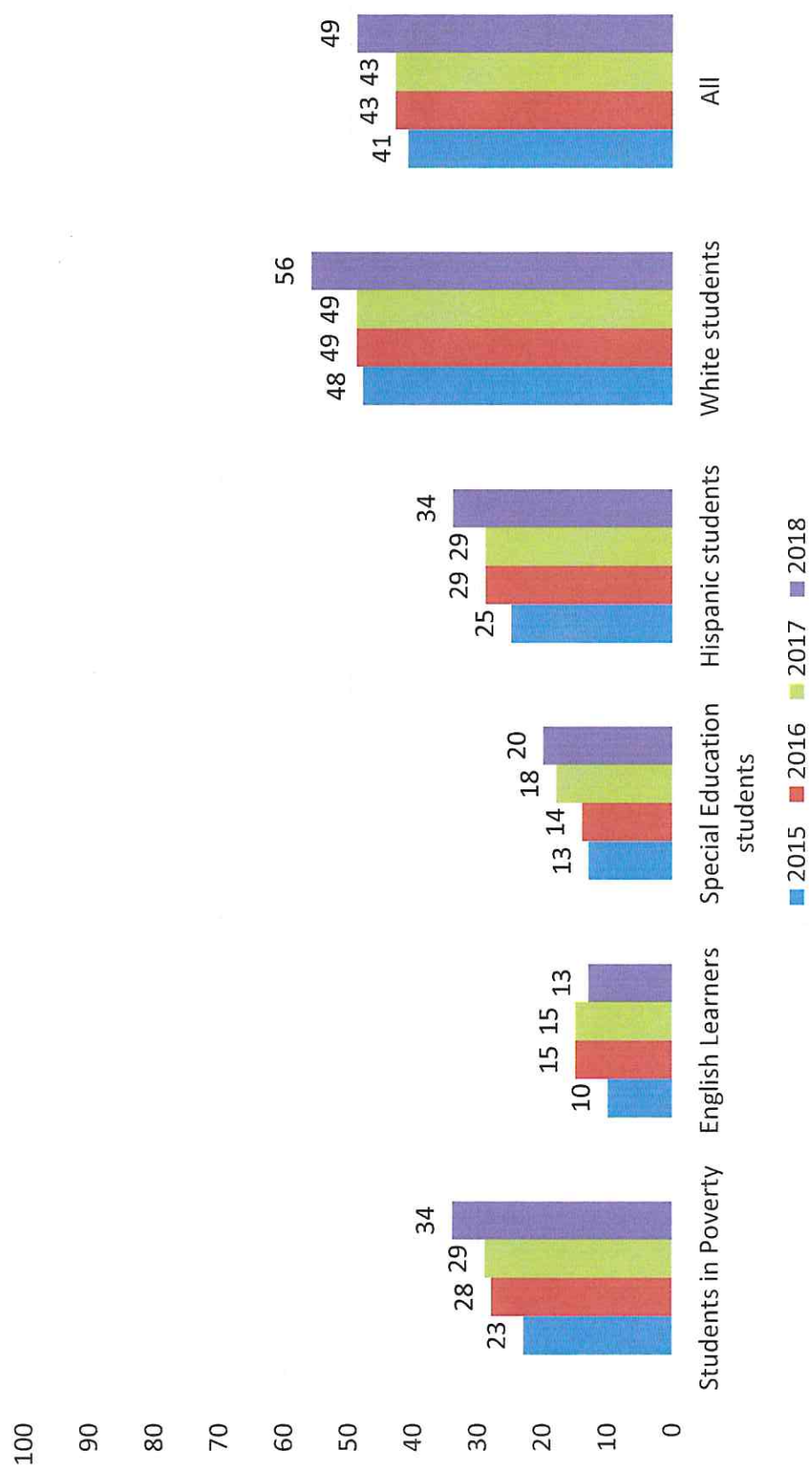
SBAC Math Scores
2015 to 2018 Comparison (%)
By Grade Level - **SECONDARY**



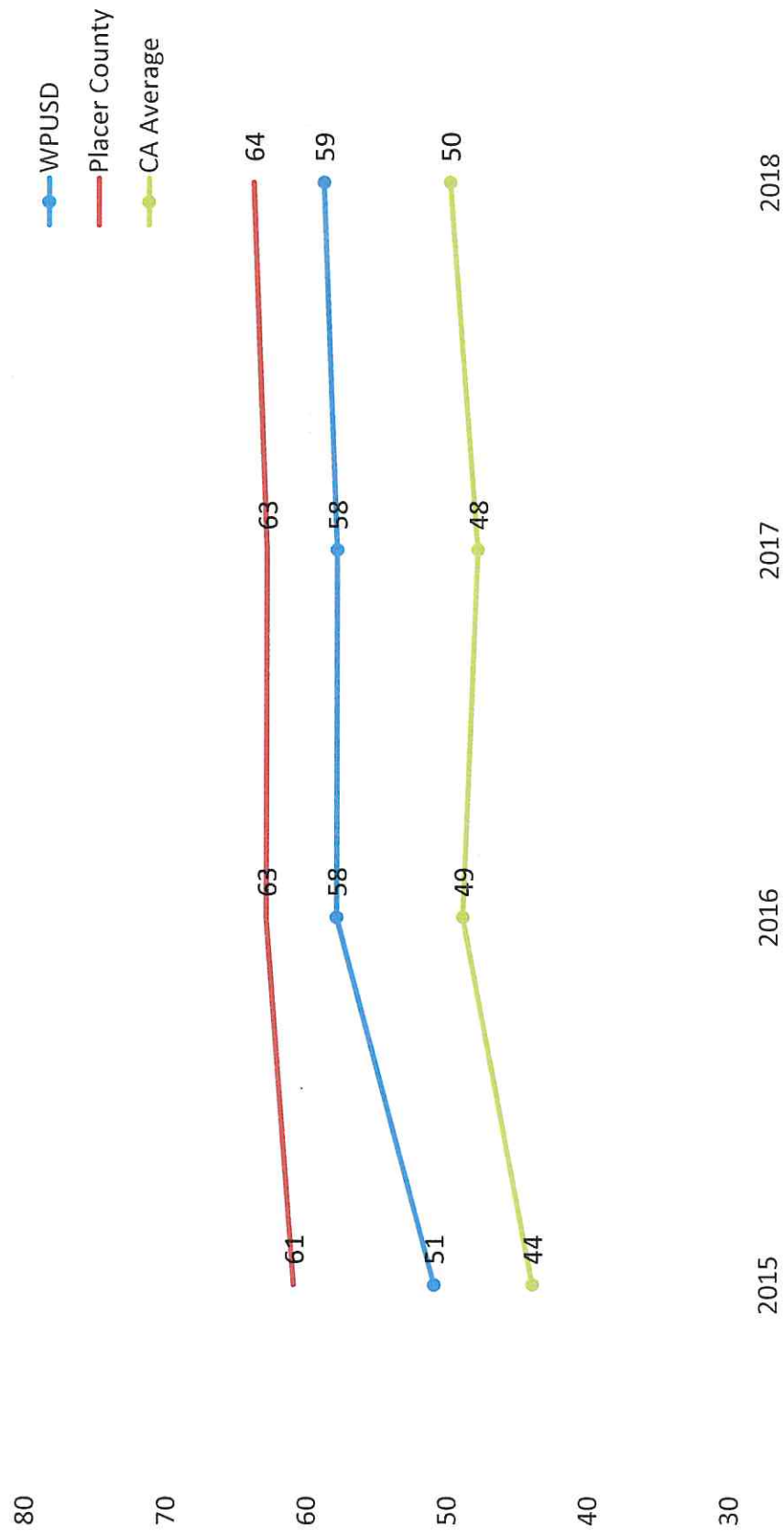
SBAC Math Scores
 2015 to 2018 Comparison (%)
 Cohort Data – same kids year-to-year
Only available for some grades



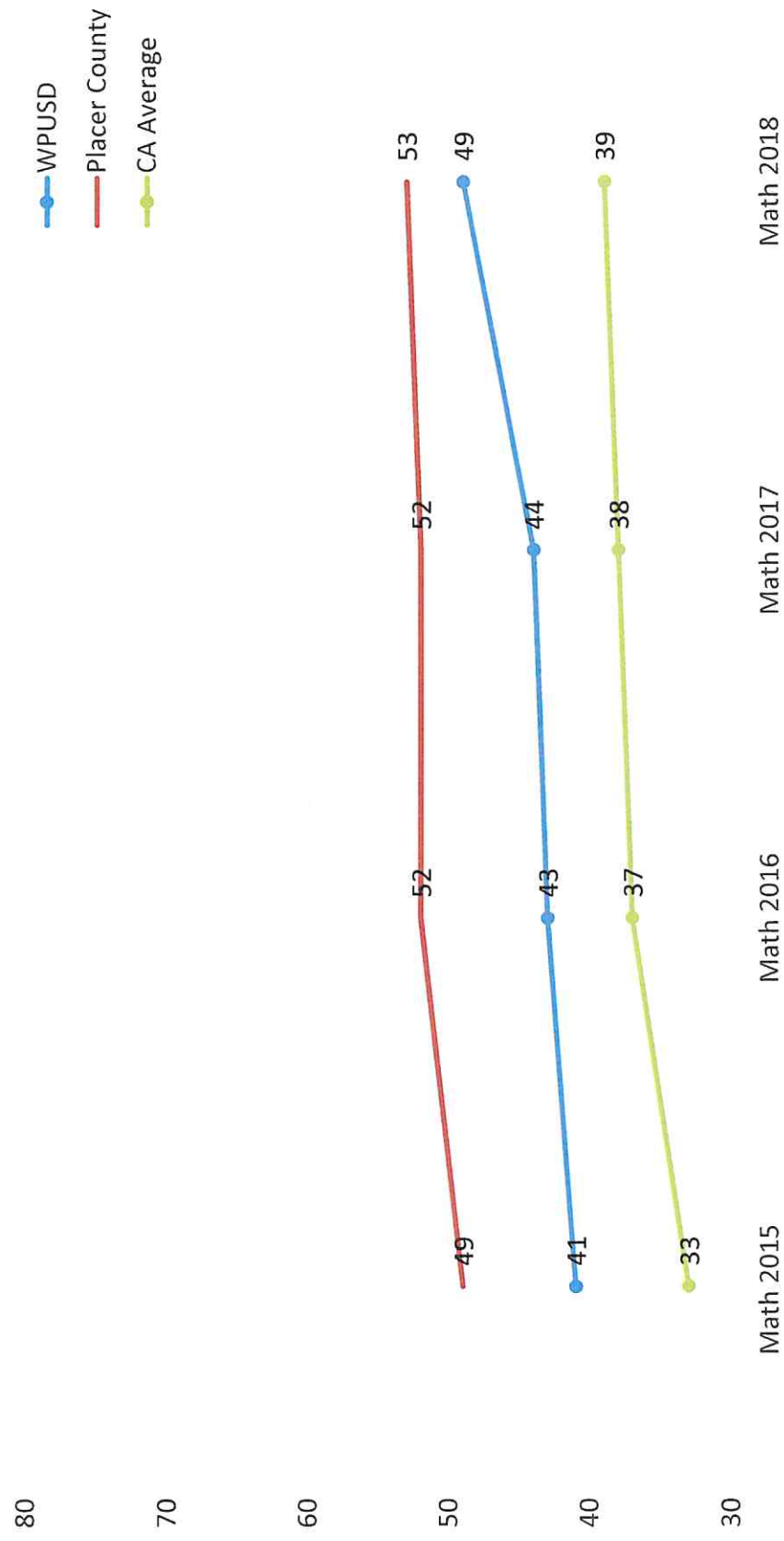
SBAC Scores Math Subgroup Comparisons – Met & Exceeded (%) 2015 to 2018 Comparison



SBAC Scores, ELA WPUUSD and Placer County
2015 to 2018 Comparison Met or Exceeded (%)



SBAC Scores, Math WPUUSD and Placer County 2015 to 2018 Comparison Met or Exceeded (%)



WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.

