

SIERRA SANDS UNIFIED SCHOOL DISTRICT

**Board of Education
Regular Meeting**

**NOVEMBER 20, 2014
Ridgecrest City Council Chambers
100 West California Avenue
www.ssusdschools.org**

We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education in a safe environment to all K-12 students. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive citizens.

A G E N D A

CALL TO ORDER AND PLEDGE TO THE FLAG

7:00 P.M.

Amy Castillo-Covert
Judy Dietrichson
Bill Farris
Tom Pearl, Vice President/Clerk
Kurt Rockwell, President
Michael Scott

Ernest M. Bell, Jr., Superintendent

MOMENT OF SILENCE

1. ADOPTION OF AGENDA

Welcome to a meeting of the Board of Education. Because we believe you share our concern for the education of the youth of our community, we appreciate and welcome your participation. Copies of the agenda, along with a procedural handout, are available on the wall at the back of the room to assist with your participation in the meeting.

2. APPROVAL OF MINUTES of the special meeting of November 4, 2014 and the regular and special concurrent meetings of October 16, 2014.

3. PROGRAMS AND PRESENTATIONS

- Recognition of AltaOne Federal Credit Union for their Generous Support of Sierra Sands Unified School District
- Richmond Elementary School: Integrating PBIS into the School Culture

4. PUBLIC HEARING

- 4.1 Public Hearing for Initial Sunshine Contract Proposal for 2014-15 from the Desert Area Teachers Association to the Board of Education
- 4.2 Public Hearing for Initial Sunshine Contract Proposal for 2014-15 from the Board of Education to the Desert Area Teachers Association

5. REPORTS AND COMMUNICATIONS

5.1 Student Member's Report

5.2 Reports from Members of the Board

5.3 Superintendent's Report

- Enrollment Update
- Election Results
- November Newsletter
- Petroglyph Festival

5.4 Report to the Board of Trustees by the Desert Area Teachers Association

5.5 Communications from the public

The board will provide time during the discussion of each agenda item for members of the public to comment. At this time, members of the public may address the board on an item not on the agenda. Comments should relate to items of public interest within the board's jurisdiction. The law prohibits the board from taking action on items not on the agenda. If appropriate, your comments will be referred to staff for response. When addressing the board, please state your name and address at the podium and limit your remarks to three minutes. In accordance with the board bylaws, the board will limit the total time for public input to 30 minutes. Those wishing to address the board beyond the 30-minute time limit may do so at the end of the scheduled meeting agenda.

6. EDUCATIONAL ADMINISTRATION

7. POLICY DEVELOPMENT AND REVIEW

- 7.1 Approval of Revisions to Board Policy and Administrative Regulation 6174, Education for English Language Learners
- 7.2 Approval of Revisions to Board Policy and Administrative Regulation 6154, Homework/Makeup Work
- 7.3 Approval of Revisions to Board Policy and Administrative Regulations 6142.7, Physical Education and Activity
- 7.4 Approval of Revisions to Board Policy and Administrative Regulations 1312.3, Uniform Complaint Procedures: Community Relations

8. PERSONNEL ADMINISTRATION

8.1 Certificated

Employment, resignation, retirement, leave of absence, change of status, termination

8.2 Classified

Employment, resignation, retirement, leave of absence, change of status, termination

8.3 Approval of Early Retirement Notification Incentive for 2014-15

9. GENERAL ADMINISTRATION

9.1 Gifts to the District

9.2 Designation of Date and Time of the Organizational Meeting of the Board

9.3 Nominations for Representatives to the California School Boards Association (CSBA)

9.4 Authorization for Board Member Travel

9.5 Approval of Amendment to the Superintendent's Contract

10. CONSTRUCTION ADMINISTRATION

10.1 Report to the Board: Construction Activities and Issues

10.2 Presentation of Design Development of the New Murray Middle School

10.3 Presentation of District Design Standards

11. BUSINESS ADMINISTRATION

12. CONSENT CALENDAR

12.1 "A"&"B" Warrants

12.2 Approval for Recommendation for Expulsion, Expulsion Case #03 1415

13. FUTURE AGENDA

14. ADJOURNMENT

The next regular meeting of the Board of Education will be December 11, 2014.

Any materials required by law to be made available to the public prior to a meeting of the Board of Education of the Sierra Sands Unified School District can be inspected during normal business hours at the district office located at 113 Felspar, Ridgecrest, CA. These materials can also be viewed on the district's internet website at www.ssusdschools.org.