DISTRICT GLOBAL GOALS

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5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Approve 2017-2018 Local Indicators for the California School Dashboard

AGENDA ITEM AREA:

Action

REQUESTED BY:

Kathleen Leehane 
Director of Supplemental Programs
& Accountability

ENCLOSURES:

Yes – Local Indicators

DEPARTMENT:

Educational Services

FINANCIAL INPUT/SOURCE:

NA

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

Prior to the state releasing school district performance on the California School Dashboard, districts are required to provide a self-assessment and rating on the Local Indicators, which are then included in the overall performance summary released on the Dashboard. Enclosed are our self-assessments and ratings for the Local Indicators.

RECOMMENDATION:

Administration recommends the Board approve WPUSD's Local Indicators for submission to the California State Department of Education.

Priority 1 – Appropriately Assigned Teachers, Access to Curriculum-Aligned Instructional Materials, and Safe, Clean and Functional School Facilities

Number/percentage of misassignments of teachers of English learners, total teacher misassignments, and vacant teacher positions: *

0 misassignments of teachers of English Learners, 0 total teacher misassignments, 1 vacant teacher position

Number/percentage of students without access to their own copies of standards-aligned instructional materials for use at school and at home: *

0%

Number of identified instances where facilities do not meet the "good repair" standard (including deficiencies and extreme deficiencies): *

148

Optional text

Sixty-two of our facilities deficiencies are at two school sites that are presently undergoing major renovation/modernization. We anticipate those deficiencies will decrease dramatically upon completion of those two projects.

Priority 2 – Implementation of State Academic Standards

Option 2: Reflection Tool

Recently Adopted Academic Standards and/or Curriculum Frameworks

1. Rate the local educational agency's progress in providing professional learning for teaching to the recently adopted academic standards and/or curriculum frameworks identified below.

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

English Language Arts – Common Core State Standards for English Language Arts

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

English Language Development (Aligned to English Language Arts Standards)

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5

Mathematics – Common Core State Standards for Mathematics

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Next Generation Science Standards

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

History-Social Science

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

2. Rate the local educational agency's progress in making instructional materials that are aligned to the recently adopted academic standards and/or curriculum frameworks identified below available in all classrooms where the subject is taught.

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

English Language Arts – Common Core State Standards for English Language Arts

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

English Language Development (Aligned to English Language Arts Standards)

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

Mathematics – Common Core State Standards for Mathematics

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

Next Generation Science Standards

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5

History-Social Science

☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5

3. Rate the local educational agency's progress in implementing policies or programs to support staff in identifying areas where they can improve in delivering instruction aligned to the recently adopted academic standards and/or curriculum frameworks identified below (e.g., collaborative time, focused classroom walkthroughs, teacher pairing)

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

English Language Arts – Common Core State Standards for English Language Arts

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

English Language Development (Aligned to English Language Arts Standards)

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Mathematics – Common Core State Standards for Mathematics

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5

Next Generation Science Standards

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

History-Social Science

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5

Other Adopted Academic Standards

4. Rate the local educational agency's progress implementing each of the following academic standards adopted by the State Board of Education for all students.

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

Career Technical Education

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Health Education Content Standards

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Physical Education Model Content Standards

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Visual and Performing Arts

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

World Language

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Support for Teachers and Administrators

5. During the 2016-17 school year (including summer 2016) or during the 2017-18 school year (including summer 2017), rate the local educational agency's success at engaging in the following activities with teachers and school administrators?

Rating Scale (lowest to highest): 1 – Exploration and Research Phase; 2 – Beginning Development; 3 – Initial Implementation; 4 – Full Implementation; 5 – Full Implementation and Sustainability

Identifying the professional learning needs of groups of teachers or staff as a whole

☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5

Identifying the professional learning needs of individual teachers

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5

Providing support for teachers on the standards they have not yet mastered

☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5

Criteria:

Please assess the local educational agency performance on meeting the standard by designating the following: *

☒ Met

☐ Not Met

☐ Not Met For Two or More Years

Priority 3 – Parent Engagement

Response to Option 2: Local Measures

A. Seeking Input in School/District Decision Making

WPUSD has strong participation in its parental advisory committees, averaging 20 parents per meeting from a wide variety of school sites and backgrounds. Our parental advisory committees are given multiple opportunities throughout the school year to provide specific, targeted feedback that informs district decisions about programs (particularly programs that impact our unduplicated student population). Spanish interpreting services are always provided at committee meetings to insure full access for all parents.

B. Promoting Participation in Programs

WPUSD offers a variety of parent-specific professional development throughout the school year. In 2018-19, offerings include English as a Second Language (ESL), GED Preparation, Love and Logic (positive parenting techniques), the Parent Project, and the Parent Institute for Quality Education (PIQE).

Rationale for Selection of Chosen Measures

These two areas of focus align directly with WPUSD's LCAP Goal 6: "All parents will be actively engaged in their child's learning and school community." WPUSD's LCAP Committee relies on the feedback and input provided by its parent advisory committees. Thus, it is vital that the parent advisory committee meetings be well-attended and designed to gather a broad range of viewpoints. Providing a wide variety of parent-specific professional development allows multiple opportunities for parents to acquire some tools/skills they can utilize to enhance their children's learning.

Optional text

WPUSD hired three full-time bilingual (Spanish) parent/school/community liaisons in the fall of 2016. These liaisons have dramatically increased Spanish-speaking parents' access to school personnel and have allowed them to participate more fully in their children's education.

Priority 6 – School Climate

The California Healthy Kids Survey (CHKS) was administered in the spring of 2018. The CHKS highlighted some district strengths:

- 86% of elementary students feel they are treated with respect. (No similar question was asked on the secondary questionnaire.)
- 68% of students (at both the elementary and secondary levels) feel safe at school.

The survey also brought some challenges to the surface:

- Less than 20% of students (at both the elementary and secondary levels) feel they are given opportunities to “meaningfully participate” in their school communities.
- Only 42% of students identify themselves as being highly motivated to succeed in school.
- 21% of 11th graders admit to current alcohol or drug use.
- Over 30% of high schoolers express feelings of chronic sadness and/or hopelessness.

Our district continues to hone its work in the area of Youth Development. The youth development framework identifies five supports and opportunities that youth need to become healthy, productive adults: safety, relationships, youth participation, community involvement, and skill building. 181 staff members have participated in a four-day Youth Development Institute and 15 staff have been further trained as trainers of youth development. Schools have worked diligently to improve safety and relationships with and for students. PBIS has been implemented at more than half of our school sites and staff continue to receive training and support from our Mental Health Specialist, whom we hired as part of LCAP to support PBIS and students' mental health. Based on parent feedback and the results of the 2018 CHKS, WPUUSD has partnered with Wellness Together to provide additional mental health services at all school sites (beginning this school year).

Optional text:

WPUUSD's suspension rates and expulsion rates are low and have been on a downward trajectory for the last few years. That being said, some of our subgroups (students with disabilities, students who are socioeconomically disadvantaged, and students who are homeless) are suspended at higher rates than our overall student population. We are working diligently to address that issue.

We have a full-time School Resource Officer who assists with issues related to attendance and school safety.

Priority 7 – Access to a Broad Course of Study

Prompt 1:

WPUSD uses multiple measures to track the extent to which students have access to, and are enrolled in, a broad course of study.

Elementary

Elementary teacher schedules are monitored to ensure students are getting instruction in all core areas. Elementary Intervention/ELD schedules are reviewed to ensure, if a pullout model is used, all students have full access to ELA, Math, and PE. Special Education pullout schedules ensure students with disabilities are accessing core to the degree that it is educationally appropriate.

WPUSD has science and music specialists at all elementary schools, guaranteeing access to music and science for all elementary students. Their weekly instructional schedules note minutes of instruction by grade level.

Secondary

Student course requests drive secondary master schedules, which encourages a wide range of course offerings. Additionally, WPUSD's graduation requirements guarantee that students participate in a variety of coursework throughout their four years in high school. Lastly, student enrollment in elective, A-G, and Honors/AP courses (and prerequisites) is regularly audited to ensure equitable access for all student subgroups.

Prompt 2:

The extent to which students have access to a broad course of study is consistent among grade-level spans and across all schools.

Some district-wide practices that impact students' access to a broad course of study are as follows:

- Elementary students needing academic interventions are sometimes pulled out of music, social science, or science instruction.
- Moderate-to-severe special education students have varying degrees of access to the general education setting due to their disabilities.
- At the secondary level, mild-to-moderate special education students have traditionally been taught math and ELA in a self-contained setting, which has limited their access to grade-level appropriate coursework. Over time this has impacted both our high school graduation rates and our A-G completion rates.
- At the secondary level, intervention and/or ELD courses limit students' electives choices, which decreases their access to VAPA, CTE, etc.
- High school students attending continuation high school (due to credit deficiencies) have limited access to a broad course of study due to their shortened instructional day.

Over the past three years, the district has begun making changes to some practices in an effort to increase students' access to a broad course of study. WPUSD has made progress in the following areas:

- implementing tighter parameters around when elementary students can be pulled from class for academic interventions/ELD

- eliminating remedial, non-A-G coursework options for incoming freshmen and sophomores
- offering co-teach classes in Math and ELA at the high school level for students with mild-to-moderate disabilities

Prompt 3:

There are some barriers that are preventing WPUSD from fully providing access to a broad course of study for all students. First, students who need extra academic support in ELA and Math don't have enough time in their school day to receive both the extra support and to access electives courses. Second, the district would like to implement the co-teach model at the high school and middle school level; however, full implementation is costly. Last, as WPUSD moves to mainstream more students with disabilities, there has been some staff resistance to the shift.

Prompt 4:

Most significantly, WPUSD is moving to change the high school graduation requirements to guarantee a more broad course of study for all students.

Optional text:

As a district, WPUSD has always committed to a well-rounded education for its students. We have science and music specialists at all elementary schools, and we maintained VAPA and CTE at grades 6-12, even when other districts were cutting during the recession.

WESTERN PLACER UNIFIED SCHOOL DISTRICT BOARD OF TRUSTEES MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.	
DISTRICT GLOBAL GOALS	
1.	Develop and continually upgrade a well articulated K-12 academic program that challenges all students to achieve their highest potential, with a special emphasis on students
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5.	Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

WPUSD Food & Nutrition Services Program -
Raley's Grant Award and Nutrition Education

AGENDA ITEM AREA:

Information

REQUESTED BY:

Audrey Kilpatrick *AK*
Assistant Superintendent of
Business and Operations

ENCLOSURES:

Provided at Meeting

DEPARTMENT:

Food & Nutrition Services

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

On September 6, 2018, the district was notified that they were awarded the Raley's Extra Credit Grant in the amount of \$8,000. The Raley's grant program is designed to impact youth through purposeful exposure to agriculture, food and nutrition. With this grant and existing partnerships with local growers and volunteers, the district will be able to support a focus on cultivating the next generation of healthy eaters. Christina Lawson, Director of Nutrition Services, will present an overview of this program and other on-going healthy nutrition education efforts happening at our schools.

RECOMMENDATION:

Administration recommends the board accept the presentation provided. This is an information item only and does not require approval.

**WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET**

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5. Promote student health and nutrition in order to enhance readiness for learning.

SUBJECT:

Adoption of Revised/New
Policies/Regulations/Exhibits

AGENDA ITEM AREA:

Action

REQUESTED BY:

Scott Leaman
Superintendent

ENCLOSURES:

Yes

DEPARTMENT:

Administration

FINANCIAL INPUT/SOURCE:

N/A

MEETING DATE:

October 16, 2018

ROLL CALL REQUIRED:

No

BACKGROUND:

These new and/or revised policies/regulations/exhibits are now being presented for approval by the Board of Trustees.

- BP 4119.21/4219.21/4319.21 – Professional Standards
- BP 5144 – Discipline
- BP/AR 5144.1 – Suspension and Expulsion/Due Process
- AR 5148.2 – Before/After School Programs
- BP 6152 – Class Assignment
- BP 6152.1 – Placement in Mathematics Courses
- BP 6161.1 – Selection and Evaluation of Instructional Materials
- BP/AR/E 6162.52 – High School Exit Examination

RECOMMENDATION:

Administration recommends the Board of Trustees approve the new and revised Policies, Regulations and Exhibits as submitted.

POLICY GUIDESHEET
July/December 2015 - 2017
Page 1 of 2

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

BP 4119.21/4219.21/4319.21 - Professional Standards

(BP revised)

Policy updated to reflect **NEW LAW (AB 500)** which requires any district that has an employee code of conduct addressing employee interactions with students to post that section of its code of conduct on each school's web site (or on the district web site if a school does not maintain one) and to provide it to parents/guardians at the beginning of the school year.

BP 5144 - Discipline

(BP revised)

Policy updated to reflect **NEW LAW (SB 250)** which requires districts to ensure that any discipline imposed on a student does not result in the denial or delay of a nutritionally adequate meal to the student.

BP/AR 5144.1 - Suspension and Expulsion/Due Process

(BP/AR revised)

Policy updated to add homeless students as one of the numerically significant student subgroups for whom the district must monitor suspension/expulsion data, and to add board review of disaggregated suspension/expulsion data for the purpose of identifying any disparities in the imposition of discipline. Updated regulation revises the grounds for suspension and expulsion to more directly reflect law which separates out aiding or abetting a crime of physical violence from causing, attempting to cause, or threatening physical violence. Regulation also adds definition of cyber sexual bullying as a ground for suspension/expulsion and reflects **NEW LAW (AB 667)** which requires a student to be informed, during the informal conference required prior to suspension, of the other means of correction that were attempted before suspension.

AR 5148.2 - Before/After School Programs

(AR revised)

Regulation updated to reflect **NEW LAW (AB 830)** which deletes the requirement that a program operating under the 21st Century High School After School Safety and Enrichment for Teens Program (ASSETs) include preparation for the high school exit exam, as that exam has been eliminated.

BP 6152 - Class Assignment

(BP revised)

Policy updated to reflect **NEW LAW (AB 1012, 2015)** which prohibits, unless certain conditions are satisfied, the assignment of a student in grades 9-12 to (1) any course period "without educational content" for more than one week in any semester or (2) any course that he/she previously completed with a grade determined by the district to satisfy minimum requirements for high school graduation and admission to California postsecondary institutions. Policy also calls for the use of multiple objective academic measures when assigning students to appropriate courses and classes, consistent with **NEW LAW (SB 359, 2015)** mandating policy on placement in mathematic courses.

BP 6152.1 - Placement in Mathematics Courses

(BP revised)

Policy updated to reflect **NEW LAW (SB 359)** which mandates any district which is serving 9th grade students and has not adopted a mathematics placement policy prior to January 1, 2016 to adopt a math placement policy with specific components before the beginning of the 2016-17 school year. Policy reflects other requirements of SB 359 including, but not limited to, the use of multiple objective academic measures for student placement, provision of at least one checkpoint within the first month of the school year to ensure accurate placement, and annual board examination of student placement data.

POLICY GUIDESHEET
July/December 2015 - 2017
Page 2 of 2

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

BP/E 6161.1 - Selection and Evaluation of Instructional Materials
(BP revised)

Policy updated to delete material defining the "sufficiency" of instructional materials as meaning that students enrolled in the same course have identical materials from the same adoption cycle, and to delete optional material reflecting the authorization to purchase the newest adopted materials for schools in deciles 1-3 of the Academic Performance Index, as those laws have repealed on their own terms. Updated policy also reflects the requirement to address the sufficiency of instructional materials in the district's LCAP and reflects **NEW LAW** (AB 575, 2016) which provides that the State Board of Education may adopt instructional materials for grades K-8 at least once, but not more than twice, every eight years.

BP/AR/E 6162.52 - High School Exit Examination
(BP/AR/E(1)/E(2) deleted)

Policy, regulation, and exhibits deleted since **NEW LAW** (AB 830) repeals the requirement to pass the high school exit exam as a condition of graduation.

Board Approved: October 16, 2018

All Personnel

BP 4119.21(a)

4219.21

PROFESSIONAL STANDARDS

4319.21

The Board of Trustees expects district employees to maintain the highest ethical standards, **behave professionally**, ~~exhibit professional behavior~~, follow district policies and regulations, and abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees **shall engage in** conduct ~~should that~~ enhance the integrity of the district, advance the goals of the district's educational programs, and contribution to a positive school climate.

(cf. 0200 – Goals for the School District)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

(cf. 2111 - Superintendent Governance Standards)

(cf. 9005 - Governance Standards)

Each employee ~~should make a commitment to~~ **is expected to** acquire the knowledge and skills necessary to fulfill his/her responsibilities and **to** ~~should focus on his/her contribution~~ to the learning and achievement of district students.

(cf. 4112.2 - Certification)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.7 – Firearms on School Grounds)

(cf. 4158/4258/4358 - Employee Security)

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

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

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

PROFESSIONAL STANDARDS (continued)

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

(cf. 3515.2 - Disruptions)

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the **workplace, on district property, or at a school-sponsored activity**

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 – Drug and Alcohol Free Schools)

(cf. 4020 - Drug and Alcohol Free Workplace)

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

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

9. **Being Dishonesty** with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information

(cf. 3580 - District Records)

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

(cf. 5125 - Student Records)

PROFESSIONAL STANDARDS (continued)

(cf. 5125.1 - Release of Directory Information)

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

(cf. 4040 - Employee Use of Technology)

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

(cf. 4119.22/4219.22/4319.22 - Dress and Grooming)

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse **or neglect** shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5141.4 - Child Abuse Prevention and Reporting)

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

~~*(cf. 4117.4 - Dismissal)*~~
(cf. 4117.7/4317.7 - Employment Status Reports)

PROFESSIONAL STANDARDS (continued)

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

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

(cf. 1113 - District and School Web Sites)
(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

PROFESSIONAL STANDARDS (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44050 Employee code of conduct; interaction with students

44242.5 Reports and review of alleged misconduct

48980 Parental notifications

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct

80331-80338 Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Professional Standards for Educational Leaders, February 2014

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Professional Standards for Educational Leaders, 2015

~~*Educational Leadership Policy Standards: ISLLC 2008, 2008*~~

NATIONAL EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975

WESTED PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

WEB SITES

~~WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS~~

~~*California Professional Standards for Educational Leaders, 2001*~~

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

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

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

California Federation of Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com>

California Teachers Association: <http://www.cta.org>

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

Council of Chief State School Officers: <http://www.ccsso.org>

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

Policy

adopted: September 4, 2007

revised: February 21, 2012

revised: September 1, 2015

revised: October 2, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT

Lincoln, California

DISCIPLINE

The Board of Trustees **is committed to providing** ~~desires to promote~~ a safe, supportive, and positive school environment **which is conducive to student learning and 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 involvement can minimize the need for discipline **measures that exclude students from instruction as a means for correcting student misbehavior.** ~~Staff shall use preventative measures and positive conflict resolution techniques whenever possible.~~

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.2 - Bullying)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(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)

~~Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's individual needs~~

DISCIPLINE (continued)

~~When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy and administrative regulation. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.~~

~~(cf. 0450—Comprehensive Safety Plan)
 (cf. 3515—Campus Security)
 (cf. 3515.3—District Police/Security Department)
 (cf. 3515.4—Recovery for Property Loss or Damage)
 (cf. 4158/4258/4358—Employee Security)
 (cf. 5136—Gangs)
 (cf. 5144.1—Suspension and Expulsion/Due Process)
 (cf. 5144.2—Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 6164.5—Student Success Teams)
 (cf. 6159.4—Behavioral Interventions for Special Education Students)
 (cf. 6184—Continuation Education)
 (cf. 6185—Community Day School)~~

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)~~

The Superintendent or designee shall create a model discipline matrix that lists violations and the consequences for each as allowed by law.

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.

DISCIPLINE (continued)

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. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills **needed to effectively and implementing effective the disciplinary techniques strategies adopted for district schools, including, but not limited to, consistent school and classroom management skills, effective accountability and positive intervention techniques, and development of strong, cooperative relationships with parents/guardians.**

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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 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: (see next page)

DISCIPLINE (continued)

Legal Reference:

EDUCATION CODE

32280-32288 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 parents or guardians
~~49000-49001 Prohibition of corporal punishment~~
49330-49335 Injurious objects
49550-49562 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 42

1751-1769j School Lunch Program
1773 School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

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

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

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

STATE BOARD OF EDUCATION POLICIES

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

Protecting Our Schools: Board of Trustees Strategies to Combat School Violence, 1999

CDE PROGRAM ADVISORIES

~~1010.89 Physical Exercise as Corporal Punishment, CIL 89/9-3~~

~~1223.88 Corporal Punishment, CIL: 88/9-5~~

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

adopted: September 4, 2007

revised: August 19, 2014

revised: October 16, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT

Lincoln, California

SUSPENSION AND EXPULSION/DUE PROCESS

The Board of Trustees desire to provide district students access to educational opportunities in an orderly school environment ~~that. The board has established policies and standards of behavior in order to promote learning and protects their safety and security, ensures their~~ **and well-being, and promotes their learning and development. The Board shall develop rules and regulations setting the standards of behavior expected of the district of all students and the disciplinary process for addressing violations of those standards, including suspension and/or expulsion.** ~~When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.~~

(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.