Note: Individuals who require special accommodation, including but not limited to an American Sign Language interpreter, accessible seating, or documentation in accessible formats, should contact the Superintendent's Office at least two days before the meeting date.

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Special Meeting of the Board of Education

DATE OF MEETING: November 4, 2014
TIME OF MEETING: 12:00 noon
PLACE OF MEETING: District Office Conference Room
MEMBERS PRESENT: Castillo-Covert, Dietrichson, Farris, Pearl, Rockwell, Scott
STAFF PRESENT: Ernest M. Bell, Jr., Superintendent

MOMENT OF SILENCE was observed.

1. ADOPTION OF AGENDA

The agenda was adopted by consensus as posted.

2. PERSONNEL ADMINISTRATION

2.1 Presentation of Initial Sunshine Contract Proposal for 2014-15 from the Desert Area Teachers Association to the Board of Education

Ms. Sharlene Paxton of the Desert Area Teachers Association (DATA) presented the initial sunshine contract proposal for 2014-15 to the Board of Education.

2.2 Presentation of Initial Sunshine Contract Proposal for 2014-15 from the Board of Education to the Desert Area Teachers Association

Mr. Dave Ostash, Assistant Superintendent of Human Resources presented the initial sunshine contract proposal for 2014-15 from the Board of Education to the Desert Area Teachers Association (DATA).

3. ADJOURNMENT was at 12:00 p.m.

THE BOARD OF EDUCATION

Tom Pearl, Vice President/Clerk

Ernest M. Bell, Jr., Secretary to Board

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education

DATE OF MEETING: October 16, 2014

TIME OF MEETING: 7:00 p.m.

PLACE OF MEETING: Ridgecrest City Council Chambers

MEMBERS PRESENT: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

MEMBERS ABSENT: Rockwell

STAFF PRESENT: Ernest M. Bell, Jr., Superintendent

PLEDGE OF ALLEGIANCE was recited in unison, led by Student Member Blair Etoch.

MOMENT OF SILENCE was observed.

1. ADOPTION OF AGENDA

The agenda was adopted by consensus as posted noting Special Concurrent Agenda Item 9.5 will be heard following Item 9.4 and Special Concurrent Agenda Item 10.3 will be heard following Item 10.2. The Inyo-Kern Schools Financing Authority Agenda will be heard following Item 11.3.

2. APPROVAL OF MINUTES

Hearing no comments, the minutes of the special meeting of October 9, 2014 and the regular meeting of September 18, 2014 were adopted by consensus as written.

3. PROGRAMS AND PRESENTATIONS

- Faller Elementary School: Elementary and Secondary Schools Counseling Grant Overview
Mrs. Michelle Savko, Coordinator of Pupil Support Services and Special Projects thanked Faller Elementary School Principal Melissa Christman for allowing her to take this time to present both Faller and Richmond Elementary School's Elementary and School Counseling Grant overview. Mrs. Savko gave a summary of the purpose of the grant as it expands elementary and secondary school counseling programs. She introduced Ms. Marina Skates, elementary counselor at Faller Elementary School who gave a brief summary of counseling programs that have been implemented at Faller Elementary School in year 1 of the grant. These included classroom guidance lessons, bully prevention lessons, parenting classes, and professional development. Year 2 implementation of the grant at Faller Elementary School will focus on the character development program, Character Counts.

Mr. Kevin Wythe, elementary counselor at Richmond Elementary School spoke to the counseling programs that have been implemented at Richmond Elementary School in year 1 of the grant. These programs are similar or equal to the programs implemented at Faller Elementary School because the counselors work as a collaborative team between both schools. The year 2

implementation focus at Richmond Elementary School will be Positive Behavior Intervention and Support (PBIS).

4. PUBLIC HEARING

5. REPORTS AND COMMUNICATIONS

5.1 Student Member's Report

Burroughs High School: Classes are preparing for Homecoming next week. Many activities are planned for the week culminating with the Homecoming Dance on Saturday, October 25. The Drama Department changed its upcoming production of Noises Off to Peter Pan due to the large number of auditions. Performance dates for Peter Pan are November 7, 8, 13, and 15. Progress Reports have been mailed home. Team TLC is a teacher supervised program available every day during lunch for students who are struggling or need to catch up on homework. Student volunteers are available to help with math, science, English, history, and Spanish.