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

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

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-12" 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)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

(cf. 5144 - Discipline)
(cf. 6142.4 - Service Learning/Community Service Classes)
(cf. 6164.2 - Guidance/Counseling Services)
(cf. 6164.5 - Student Success Teams)

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.

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)

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)

On-Campus Suspension

To ensure the proper supervision and ongoing learning of students who are suspended for any of the reasons enumerated in Education Code 48900 and 48900.2, but who pose no imminent danger or threat to anyone at school and for whom expulsion proceedings have not been initiated, the Superintendent or designee shall establish a supervised suspension classroom program which meets the requirements of law.

Except where a supervised suspension is permitted by law for a student's first offense, supervised suspension shall be imposed only when other means of correction have failed to bring about proper conduct. (Education Code 48900.5)

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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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-12" and "Additional Grounds for Suspension and Expulsion: Grades 4-12," 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 public session of a Board meeting**.

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)

Student Due Process

The Board shall provide for the fair and equitable treatment of students facing suspension and 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 (Individuals with Disabilities))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)**Maintenance and Monitoring of Outcome Data**

The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including 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.

~~The report shall be disaggregated by school and by numerically significant student subgroups, including, but not limited to, ethnic subgroups, socioeconomically disadvantaged students, English learners, foster youth, and students with disabilities. The report also shall include information about 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)~~

~~The Superintendent or designee shall annually present to the Board a report of the outcome data which the district is required to collect pursuant to Education Code 48900.8 and 48916.1, including 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.~~

In presenting the report to the Board, the Superintendent or designee shall be disaggregated 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. with disabilities. Based on the data, the Board shall address any identified disparities in the imposition of student discipline and shall determine ~~The report also shall include information about 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: (see next page)

Legal Reference continued: (see next page)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Legal Reference: (continued)

EDUCATION CODE

212.5 Sexual harassment

233 Hate violence

1981-1981.5 Enrollment of students in community school

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

48660-48667 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

CIVIL CODE

47 Privileged communication

48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

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 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

241.2 Assault fines

242 Battery defined

243.2 Battery on school property

243.4 Sexual battery

245 Assault with deadly weapon

245.6 Hazing

261 Rape defined

266c Unlawful sexual intercourse

286 Sodomy defined

288 Lewd or lascivious acts with child under age 14

288a Oral copulation

289 Penetration of genital or anal openings

417.27 Laser pointers

422.55 Hate crime defined

Legal Reference continued: (see next page)

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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: ~~*Drug-Free Schools:*~~<http://www2.ed.gov/about/offices/list/oese/oshs/oshfs/index.html>**Policy**

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WESTERN PLACER UNIFIED SCHOOL DISTRICT

Lincoln, California

SUSPENSION AND EXPULSION/DUE PROCESS**Definitions**

Suspension from school 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 Board of Trustees 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. ~~Removal from a particular class shall not occur more than once every five school days.~~

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

~~*Day* means a calendar day unless otherwise specifically provided. (Education Code 48925)~~

~~*School day* means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)~~

~~*Student* includes a student's parent/guardian or legal counsel. (Education Code 48925)~~

~~*Principal's designee* means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)~~

~~*School property*, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))~~

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, suspension and expulsion. (Education Code 48900.1, 48980)

(cf. 5144 - Discipline)

(cf. 5145.6 - Parental Notifications)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Grounds for Suspension and Expulsion: Grades K-12

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))

~~A student may be subject to suspension or expulsion when it is determined that he/she:~~

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon the person of another, 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))
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, or 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 controlled substance, alcohol 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))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

8. Possessed or used tobacco or any 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, ~~or unlawfully~~ offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5. (Education Code 48900(j))

(cf. 5131.4 – Student Disturbances)

11. Knowingly received stolen school property or private property. (Education Code 48900(l))
12. Possessed an imitation firearm **(Education Code 48900(m))**

~~, i.e.,~~ **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 ~~as defined in Penal Code 245.6.~~ (Education Code 48900(q))

Hazing mean 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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))

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))**

Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4 **below in items #1-3 of “Additional Grounds for Suspension and Expulsion: Grades 4-12,” (items #20-22 below),** 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 communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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*)

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 4-12

Any student in grades 4-12 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*)

A student in grades 4-12 is also 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 that conduct, 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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 another person,~~ ~~interfering~~ with the exercise of a person's civil rights, or damaging a ~~person's~~ **victim's** property because of the ~~person's~~ **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 of 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

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-12" above. (Education Code 48910)

When suspending a student from his/her 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 removed. (Education Code 48910)

As soon as possible **after the teacher decides to suspend the student**, ~~the teacher shall~~ **he/she shall** ask the student's parent/guardian to attend a parent-teacher conference regarding **suspension**. ~~the removal~~. A counselor or psychologist may attend the conference if it is

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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 removal** 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 **removal suspension**. However, if a student is assigned to more than one class per day **may continue to attend**, ~~he/she may be placed in any~~ other regular classes except those held at the same time as the class from which **he/she was suspended**. ~~the student was removed~~. (Education Code 48910)

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

~~Pursuant to Board policy, a teacher may provide that the parent/guardian of a student whom the teacher has removed attend a portion of a school day in his/her child's classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian's attendance is requested pursuant to law. (Education Code 48900.1)~~

~~This notice shall also:~~

- ~~1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date~~
- ~~2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student~~
- ~~3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1~~

~~A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school under the jurisdiction of the Superintendent or principal or within any other school district, including but not limited to the following circumstances: (Education Code 48900)~~

- ~~1. While on school grounds~~
- ~~2. While going to or coming from school~~

~~(cf. 5131.1—Bus Conduct)~~

- ~~3. During the lunch period, whether on or off the school campus~~

SUSPENSION AND EXPULSION/DUE PROCESS (continued)*(cf. 5112.5—Open/Closed Campus)*

4. ~~During, going to, or coming from a school-sponsored activity~~

~~The Superintendent or principal may use his/her discretion to provide alternatives to suspension or expulsion for a student subject to discipline under this administrative regulation, including, but not limited to, counseling and an anger management program. (Education Code 48900(r))~~

*(cf. 5138—Conflict Resolution/Peer Mediation)**(cf. 5113.1—Truancy)*

~~Alternatives to suspension or expulsion shall be used with students who are truant, tardy, or otherwise absent from assigned school activities.~~

*(cf. 5113—Absences and Excuses)**(cf. 5113.1—Truancy)***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.

In addition, 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 Expell” and for which he/she is required to recommend expulsion.** ~~to be:~~ (Education Code 48915(c))

1. ~~Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the item from a certificated school employee, with the principal or designee's concurrence~~
2. ~~Brandishing a knife, as defined in Education Code 48915(g), at another person~~
3. ~~Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058~~
4. ~~Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4~~

SUSPENSION AND EXPULSION/DUE PROCESS (continued)~~5. — Possession of an explosive as defined in 18 USC 921~~

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-12" above or if the student's presence causes a danger to persons. (Education Code 48900.5)

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 in the student. (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 them in the student's record. (Education Code 48900.5)

(cf. 5125 - Student Records)

Length of Suspension

The Superintendent, principal or principal's designee may suspend a student from school for not more than five consecutive school days. ~~unless the suspension is extended pending expulsion.~~ (Education Code 48911)

A student may be suspended from school for not more than 20 school days in any school year. **However, if a** ~~unless for purposes of adjustment the 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 in which case suspension shall not exceed more than 30 days in any 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. ~~However, this restriction on the number of days of suspension does not apply when the suspension is extended pending an expulsion.~~ (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 principal, designee, or the Superintendent with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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; the student 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, ~~or the Superintendent~~ determines that an emergency situation exists. ~~An emergency situation involves~~ 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 a 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 case, the conference shall be held as soon as the student is physically able to return to school.~~ (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. ~~of the school in which the student is enrolled at the time of the misbehavior.~~ 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 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)

In addition, the notice may state the date and time when the student may return to school. ~~If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.~~

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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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)

~~While the parent/guardian is required to respond without delay to a request for a conference about a student's behavior, 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 readmission solely because the parent/guardian failed to attend. (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(g))
 - 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)
 - 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)
 - 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. 6173.1 - Education for Foster Youth)

(cf. 6173 - Education for Homeless Children)

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.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)**Suspension by the Board**

The Board may suspend a student for any of the acts listed in “Grounds for Suspension and Expulsion: Grades K-12” and “Additional Grounds for Suspension and Expulsion: Grades 4-12” above and within the limits specified in “Suspension by Superintendent, Principal or Principal's Designee” above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester. ~~if any of the acts listed in “Grounds for Suspension and Expulsion” occurred.~~ The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold closed sessions if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

(cf. 9321 - Closed Session Purposes and Agendas)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by **registered or certified mail or personal service**. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

On-Campus Suspension

~~A~~ Students for whom an expulsion action has not been initiated and who pose no imminent danger or threat to the school, **students, or staff** may be assigned to **on-campus suspension in a separate classroom, building, or site** ~~supervised suspension classroom~~ for the entire period of suspension. The following conditions shall apply: (Education Code 48911.1)

1. The ~~supervised~~ **on-campus** suspension classroom shall be staffed in accordance with law.
2. The student shall have access to appropriate counseling services.
3. The ~~supervised~~ **on-campus** suspension classroom shall promote completion of schoolwork and tests missed by the student during the suspension.
4. ~~Each~~ **The** student shall be responsible for contacting his/her teacher(s) to receive assignments to be completed in the supervised suspension classroom. The teacher(s)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

shall provide all assignments and tests that the student will miss while suspended. If no such work is assigned, the person supervising the suspension classroom shall assign schoolwork.

At the time a student is assigned to a supervised **on-campus** suspension classroom, the principal or designee shall notify the student's parent/guardian in person or by telephone. When the assignment is for longer than one class period, this notification shall be made in writing. (Education Code 48911.1)

Superintendent or Principal's Authority to Recommend Expulsion

Unless the ~~principal~~, Superintendent or **principal designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she finds that expulsion is inappropriate due to particular circumstances, the principal or the Superintendent or designee shall recommend a student's expulsion for any of the following acts:** (Education Code 48915(a))

1. Causing serious physical injury to another person, except in self-defense
2. Possession of any knife ~~as defined in Education Code 48915(g), explosive, 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 **(a) for 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

The Any student recommended for expulsion shall be is entitled to a hearing to determine whether ~~the student~~ **he/she** should be expelled. The hearing shall be held within 30 school days after the ~~principal or Superintendent~~, **principal**, or designee determines that **the student has committed one of the act(s) that form the basis for the expulsion recommendation.**

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

~~listed under “Grounds for Suspension and Expulsion” has occurred.~~ (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

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.

SUSPENSION AND EXPULSION/DUE PROCESS (continued)**Rights of Complaining Witness**

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 in 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

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)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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 advisor.

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 advisor 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

~~At least 10 days prior to a hearing to determine if a student who is a foster youth as defined under Education Code 48853.5 should be expelled for an offense not requiring a mandatory recommendation for expulsion, the Superintendent or designee shall notify the student's attorney and a representative of an appropriate county child welfare agency.~~

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. If the hearing is pursuant to an offense requiring a mandatory expulsion recommendation, the Superintendent or designee may provide the same notification. (Education Code 48918.1)~~

~~The~~ **An** notice shall be provided by the most cost-effective method possible, including by email or a telephone call. (Education Code 48918.1)

Conduct of Expulsion Hearing

1. **Closed Session:** Notwithstanding the provisions of Government Code 54953 and 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

least five days prior to the hearing that the hearing be a public meeting. If such request is made, the meeting shall be public **to the extent that** ~~unless another student's privacy rights of other students are not~~ ~~would be~~ violated. (Education Code 48918(e))

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 shall also 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 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))
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 the 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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-12**” and “**Additional Grounds for Suspension and Expulsion: Grades 4-12**” above. (Education Code 48918(h))

Findings of fact shall be based solely on the evidence at the hearing. ~~While~~ **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.

5. **Testimony by Complaining Witnesses:** The following procedures shall be observed when hearings involve 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 according to 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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 Within 40 School Days:** The Board's decision on whether to expel a student shall be made within 40 school days after the **student is removed from his/her school of attendance, conclusion of the hearing,** unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

Alternative Expulsion Hearing: Hearing Officer or Administrative Panel

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. ~~Alternatively, †~~The Board may appoint an impartial administrative panel composed of three or more certificated personnel, none of whom shall be members of the

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Board or on the staff of the school in which the student is enrolled. (Education Code 48918(d))

A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply 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))

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 ~~for a period of one year~~. 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

Whether the expulsion hearing is conducted in closed or **open public** 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 ~~at a~~ in public. ~~meeting.~~ (Education Code 48918(j))

(cf. 9321.1 - Closed Session Actions and Reports)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

If the Board ~~conducts the hearing and reaches a decision not to expel, this decision shall be~~ **decision is final. If the decision is to not to expel,** and 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.**

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 an act listed 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 the 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 ~~of the student~~ at the time of review for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, and other rehabilitative programs

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-12” or “Additional Grounds for Suspension and Expulsion: Grades 4-12”** ~~in Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915~~ (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)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

3. Notice of the right to appeal the expulsion to the County Board of Education (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

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion, 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:
(~~Education Code 4891~~)

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 4-12"** above or violates any of the district's rules and regulations governing student conduct. **(Education Code 48917)**
4. When the suspension of the enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. **(Education Code 48917)**

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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 also 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 of Education. **(Education Code 48917)**

Right to Appeal

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board of Education. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion ~~action~~ **order** is suspended and the student is placed on probation. (Education Code 48919)

If 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 of Education. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

Notifications to Law Enforcement Authorities

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. In addition, law enforcement authorities shall be notified regarding any acts by students ~~or nonstudents~~ regarding the possession, sale, or furnishing of firearms, explosives, or **other** dangerous weapons in violation of Education Code 48900(c)(1) or (5) or Penal Code 626.9 and 626.10. (Education Code 48902)

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county 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

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 such a site **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 of Schools so certifies, students expelled for **only** acts described in items #6-1213 and #18-21 under “Grounds for Suspension and Expulsion: **Grades K-12**” and **items #1-3 under “Additional Grounds for Suspension and Expulsion: Grades 4-12”** above may be instead 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

Prior to the date set by the Board for the student’s Rreadmission: ~~procedures shall be as follows:~~

- ~~1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)~~
21. 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

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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.

32. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session. ~~if information would be disclosed in violation of Education Code 49073-49079.~~ 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.**
43. 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 re-admission.
54. 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)
65. 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. ~~(Education Code 48916)~~
76. 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 school, or other such contact with the juvenile justice system. (Education Code 48645.5)

Maintenance of Records

The Board shall maintain a record of each **suspension and** expulsion, including the specific cause(s). ~~of the expulsion. The expulsion record shall be maintained in the student's mandatory interim record and sent to any school in which the student subsequently enrolls upon receipt of a written request by the admitting school.~~ (Education Code 48900.8) 48918(k))

SUSPENSION AND EXPULSION/DUE PROCESS (continued)

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))

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)
(cf. 5125 - Student Records)

Authority to Expel

~~A student may be expelled only by the Board. The Board shall expel, as required by law, any student found to have committed any offense listed below under "Mandatory Recommendation and Mandatory Expulsion."~~

~~The Board may also order a student expelled for any of the acts listed above under "Grounds for Suspension and Expulsion" upon recommendation by the principal, Superintendent, hearing officer or administrative panel, based on either or both of the following finding(s): (Education Code 48915(b) and (c))~~

- ~~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~~

Regulation
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WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

BEFORE/AFTER SCHOOL PROGRAMS**Grades K-9**

The districts After School Education and Safety (ASES) Program or 21st Century Community Learning Centers (21st CCLC) program shall serve students in any of grades K-9 as the district may determine based on local needs. (Education Code 8482.3, 8484.7, 8484.75, 8484.8)

The district's 21st CCLC program shall primarily serve students in Title I schoolwide programs. ~~or serve a high percentage of students from low income families.~~ (Education Code 8484.81 20 USC 7173)

(cf. 6171 - Title I Programs)

The district's ASES and 21st CCLC program(s) shall be operated in accordance with the following:

1. Program Elements

- a. The program shall include an educational and literacy element in which tutoring or homework assistance is provided in language arts, mathematics, history and social science, computer training, and/or science. (Education Code 8482.3)

(cf. 6142.91 – Reading/Language Arts Instruction)

(cf. 6142.92 – Mathematics Instruction)

(cf. 6142.93 – Science Instruction)

(cf. 6154 – Homework/Makeup Work)

(cf. 6163.4 – Student Use of Technology)

- b. The program shall include an educational enrichment element which may include, but is not limited to, fine arts, career technical education, recreation, technology, physical fitness, and prevention activities. (Education Code 8482.3)

(cf. 5131.6 – Alcohol and Other Drugs)

(cf. 5131.62 – Tobacco)

(cf. 6142.6 – Visual and Performing Arts)

(cf. 6142.7 – Physical Education and Activity)

(cf. 6178 – Career Technical Education)

2. Nutrition

- a. If snacks **or meals** are made available in the program, they shall conform to state nutrition standards specified in Education Code 49430-49434; or 42 USC 1766 as applicable. (Education Code 8482.3; 42 USC 1766-1766a; 7 CFR 226.17)
- b. The district's before-school program shall offer a breakfast meal as described in Education Code 49553 for all program participants. (Education Code 8483.1)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

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

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

3. Location of Program

- a. The program may be offered at one or multiple school sites and/or at an easily available and accessible off-campus facility. (Education Code 8482.3)
- b. When there is a significant barrier to student participation in either the before school or after-school component of a program at the school of attendance, the Superintendent or designee may, with the approval of the Superintendent of Public Instruction, provide services at another school site. Such transfer of services shall occur only if the school to which the program will be transferred agrees to receive students from the transferring school and has an existing grant of the same type as the transferring school, or does not have a 10-percent lower percentage of students eligible for free or reduced-price meals than the transferring school. A significant barrier includes any of the following: (Education Code 8482.8)
 - (1) Fewer than 20 students participating in the program component
 - (2) Extreme transportation constraints, including, but not limited to, desegregation busing, busing for magnet or open enrollment schools, or student dependence on public transportation
 - (3) A reduction in the program grant of an existing school due to its merging into a new school opened by the district or the splitting of its students with a new school

In such cases, the district shall arrange for safe, supervised transportation between school sites; ensure communication among staff in the regular school program, staff in the before-school or after-school program, and parents/guardians; and ensure alignment of the educational and literacy elements with the regular school program of participating students. (Education Code 8482.8)

(cf. 3540 - Transportation)

4. Staffing

- a. All staff members who directly supervise students shall, at a minimum, meet the qualifications for an instructional aide. (Education Code 8483.4, 45330, 45344, 45344.5)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

(cf. 4222 - Teacher Aides/Paraprofessionals)

- b. All program staff and volunteers shall be subject to the health screening and fingerprint clearance requirements in law and Board policy. (Education Code 8483.4)

(cf. 1240 - Volunteer Assistance)

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

- c. The student-to-staff ratio shall be no more than 20 to 1. (Education Code 8483.4)

5. Hours of Operation

- a. A before-school program shall not operate for less than one and one-half hours per regular school day. (Education Code 8483.1)
- b. An after-school program shall begin immediately upon the conclusion of the regular school day and shall operate a minimum of 15 hours per week and at least until 6 p.m. on every regular school day. (Education Code 8483)

6. Admissions

- a. Every student attending a school operating a program is eligible to participate in the program, subject to program capacity. (Education Code 8482.6)

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

- b. If the number of students wishing to participate in the program exceeds program capacity, students shall be selected for enrollment based on the following guidelines:

- (1) First priority for enrollment shall be given to students who **are identified** as homeless youth, as defined by the McKinney-Vento Homeless Assistance Act (42 USC 11434a), at the time they apply for enrollment or at any time during the school year and to students who are identified by the program as being in foster care. (Education Code 8483, 8483.1)

The district is not required to disenroll a current student in order to secure the enrollment of a student who has priority for enrollment. (Education Code 8483, 8483.1)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

The district shall inform the parent/guardian of a homeless or foster youth of the right of the child to receive priority enrollment and how to request priority enrollment. (Education Code 8483)

(cf. 5145.6 - Parental Notifications)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

- (2) Second priority for enrollment of middle or junior high school students shall be given to students who attend daily. (Education Code 8483, 8483.1)
- (3) Third priority for enrollment shall be given to students identified as in need of academic remediation or support in accordance with Board policy or administrative regulations.

(cf. 6179 - Supplemental Instruction)

- (4) Any remaining capacity shall be filled by students selected at random.
- (5) A waiting list shall be established to accommodate additional students if space becomes available.

7. Attendance/Early Release

- a. Each student admitted into a district program shall be expected to attend the full number of hours that the program is in operation every day that he/she participates.
- b. When necessary, a student's parent/guardian may request, in writing, that the Superintendent or designee approve the reasonable late daily arrival of his/her child for the before-school program or the reasonable early daily release of his/her child from the after-school program. The Superintendent or designee shall not approve such a request if the student would be attending less than one-half of the daily program hours.