James Monroe Middle School: To emphasize the importance of academic success, James Monroe Middle School counselor Rose Douglas met with students who received failing grades on their progress reports. She set academic goals with each student. Students who did not receive grades below a C on their progress report were honored at a Students Who Are Getting the Grades (SWAGG) celebration. The orchestra, band, and choir students put on a fabulous fall concert and the choir and flute quartet performed on KZGN, the local television station. The James Monroe PTSO is busy planning the fall carnival which will take place on October 30 from 6:00-8:00 p.m.

Murray Middle School: Students Katie Hall and Bill Williams are Murray students who serve on the Ridgecrest Youth Advisory Council. We look forward to learning what the focus of the council will be this year. The month of October is very busy at Murray Middle School with the ASB sponsoring four special weeks. October will have Cancer Awareness Week, Teen Read Week, Bully Free Week, and Red Ribbon Week. In an effort to take AVID school wide, the site AVID team is developing a professional development series to familiarize teachers with great teaching strategies. The Murray PTO sponsored the fall pasta fundraiser. The students enjoyed selling the very creative pasta. An assembly will be held to reward the top sellers.

Mesquite High School: Mesquite has had a total of 15 students achieve Star Student status and have had 2 graduates so far this year. Staff has implemented a new rewards program called CAUGHT. Similar to the Caught Being Good programs at other schools, students who are seen being outstanding citizens are given a CAUGHT card by staff. The cards are then entered into a weekly prize drawing. The students completed a Pathways to Graduation in which each student analyzes their credits and formulates a plan to attain the goal of graduation. We had 15 students take the ASVAB Exam in October.

5.2 Reports from Members of the Board

Mrs. Dietrichson encouraged the public to attend the Desert Empire Fair to view the student exhibit submissions.

Mr. Pearl reported that Nick Burson, a Burroughs High School graduate, will participate in the ISDE off-road motorcycle event in Argentina in November. He has been visiting Sierra Sands school sites speaking to students about reaching goals and fulfilling dreams.

Mrs. Castillo-Covert thanked members of the board for allowing her to attend the NAFIS Fall Conference with Superintendent Ernie Bell and Assistant Superintendent of Finance Christina Giraldo. It was a good conference with interesting break-out sessions. They were able to spend quite a bit of time with staffers from Congressmen Kevin McCarthy and Paul Cook's offices. They also had the opportunity to speak with one of President Obama's staffers about education and some of the challenges faced with educational programs and funding. Mrs. Castillo-Covert read a letter sent to her and Mr. Bell by the executive director of the MISA sub-group, Mr. Kyle Fairbanks. He wrote that there have been several issues in the past years which would have had an extremely negative impact on Sierra Sands if the district had not had a presence in MISA, 8002, and NAFIS.

5.3 Superintendent's Report

Mr. Bell reported enrollment is up by twelve students over this time last year. The Great California Shake-Out took place today with hundreds of school districts across the state. Every one of our schools participated by conducting lock-down, earthquake, and evacuation drills. Mr. Bell congratulated the school sites and district office staff for conducting an outstanding drill today. He reported on his first trip to the NAFIS conference and felt it was a good opportunity for him to grasp the history and functionality of all of the groups involved. He had an opportunity to not only meet with the national leaders of this organization but state leaders as well. Staffers said that Sierra Sands was very well known throughout the organizations. Sierra Sands was recognized in front of the entire conference as one of the foremost districts and is very well supported by Congressman Kevin McCarthy. Our presence there is important.

5.4 Report to the Board of Trustees by the Desert Area Teachers Association

Barb Walls, President of the Desert Area Teachers Association, once again invited board members to attend the High Desert Service Center Fall Leadership Conference in November. Several board members and superintendents from other districts attend this conference. She also invited the board to attend this same organization's school board luncheon on December 13, 2014. Mr. Farris noted that the luncheon will be held during the time the board will be attending the CSBA Annual Education Conference. Mrs. Walls commented on the board candidate forum that was held. Most of the candidates had encouraging comments and answered well. However, candidate Christina Witt is very worrisome to the union. Her inability to answer questions was worrisome. Some of her responses seemed very personal rather than universal. A board member has to care about the community, the students, and district staff. Mrs. Walls found that overall concern missing from her comments.

5.5 Communications from the public

6. EDUCATIONAL ADMINISTRATION

6.1 Appointment of Industry/Business Members to Career Technical Advisory Committee

Motion passed to appoint the named individuals to the Sierra Sands Unified School District Career Technical Advisory Committee for the 2014-15 school year.
CASTILLO-COVERT/DIETRICHSON

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

6.2 Report to the Board Regarding Annual Progress of the Elementary and Secondary School Counseling Grant (ESSC) Awarded to Sierra Sands Unified School District for Years 2013-16

This item was presented for informational purposes only and required no board action.

6.3 Approval to Enter into a Contract with VocoVision for Speech Tele-Therapy Services

Motion passed for approval to enter into a contract with VocoVision for speech tele-therapy services. DIETRICHSON/CASTILLO-COVERT

Comments from the public: One member of the public, Barb Walls, commented on this agenda item.

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

6.4 Approval to Enter into a Contract with Soliant Health for the Services of a Credentialed School Psychologist

Motion passed for approval to enter into a contract with Soliant Health for the services of a credentialed school psychologist for the remainder of the 2014-15 school year.

DIETRICHSON/CASTILLO-COVERT

Comments from the public: One member of the public, Barb Walls, indicated she would like to make the same comment on this agenda item as she had for agenda item 6.3.

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

7. POLICY DEVELOPMENT AND REVIEW

7.1 Revisions to Administrative Regulation 5144.2, Suspension and Expulsion/Due Process (Students with Disabilities)

The revisions to Administrative Regulation 5144.2 are presented for informational purposes only and do not require board action.

7.2 Approval of Revisions to Board Bylaw 9230, Board Candidate Orientation

Motion passed to approve the revisions to Board Bylaw 9230, Board Candidate Orientation. CASTILLO-COVERT/SCOTT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

7.3 Revisions to Exhibit 9323.2, Actions by the Board

The revisions to Exhibit 9323.2, Actions by the Board are presented for informational purposes only and do not require board action.

8. PERSONNEL ADMINISTRATION

8.1 Certificated

Employment, resignation, retirement, leave of absence, change of status, termination

8.2 Classified

Employment, resignation, retirement, leave of absence, change of status, termination

8.3 Waiver Request Enabling the District to Assign Individuals in Certificated Positions Without Appropriate Credentials

Motion passed to approve items 8.1 through 8.3. DIETRICHSON/CASTILLO-COVERT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

9. GENERAL ADMINISTRATION

9.1 Gifts to the District

Motion passed to accept the following gifts: Karla Christiansen donated a refurbished iMac computer with an estimated value of \$1,377.69 to the Las Flores Elementary School Yearbook Club. Julie Gervais made a cash donation of \$100.00 to be used for the Murray Middle School Art Program. SCOTT/DIETRICHSON

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

9.2 Report to the Board: Nature and Resolution of Complaints with Regard to Deficiencies Related to Instructional Materials, Emergency or Urgent Facilities Conditions that Pose a Threat to the Health and Safety of Pupils or Staff, Teacher Vacancy or Misassignment, and Provision of Intensive Instruction and Services to Students Who Did Not Pass the California High School Exit Examination (CAHSEE) by the End of Grade 12, as Required by the Williams Act

This item was presented for informational purposes only and required no board action.

9.3 Authorization for Board Member Travel to the Annual School Trustees Fall Dinner Meeting on October 27, 2014 of the Kern County School Boards Association

Motion passed to authorize board member travel to the annual School Trustees Fall Dinner Meeting. CASTILLO-COVERT/SCOTT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott

ABSENT: Rockwell

9.4 Authorization for Board Member Travel to the High Desert SCC Fall Leadership Conference on November 21-23, 2014 in Las Vegas, Nevada

Motion passed to authorize board member travel to the High Desert SCC Fall Leadership Conference. CASTILLO-COVERT/FARRIS

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

10. CONSTRUCTION ADMINISTRATION

10.1 Report to the Board: Construction Activities and Issues

Mrs. Christina Giraldo, Assistant Superintendent of Business Services, introduced Mr. Steve Hubbard, Project Manager who will give a monthly update to the board on the Capital Projects taking place within the district. Mr. Hubbard reported that the scheduled budget and expense reports have not changed since last month. The third quarter report to the OEA will be filed next week and will be reflected in the November board packet.

Murray Middle School has a new architect. He has energy, enthusiasm, intelligence and has presented ideas we believe have brought the project back into budget. His plan is to make a presentation to the board at the next board meeting.

The Burroughs High School project has the architect resubmitting the construction drawings to DSA next week for review and approval with the expectation of receiving that approval by the end of January 2015. Once the construction manager comes on board, we will be finalizing the detailed cost estimate of that DSA submittal for both the modernization and the HVAC remediation projects. Our goal is to make a presentation at the December board meeting on what the phasing strategy will be at Burroughs. The formal bid phase for this project is expected to occur after the beginning of the year.