8. Summer/Intersession/Vacation Programs

- a. A before-school program operating during summer, intersession, and/or vacation days shall be offered for a minimum of two hours per day. An after-school program offered during summer, intersession, and/or vacation days may be operated for either three hours or six hours per day in accordance with Education Code 8483.76. When both before-school and after-school programs are offered

BEFORE/AFTER SCHOOL PROGRAMS (continued)

for the same students on such days, they shall be operated for a minimum of four and one-half hours per day. (Education Code 8483, 8483.1, 8483.2, 8483.76)

- b. A program offered during summer, intersession, and/or vacation periods may open eligibility to every student attending a school in the district, with priority for enrollment given to students enrolled in the school that received the grant. (Education Code 8483.76)
- c. To address the needs of students and school closures, the program may be conducted at an off-site location or an alternate school site. The program shall notify the California Department of Education (CDE) of the change of location and shall include a plan to provide safe transportation pursuant to Education Code 8484.6. (Education Code 8483.76)
- d. Any program operating for six hours per day shall provide at least one nutritionally adequate free or reduced-price meal to each eligible student during each program day. (Education Code 8483.76)
- e. For any program operating six hours per day, district procedures pertaining to student attendance and early release as specified in item #7 above shall apply. (Education Code 8483.76)

(cf. 6177 - Summer Learning Programs)

Grades 9-12

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program may serve students in grades 9-12 as the district may determine based on local needs. (Education Code 8421)

The program shall be operated in accordance with the following:

- 1. Program Elements
 - a. The program shall include an academic assistance element that is coordinated with the regular academic program and includes, but is not limited to, at least one of the following: (Education Code 8421)
 - (1) ~~Preparation for the high school exit examination~~

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

- (2) Tutoring

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- (3) Career exploration, including activities that help students develop the knowledge and skills that are relevant to their career interests and reinforce academic content
 - (4) Homework assistance
 - (5) College preparation, including information about the Cal Grant program pursuant to Education Code 69430-69460
- b. The program shall include an enrichment element that may include, but is not limited to: (Education Code 8421)
 - (1) Community service
 - (2) Career technical education
 - (3) Job readiness
 - (4) Opportunities for mentoring and tutoring younger students
 - (5) Service learning
 - (6) Arts
 - (7) Computer and technology training
 - (8) Physical fitness
 - (9) Recreation activities

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

- c. The program shall include a nutritional snack and/or meal and a physical activity element. (Education Code 8423)
 - d. The program shall provide for access to, and availability of, computers and technology. (Education Code 8423)
 - e. The Superintendent or designee shall assess students' preferences for program activities. (Education Code 8423)
- 2. Location of Program
 - a. The district's program may operate on one or multiple school sites or at another location approved by the CDE. (Education Code 8421)

BEFORE/AFTER SCHOOL PROGRAMS (continued)

- b. If applying for a location off school grounds, the Superintendent or designee shall ensure that safe transportation is available for students, if necessary, and the program is at least as available and accessible as similar programs conducted on school sites. (Education Code 8421)
- 3. Hours of Operation
 - a. The district's program shall operate for a minimum of 15 hours per week. (Education Code 8421)
 - b. The district's program may be operated either after school only or for any combination of after school, before school, weekends, summer, intersession, and vacations. (Education Code 8422)

Volunteers

The Superintendent or designee may establish a registry of volunteer after-school physical recreation instructors and other before-school and after-school program volunteers. (Education Code 35021.3)

To be included in the registry, a volunteer shall submit to a criminal background check pursuant to Education Code 45125. He/she also shall submit current contact information to the district and shall update that information whenever the information changes. (Education Code 35021.3)

The Superintendent or designee may use a volunteer registered with the district or may select another person to provide physical recreation to students after school hours or to provide other services. (Education Code 35021.3)

Reports

The Superintendent or designee shall annually submit CDE outcome-based data, including, but not limited to: (Education Code 8427, 8482.3, 8484)

- 1. For participating students, school day attendance on an annual basis and program attendance on a semi-annual basis
- 2. Evidence of a program quality improvement process that is data driven and based on CDE program quality standards

(cf. 0500 – Accountability)

Regulation
approved: November 17, 2009
revised: April 5, 2016
revised: December 5, 2017
revised: October 16, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

CLASS ASSIGNMENT

The Board of Trustees believes students should be assigned to classes and/or grouped in a manner that provides the most effective learning environment for all students.

When assigning students to specific courses and classes, the principal or designee may consider the following criteria as appropriate for the grade level and course:

1. Staff recommendation, including, but not limited to, the recommendations of teachers and counselors
2. Skills and classroom management style of individual teachers
3. Student skill level as indicated by multiple objective academic measures, such as student assessment results, grade point average, and grades in prerequisite courses

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

(cf. 6152.1 - Placement in Mathematics Courses)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

4. Balance of high, medium, and low academic achievers
5. Student interests, readiness, behavior, and motivation
6. Student/teacher ratios and, if relevant, class size reduction considerations

(cf. 6151 - Class Size)

The principal or designee may accept from parents/guardians any information which would be helpful in making placement decisions. However, a parent/guardian who provides such information shall be informed that a request for a specific teacher shall be one of many factors which may be taken into account when determining his/her child's placement.

During the school year, the principal or designee may make any adjustments in class placement which he/she considers beneficial to the student or the educational program.

Additional Requirements for Grades 9-12

Except for a student enrolled in an alternative school, community day school, continuation high school, or opportunity school, or as otherwise specified below, no student enrolled in grades 9-12 shall be assigned:

1. To any course without educational content for more than one week in any semester, including any of the following situations: (Education Code 51228.1)

CLASS ASSIGNMENT (continued)

- a. The student is sent home or released from campus before the conclusion of the designated school day.
 - b. The student is assigned to a service, instructional work experience, or other course in which he/she is assigned to assist a certificated employee, but is not expected to complete curricular assignments, in a course the certificated employee is teaching during that period and where the ratio of certificated employees to students assigned to the course for curricular purposes is less than one to one.
 - c. The student is not assigned to any course for the relevant course period.
2. To a course that he/she has previously completed and received a grade determined by the district to be sufficient to satisfy minimum high school graduation requirements and the requirements and prerequisites for admission to California public postsecondary institutions, unless the course has been designed to be taken more than once because students are exposed to a new curriculum year to year and are therefore expected to derive educational value from taking the course again (Education Code 51228.2)

(cf. 6181 - Alternative Schools/Programs of Choice)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

An exception to item #1 or #2 above may be made only if all of the following conditions are satisfied: (Education Code 51228.1, 51228.2)

1. The student, or the student's parent/guardian if he/she is younger than age 18 years, has consented in writing to the assignment.
2. A school official has determined that the student will benefit from being assigned to the course period.
3. The principal or assistant principal has stated in a written document maintained at the school that, for the relevant school year, no students are assigned to those classes unless the school has obtained the student's or parent/guardian's consent and determined that the student will benefit from the assignment.

In addition, under no circumstances shall a student be assigned to a course period without educational content or a course he/she has already satisfactorily completed because there are insufficient curricular course offerings for the student to take during the relevant period of the school day. (Education Code 51228.1, 51228.2)

CLASS ASSIGNMENT (continued)

The above limitations on class assignments shall not affect the authority of the Superintendent or designee to permit the enrollment of a student in a dual enrollment, independent study, evening high school program, or other class or course authorized by law. (Education Code 51228.1, 51228.2)

(cf. 6158 - Independent Study)

(cf. 6172.1 - Concurrent Enrollment in College Courses)

Any complaint that the district has not complied with the requirements in this section regarding assignments in grades 9-12 may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 51228.3; 5 CCR 4600-4687)

(cf. 1312.3 - Uniform Complaint Procedures)

*Legal Reference:*EDUCATION CODE

35020 Duties of employees fixed by governing board

35160 Authority of the board

51224.7 California Mathematics Placement Act of 2015

51228.1 Assignment to courses without educational content, grades 9-12

51228.2 Assignment to courses previously completed, grades 9-12

51228.3 Uniform complaint procedures; noncompliance with assignment limitations for grades 9-12

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

*Management Resources:*WEB SITES

California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>

National Association for the Education of Young Children: <http://www.naeyc.org>

PLACEMENT IN MATHEMATICS COURSES

The Board of Trustees believe that a sound educational program must include the study of subjects that prepare students for admission to higher education and/or a fulfilling career. To the extent possible, district students shall be provided an opportunity to complete a sequence of mathematics courses recommended for admission into the University of California and California State University systems.

(cf. 6141.5 - Advanced Placement)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

The Superintendent or designee shall work with district teachers, counselors, and administrators and the representatives of feeder schools to develop consistent protocols for placing students in mathematics courses offered at district high schools. Such placement protocols shall systematically take into consideration multiple objective academic measures that may include, but are not limited to, interim and summative assessments, placement tests that are aligned to state-adopted content standards in mathematics, classroom assignment and grades, and report cards.

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

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

Students shall be enrolled in mathematics courses based on the placement protocols. No student shall repeat a mathematics course which he/she has successfully completed based on the district's placement protocols.

When a student does not qualify to be enrolled in a higher level mathematics course based on a consideration of the objective measures specified in the placement protocols, he/she may nevertheless be admitted to the course based on the recommendation of a teacher or counselor who has personal knowledge of the student's academic ability.

The placement protocols shall specify a time within the first month of the school year when students shall be reevaluated to ensure that they are appropriately placed in mathematics courses and shall specify the criteria the district will use to make this determination. Any student found to be misplaced shall be promptly placed in the appropriate mathematics course.

Within 10 school days of an initial placement decision or a placement decision upon reevaluation, a student and his/her parent/guardian who disagree with the placement of the student may appeal the decision to the Superintendent or designee. The Superintendent or designee shall decide whether or not to overrule the placement determination within 10 school days of receiving the appeal. The decision of the Superintendent or designee shall be final.

(cf. 5123 - Promotion/Acceleration/Retention)

PLACEMENT IN MATHEMATICS COURSES (continued)

District staff shall implement the placement protocols uniformly and without regard to students' race, sex, gender, nationality, ethnicity, socioeconomic background, or other subjective or discriminatory consideration in making placement decisions.

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

The Superintendent or designee shall ensure that all teachers, counselors, and other district staff responsible for determining students' placement in mathematics courses receive training on the placement protocols.

(cf. 4131 - Staff Development)

Prior to the beginning of each school year, the Superintendent or designee shall communicate the district's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors, and administrators.

This policy and the district's mathematics placement protocols shall be posted on the district's web site. (Education Code 51224.7)

(cf. 1113 - District and School Web Sites)

Annually, the Board and the Superintendent or designee shall review student data related to placement and advancement in the mathematics courses offered at district high schools to ensure that students who are qualified to progress in mathematics courses based on their performance on objective academic measures are not held back in a disproportionate manner on the basis of their race, ethnicity, gender, or socioeconomic background. The Board and Superintendent shall also consider appropriate recommendations for removing any identified barriers to students' access to mathematics courses.