HVAC remediation projects: The James Monroe project is currently at DSA for approval. The Mesquite and Burroughs projects will follow shortly.

This item was presented for informational purposes only and required no board action.

10.2 Approval To Enter into an Agreement for Inspector of Record Services for the Murray Middle School and Burroughs High School Projects

Motion passed to approve the agreement with JMI Inc. for Inspector of Record services.
DIETRICHSON/CASTILLO-COVERT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

11. BUSINESS ADMINISTRATION

11.1 Approval to Pay for Equipment from XIT Solutions through a Piggyback Bid with Los Angeles County Office of Education (LACOE)

Motion passed to approve payment to XIT Solutions for equipment purchased under the LACOE piggyback contract. DIETRICHSON/SCOTT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

11.2 Identification of District Representative Signature Authority Related to 2010 Series A
– Direct Subsidy Qualified School Construction Bonds (QSCB) and 2010 Series B –
Taxable Certificates of Participation

Motion passed to approve the Incumbency and Signature Certificate designating authorized district representatives. SCOTT/CASTILLO-COVERT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

11.3 Approval of Resolution #13 1415 Authorizing the District to Seek Funding for
Purchase of Replacement School Bus

Motion passed to adopt Resolution #13 1415 authorizing the district to seek funding for the purchase of a replacement school bus. DIETRICHSON/CASTILLO-COVERT

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

Vice President Pearl temporarily adjourned the Sierra Sands Unified School District board meeting at 8:31 p.m. and opened the meeting of the Board of Directors of the Inyo-Kern Schools Financing Authority.

The Sierra Sands Unified School District Board of Education meeting was reopened at 8:33 p.m.

12. CONSENT CALENDAR

12.1 “A” & “B” Warrants

12.2 Adoption of Resolution #11 1415, Authorization to Extend the Existing Contract with Mather Bros. Inc. for the Purchase of Dairy Products for the 2014-15 School Year

12.3 Adoption of Resolution #12 1415, Authorization to Extend the Existing Contract with Flowers Bakery, Inc. for the Purchase of Bread Products for the 2014-15 School Year

12.4 Approval for Recommendation for Expulsion, Expulsion Case #02 1415

Motion passed to adopt the consent calendar as presented.
SCOTT/DIETRICHSON

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

13. FUTURE AGENDA

14. ADJOURNMENT was at 8:35 p.m.

THE BOARD OF EDUCATION

Tom Pearl, Vice President/Clerk

Ernest M. Bell, Jr., Secretary to Board

Recorder: Diane Naslund

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Minutes of the Special Concurrent Meeting of the Board of Education

DATE OF MEETING: October 16, 2014
TIME OF MEETING: 7:00 p.m.
PLACE OF MEETING: Ridgecrest City Council Chambers
MEMBERS PRESENT: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
MEMBERS ABSENT: Rockwell
STAFF PRESENT: Ernest M. Bell, Jr., Superintendent

MOMENT OF SILENCE was observed.

1. ADOPTION OF AGENDA

The agenda was adopted by consensus as posted.

9. GENERAL ADMINISTRATION

9.5 Approval of Resolution #14 1415 Urging Legislature and Governor to Repeal SB 858, Section 27/Education Code 42127.01

Motion passed to adopt Resolution #14 1415 as presented. SCOTT/DIETRICHSON

Comments from the public: One member of the public, Barb Walls, commented on this agenda item.

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

10. CONSTRUCTION ADMINISTRATION

10.3 Approval to Enter into an Agreement for Construction Management Services for the Murray Middle School and Burroughs High School Projects

Motion passed to approve the contract with ProWest PCM, Inc. DIETRICHSON/SCOTT

Comments from the public: One member of the public, Tim Johnson, commented on this agenda item.

AYES: Castillo-Covert, Dietrichson, Farris, Pearl, Scott
ABSENT: Rockwell

11. ADJOURNMENT

THE BOARD OF EDUCATION

Tom Pearl, Vice President/Clerk

Ernest M. Bell, Jr., Secretary to the Board

recorder: Diane Naslund

4. PUBLIC HEARING

4.1 Public Hearing for Initial Sunshine Contract Proposal for 2014-15 from the Desert Area Teachers Association to the Board of Education

BACKGROUND INFORMATION: The Desert Area Teachers Association (DATA) submitted its initial sunshine contract proposal for the 2014-15 school year to the Board of Education at a special board meeting on November 4, 2014.