(cf. 0500 - Accountability)

Legal Reference: (see next page)

PLACEMENT IN MATHEMATICS COURSES (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48070.5 Promotion and retention; required policy

51220 Areas of study, grades 7-12

51224.5 Completion of Algebra I or Mathematics I

51224.7 California Mathematics Placement Act of 2015

51225.3 High school graduation requirements

51284 Financial literacy

60605 State-adopted content and performance standards in core curricular areas

60605.8 Common Core standards

Management Resources:

CSBA PUBLICATIONS

Math Misplacement, Governance Brief, September 2015

Governing to the Core, Governance Briefs

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Mathematics Framework for California Public Schools: Kindergarten Through Grade Twelve, 2013

California Common Core State Standards: Mathematics, January 2013

COMMON CORE STATE STANDARDS INITIATIVE PUBLICATIONS

Appendix A: Designing High School Mathematics Courses Based on the Common Core State Standards

LAWYERS' COMMITTEE FOR CIVIL RIGHTS OF THE SAN FRANCISCO BAY AREA (LCCR)

Held Back - Addressing Misplacement of 9th Grade Students in Bay Area School Math Classes

WEB SITES

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

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

Common Core State Standards Initiative: <http://www.corestandards.org/math>

Lawyers' Committee for Civil Rights of the San Francisco Bay Area (LCCR): <http://www.lccr.com>

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

~~Cautionary Notice: As added and amended by SBX3-4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4-2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB-70 (Ch. 7, Statutes of 2011), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008-09 through 2014-15 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210—Administrative Discretion Regarding Board Policy.~~

The Board of Trustees desire that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and **that the materials** meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with the state and district **academic** content standards, and the district's curriculum ~~in order~~ to ensure that they effectively support the district's adopted courses of study.

(cf. 0440 - District Technology Plan)
(cf. 6000 - Concepts and Roles)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6143 - Courses of Study)
(cf. 6146.1 - High School Graduation Requirements)
(cf. 6161.11 - Supplementary Instructional Materials)
(cf. 6162.5 - Student Assessment)
(cf. 6163.1 - Library Media Centers)

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code 60605 or the Common Core Standards adopted pursuant to Education Code 60605.8. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)

~~The Board's priority in the selection of instructional materials is to ensure that all students are provided with standards-aligned instructional materials in the core curriculum areas of English/language arts, mathematics, science, and history-social science.~~

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Review Process

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.

(cf. 1220 - Citizen Advisory Committees)

The review process shall involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members. (Education Code 60002)

(cf. 6020 – Parent Involvement)

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the SBE, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

Individuals who participate in **the selection or review of** ~~and evaluating~~ instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

(cf. 9270 - Conflict of Interest)

The committee shall review instructional materials using criteria provided in law and administrative regulation, and shall provide the Board with documentation supporting its recommendations.

All recommended instructional materials shall be available for public inspection at the district office.

(cf. 5020 - Parent Rights and Responsibilities)

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**Public Hearing on Sufficiency of Instructional Materials**

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (Education Code 60119)

The hearing shall be held on or before the end of the eighth week from the first day students attend school for that year. (Education Code 60119)

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

(cf. 9322 - Agenda/Meeting Materials)

At the hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks and/or instructional materials ~~that~~ **which** are aligned to the state content standards adopted pursuant to Education Code 60605 **or the Common Core State Standards adopted pursuant to Education Code 60605.8** and **which** are consistent with the content and cycles of the state's curriculum frameworks. **Sufficiency of instructional materials shall be determined in each of the following subjects:** (Education Code 60119)

1. Mathematics

(cf. 6142.92 - Mathematics Instruction)

2. Science

(cf. 6142.93 - Science Instruction)

3. History/social science

(cf. 6142.94 - History-Social Science Instruction)

4. English language arts, including the English language development component of an adopted program

(cf. 6142.91 - English/Language Arts Instruction)

(cf. 6174 – Education for English Language Learners)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)**5. World/Foreign language***(cf. 6142.2 – World/Foreign Language Instruction)***6. Health***(cf. 6142.8 – Comprehensive Health Education)*

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (Education Code 60119)

~~The Board shall also make a determination that all students within the district who are enrolled in the same course have "identical" standards-aligned textbooks or instructional materials from the same adoption cycle, as defined in Education Code 1240.3, 60119, and 60422. (Education Code 1240.3, 42605)~~

~~However, the district may purchase the newest adopted instructional materials for students in district schools ranked in deciles 1-3 of the base Academic Performance Index in any one of the past three school years without necessarily purchasing these materials for use in other district schools. (Education Code 1240.3)~~

(cf. 9322 – Agenda/Meeting Materials)

If the Board determines that there are insufficient textbooks and/or instructional materials, ~~the Board~~ it shall provide information to classroom teachers and to the public; setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area, and the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

The degree to which every student has sufficient access to standard-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

(cf. 0460 – Local Control and Accountability Plan)

Complaints

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

220 Prohibition against discrimination

1240 County superintendent, general duties

~~1240.3 Definition of sufficiency for categorical flexibility~~

33050-33054 General waiver authority

33126 School accountability report card

35272 Education and athletic materials

~~42605 Tier 3 categorical flexibility~~

44805 Enforcement of course of studies; use of textbooks, rules and regulations

49415 Maximum textbook weight

51501 Nondiscriminatory Subject matter

52060-52077 Local control and accountability plan

60000-60005 Instructional materials, legislative intent

60010 Definitions

60040-60048 Instructional requirements and materials

60060-60062 Requirements for publishers and manufacturers

60070-60076 Prohibited acts (re instructional materials)

60110-60115 Instructional materials on alcohol and drug education

60119 Public hearing on sufficiency of materials

60200-60206 Elementary school materials

60226 Requirements for publishers and manufacturers

~~60240-60252 State Instructional Materials Fund~~

60350-60352 Core reading program instructional materials

60400-60411 High school textbooks

60510-60511 Donation of sale of obsolete instructional materials

60605 State content standards

60605.8 Common Core Standards

60605.86-60605.88 Supplemental instructional materials aligned with Common Core Standards

CODE OF REGULATIONS, TITLE 5

9505-9535 Instructional materials, especially:

Management Reference: (see next page)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

Management Resources:

CSBA PUBLICATIONS

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Instructional Materials FAQ

01-05 Guidelines for Piloting Textbooks and Instructional Materials, September 2001–rev. January 2015

Standards for Evaluation of Instructional Materials with Respect to Social Content, 2013

WEB SITES

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

Association of American Publishers: <http://www.publishers.org>

California Academic Content Standards Commission, Common Core State Standards:

<http://www.scoe.net/castandards>

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

Policy
adopted: September 4, 2007
revised: March 6, 2012
revised: September 18, 2012
revised: August 19, 2014
revised: October 16, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

HIGH SCHOOL EXIT EXAMINATION

The Board of Trustees desires to ensure that district students who graduate from high school can demonstrate grade-level competency in reading, writing, and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination.

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.5 - Student Assessment)

(cf. 6162.54 - Test Integrity/Test Preparation)

The Superintendent or designee shall ensure that district programs and services, including, but not limited to, instructional materials, staff development, and remediation programs, are aligned with the exit exam.

The Superintendent or designee shall administer the high school exit exam in accordance with law. (Education Code 60850)

Students may be allowed to take the exam with variations, accommodations, or modifications in accordance with law and administrative regulation.

The district shall provide necessary supplemental instruction to students who do not demonstrate sufficient progress toward passing the exit exam to assist the students to succeed on the exam. (Education Code 60851)

(cf. 6177 - Summer School)

(cf. 6179 - Supplemental Instruction)

Legal Reference: (see next page)

HIGH SCHOOL EXIT EXAMINATION (continued)

Legal Reference:

EDUCATION CODE

35146 Closed sessions

37252 Summer school

51041 Evaluation of educational program

56026 Individuals with exceptional needs

56101 Waiver of code or regulation

60810 Assessment of language development

60850-60859 Exit examination

CODE OF REGULATIONS, TITLE 5

1200-1225 High school exit examination

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

300.503 Prior notice

COURT DECISIONS

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

Smiley v. California Department of Education, (2002) 45 Fed.Appx. 780

Chapman v. California Department of Education, (2002) 229 F.Supp.2d 981

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Independent Evaluation of the California High School Exit Examination (CAHSEE), Annual Reports,
Human Resources Research Organization

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

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for
Educators and Policy-Makers, December 2001

WEB SITES

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

California Department of Education, California High School Exit Examination:
<http://www.cde.ca.gov/ta/tg/hs/index.asp>

Educational Testing Service: <http://www.ets.org/cahsee>

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

Policy
adopted: September 4, 2007
deleted: October 16, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

HIGH SCHOOL EXIT EXAMINATION**Definitions**

Variation means a change in the manner in which a test is presented or administered, or in how a student is allowed to respond, and includes, but is not limited to, accommodations and modifications as defined in Education Code 60850. (5 CCR 1200)

Accommodation means any variation in the assessment environment or process that does not fundamentally alter what the test measures or affect the comparability of scores. (Education Code 60850)

Modification means any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores. (Education Code 60850)

District and Test Site Coordinators

On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among district employees and shall notify the test contractor of the identity and contact information of the coordinator. The district coordinator or Superintendent or designee shall be available throughout the year; shall serve as the liaison between the district and the test contractor and between the district and the California Department of Education (CDE) for all matters related to the exit examination; and shall perform additional duties specified in 5 CCR 1209-1211.5. (5 CCR 1209)

Annually, the district coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210-1211.5. (5 CCR 1210)

All district and test site coordinators shall sign a test security affidavit pursuant to 5 CCR 1211.5.

Access to exam materials shall be limited to students taking the exam and individuals who have signed the test security affidavit, including employees directly responsible for test administration. All district and test site coordinators shall be responsible for inventory control. (5 CCR 1211)

Administration

The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction as exam days or make-up days. (Education Code 60851)

The high school exit exam shall be administered as follows: (Education Code 60851; 5 CCR 1204, 1204.5)

HIGH SCHOOL EXIT EXAMINATION (continued)

1. Students in grade 10, including students with disabilities who are otherwise exempt from the requirements of the exam, shall take each section of the exit exam once during the school year, either during the grade 10 census administration or the district-designated grade 10 make-up administration.
2. Students in grade 11 who have not yet passed one or both sections of the exam shall have up to two opportunities per year to take the section(s) of the exam not yet passed and may elect to take the exam during these opportunities. These students may be tested in successive administrations within a school year. Students should be offered appropriate remediation or supplemental instruction before being retested.
3. Students in grade 12 shall have at least three opportunities to take the section(s) of the exam not yet passed. Eligible students in grade 12 may elect to take the exam during district-provided opportunities. Students should be offered appropriate remediation or supplemental instruction before being retested.

(cf. 6179 - Supplemental Instruction)

4. Adult students shall have up to three opportunities per year to take the section(s) of the exam not yet passed and may elect to take the exam during these opportunities. Students should be offered appropriate remediation or supplemental instruction before being retested.

(cf. 6200 - Adult Education)

The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction (SPI) as exam days or make-up days. (Education Code 60851)

If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language. (Education Code 60852)

(cf. 6174 - Education for English Learners)

Test administrators at the test sites shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of the district. (5 CCR 1203)

Any student found to have cheated, assisted others in cheating, or compromised the security of the exam shall not receive a score from that test administration. (5 CCR 1220)

HIGH SCHOOL EXIT EXAMINATION (continued)*(cf. 5131.9 - Academic Honesty)**(cf. 6162.54 - Test Integrity/Test Preparation)***Testing Variations for All Students**

The Superintendent or designee may provide any student taking the exam with extra time within a testing day, simplified or clarified test directions, and/or student marks (other than responses) in test booklets. (5 CCR 1215)

A student may also be provided the following testing variations if they are regularly used in the classroom: (5 CCR 1215)

1. Special or adaptive furniture
2. Special lighting, special acoustics, visual magnifying, or audio amplification equipment
3. An individual carrel or study enclosure
4. Testing of individual students in a separate room provided that the student is directly supervised by an employee who has signed the test security affidavit
5. Colored overlay, mask, or other means to maintain visual attention to the exam or test items
6. Manually Coded English or American Sign Language to present directions for test administration

At least 30 working days before the proposed administration of the exam, the Superintendent or designee may submit a request to the CDE for a case-by-case review of a proposed variation that is not specified in law. (5 CCR 1218) The request shall include a description of the requested variation(s) and, if applicable, a certification that the student's individualized education program (IEP) or Section 504 plan specifies that the requested variation is appropriate and necessary to access the exam due to the student's identified disability(ies) and that such variation is currently listed in his/her IEP or Section 504 plan. (5 CCR 1218)

Testing Variations for English Language Learners

In addition to testing variations allowed for all students, identified English language learners may be allowed the following testing variations if regularly used in the classroom or for assessments: (5 CCR 1217)

HIGH SCHOOL EXIT EXAMINATION (continued)

1. Flexible setting: English language learners may have the opportunity to be tested in a separate room with other English language learners provided that the students are directly supervised by an employee who has signed the test security affidavit.
2. Flexible schedule: English learners may have additional supervised breaks within a testing day.
3. Flexible time: English learners may have extra time on the exam within a testing day.
4. Translated directions: English learners may have the opportunity to hear the test directions printed in the test contractor's manual translated into their primary language. English learners may have the opportunity to ask clarifying questions about the test directions in their primary language.
5. Glossaries: English learners may have access to translation glossaries (English to primary language). The glossaries are to include only the English word or phrase with the corresponding primary language word or phrase. The glossaries shall include no definitions or formulas.

Accommodations/Modifications for Students with Disabilities

A student with disabilities shall be permitted to take the exit exam with accommodations or modifications when the student's individualized education program (IEP) or his/her Section 504 plan specifies their use on the exam, for standardized testing, or during classroom instruction and assessments. (Education Code 60850; 5 CCR 1215.5, 1216)

(cf. 6146.4 - Differential Graduation and Competency Standards for Students with Disabilities)

(cf. 6159 - Individualized Education Program)

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

The use of accommodations shall not invalidate a student's test score(s). Accommodations may include: (5 CCR 1215.5)

1. Presentation accommodations, including large-print versions in 20-point font, test items enlarged if larger than 20-point font is required, Braille transcriptions provided by the test contractor, audio or oral presentation of the mathematics section of the exam, or use of Manually Coded English or American Sign Language to present test questions on the mathematics section of the exam or any prompts or passages present in the writing task.

1. Response accommodations, including responses marked in the test booklet and transferred to the answer document by an employee who has signed the test security affidavit; responses dictated orally, in Manually Coded English, or in American Sign Language to a scribe for selected-response items (e.g., multiple-choice test questions); responses dictated orally or in Manually Coded English to a scribe, audio

HIGH SCHOOL EXIT EXAMINATION (continued)

recorder, or speech-to-text converter on the writing portion of the exam and the student indicates all spelling and language conventions; word processing software with spell and grammar check tools turned off on the writing portion of the exam; or an assistive device that does not interfere with the independent work of the student on the multiple-choice or writing portion of the exam

3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test contractor, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test contractor
4. Setting accommodations, including tests administered by a test examiner to a student at home or in the hospital

For purposes of receiving a high school diploma, the use of modifications shall invalidate a student's test score for the section of the exam for which the modification(s) were used. If the score is equivalent to a passing score, the student may be eligible for a waiver, as detailed below. Modifications may include: (5 CCR 1216)

1. Arithmetic table, calculators, or math manipulatives on the mathematics section of the exam
2. Audio or oral presentation of the English language arts section of the exam
3. Manually Coded English or American Sign Language to present test questions on the English language arts section of the exam
4. Spell checkers, grammar checkers, or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exam
5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses including, but not limited to, transcribers, scribes, voice recognition or voice-to-text software, and that identify a potential error in the student's response or that correct spelling, grammar, or conventions on the writing portion of the exam
6. Responses dictated orally, in Manually Coded English, or in American Sign Language to provide an essay response to a scribe and the scribe provides spelling, grammar, and language conventions
7. Dictionary on any section of the exam

HIGH SCHOOL EXIT EXAMINATION (continued)**Exemption for Students with Disabilities Beginning in 2009-10**

The district shall grant a diploma to a student with a disability who has not passed the exit exam if all of the following criteria are satisfied: (Education Code 60852.3)

1. The student has an IEP or Section 504 plan.
2. The IEP or 504 plan states that the student is scheduled to receive a high school diploma.
3. The student has satisfied or will satisfy all other state and district requirements for the receipt of a high school diploma on or after July 1, 2009.

Waiver for Students with Disabilities

When a student with disabilities has taken any section of the exit exam with one or more modifications and has received the equivalent of a passing score, his/her parent/guardian may request that the student receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request, the principal shall submit a request for a waiver to the Governing Board. The Board may waive the requirement to successfully pass the exit exam if the principal certifies that the student has all of the following: (Education Code 60851)

1. An IEP or Section 504 plan in place that requires the accommodations or modifications to be provided to the student when taking the exit exam
2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that the student has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education (SBE)

In order to protect the student's privacy rights, the waiver request shall be considered in closed session. Final Board action on the waiver request shall be taken in open session and shall be a matter of public record. The student's name shall not be disclosed in open session.

(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

The principal or designee shall notify parents/guardians of students with disabilities about the criteria and process for applying for a waiver of the requirement to successfully pass the exit exam.

HIGH SCHOOL EXIT EXAMINATION (continued)**Records**

The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English language arts section and the mathematics section for each test administration: (5 CCR 1205)

1. The date on which each section of the exam was taken
2. The full name of each student who took each section of the exam
3. The grade level of each student at the time each section of the exam was taken
4. Whether each student has satisfied the requirement to successfully pass each section of the exam

In addition, the Superintendent or designee shall provide the test contractor with the student demographic information specified in 5 CCR 1207.

Within 60 days of receiving electronic data files from the test contractor, the Superintendent or designee shall enter the following information in each student's permanent record: (5 CCR 1206)

1. The date on which the student took each section of the exam
2. Whether the student has satisfied the requirement to successfully pass each section of the exam

(cf. 5125 - Student Records)

Notifications

At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9-12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into the district after the beginning of the school year at the time of the student's transfer. The notification shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam, and shall inform the parent/guardian that passing the exam is a condition of graduation. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification. (Education Code 48980, 60850; 5 CCR 1208)

(cf. 5145.6 - Parental Notifications)

(cf. 6146.1 - High School Graduation Requirements)

HIGH SCHOOL EXIT EXAMINATION (continued)

Prior to each administration of the exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating. (5 CCR 1220)

Delete

Regulation
approved: September 4, 2007
revised: December 7, 2010
deleted: October 16, 2018

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

HIGH SCHOOL EXIT EXAMINATION**Parent/Guardian Request for Waiver of the High School Exit Examination
Requirement for a Student with Disabilities**

Please return the completed form to the principal of your child's high school.

My child, _____ [name] _____ is a student with disabilities attending _____ [high school] _____. He/she has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or more parts of the exam.

I hereby request that the principal submit a request to the Board of Trustees for a waiver of the requirement that my child successfully pass the exit examination in order to receive a high school diploma. I understand that, in order to receive such a waiver, state law requires that my child have all of the following:

1. An individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or a plan adopted pursuant to Section 504 of the Rehabilitation Act of 1973 that specifies the use of the modification(s) on the exit exam, standardized testing, or classroom instruction and assessments
2. Sufficient high school level coursework either satisfactorily completed or in progress in the district's high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that my child has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education

I hereby certify that, to the best of my knowledge, my child satisfies the conditions listed above.

Parent/Guardian Signature: _____ Date: _____

HIGH SCHOOL EXIT EXAMINATION**Principal's Certification and Request for the Board of Trustees
to Waive the High School Exit Exam Requirement
for a Student with Disabilities**

Student's Name: _____

Student's Number (for use on open session agenda): _____

Pursuant to Education Code 60851, the parent/guardian of _____ [student's name] _____, a child with disabilities, has requested that the Board of Trustees waive the requirement that his/her child successfully pass the high school exit examination in order to receive a diploma from _____ High School. His/her child has taken the high school exit exam with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score on one or both parts of the exam.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or Section 504 plan that specifies the use of the modification(s) on the exit exam, standardized testing or classroom instruction and assessments. *(Attach the IEP or Section 504 plan that indicates the modification needed to participate and access the high school exit exam.)*
 - a. Describe the nature of the student's disability as identified on the IEP or Section 504 plan:
 - b. Describe any modification(s) used on the English/language arts section of the exam:
 - c. Describe any modification(s) used on the mathematics section of the exam:
 - d. List the rationale as to why the modification used was necessary to allow the student to access the test:
 - e. Describe the accommodations/modifications that the student regularly uses for English/language arts in the classroom and on other assessments:

HIGH SCHOOL EXIT EXAMINATION (continued)

- f. Describe the accommodations/modifications that the student regularly uses for mathematics in the classroom and on other assessments:
2. Has sufficient high school level coursework either satisfactorily completed or in progress in the high school curriculum sufficient to have attained the skill and knowledge otherwise needed to pass the high school exit examination. (*Attach transcript showing coursework completed.*)

Summarize the student's academic preparation and performance in the subject areas of English/language arts and/or mathematics (depending on the subject of the waiver request) that demonstrate high school level achievement:

3. Has an individual score report showing that he/she has achieved the equivalent of a passing score on the exit exam (350 or more points) using a modification that fundamentally alters what the exam measures. (*Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in either the English/language arts/and/or math portion of the exam.*)

Certified by: _____ [principal's signature] _____ Date: _____