CURRENT CONSIDERATIONS: A public hearing provides time for comment on this proposal.

FINANCIAL IMPLICATIONS: None at this time.

SUPERINTENDENT'S RECOMMENDATION: Conduct a public hearing on the Initial Sunshine Contract Proposal for 2014-15 from the Desert Area Teachers Association to the Board of Education.

4. PUBLIC HEARING

4.2 Public Hearing for Initial Sunshine Contract Proposal for 2014-15 from the Board of
Education to the Desert Area Teachers Association

BACKGROUND INFORMATION: The Board of Education submitted its initial sunshine contract proposal for the 2014-15 school year to the Desert Area Teachers Association (DATA) at a special board meeting on November 4, 2014.

CURRENT CONSIDERATIONS: A public hearing provides time for comment on this proposal.

FINANCIAL IMPLICATIONS: None at this time.

SUPERINTENDENT'S RECOMMENDATION: Conduct a public hearing on the Initial Sunshine Contract Proposal for 2014-15 from the Board of Education to the Desert Area Teachers Association.

Month 2

| Second Month Enrollment 2014-15 | | | | | | | | | | | | | | | Elementary K - 5 | | | 2014-15 | 2013-14 |
|---------------------------------|---------|---------|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-------|------------------|---------|---------------------|---------|---------|
| | 2014-15 | 2013-14 | | | | | | | | | | | | | 2014-15 | 2013-14 | | | |
| SCHOOL | YTD% | YTD% | K | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9-12 | SDC | TOTAL | TOTAL | CHANGE | Regular - | | |
| FALLER | 96.5% | 96.9% | 105 | 67 | 74 | 61 | 74 | 68 | | | | | | 449 | 446 | 3 | K | 446 | 400 |
| GATEWAY | 96.8% | 96.6% | 62 | 55 | 53 | 64 | 60 | 64 | | | | | 31 | 389 | 417 | -28 | 1 - 3 | 1075 | 1107 |
| INYOKERN | 96.9% | 96.6% | 40 | 33 | 27 | 29 | 18 | 24 | | | | | | 171 | 159 | 12 | 4 - 5 | 703 | 711 |
| LAS FLORES | 96.8% | 97.0% | 122 | 86 | 83 | 84 | 79 | 80 | | | | | | 534 | 504 | 30 | Special Education - | | |
| PIERCE | 97.1% | 96.8% | 59 | 50 | 55 | 55 | 57 | 60 | | | | | | 336 | 333 | 3 | SDC | 126 | 121 |
| RAND | 97.2% | 96.7% | 1 | 3 | 5 | 0 | 0 | 0 | | | | | | 9 | 9 | 0 | RSP | 73 | 75 |
| RICHMOND ANNEX | 93.3% | 93.9% | | | | | | | | | | | 95 | 95 | 99 | -4 | Middle 6-8 | | |
| RICHMOND | 97.5% | 2.0% | 57 | 63 | 65 | 63 | 53 | 66 | | | | | | 367 | 372 | -5 | Regular | 1083 | 1015 |
| TOTAL K -5 | 97.0% | 96.8% | 446 | 357 | 362 | 356 | 341 | 362 | | | | | 126 | 2350 | 2339 | 11 | Special Education - | | |
| MONROE | 96.4% | 96.6% | | | | | | | 165 | 150 | 142 | | 27 | 484 | 480 | 4 | SDC | 54 | 54 |
| MURRAY | 96.2% | 96.8% | | | | | | | 190 | 189 | 193 | | 27 | 599 | 589 | 10 | RSP | 78 | 76 |
| TOTAL 6 -8 | 97.1% | 96.7% | | | | | | | 355 | 339 | 335 | | 54 | 1083 | 1069 | 14 | High School 9 - 12 | | |
| BURROUGHS | 96.3% | 96.1% | | | | | | | | | | 1324 | 70 | 1394 | 1399 | -5 | Regular | 1394 | 1339 |
| MESQUITE | 95.1% | 93.0% | | | | | | | | | | 96 | | 96 | 108 | -12 | | | |
| | | | | | | | | | | | | | | 0 | 0 | 0 | Continuation | 96 | 108 |
| | | | | | | | | | | | | | | 0 | 0 | 0 | | | |
| TOTAL 9 - 12 | | | | | | | | | | | | 1420 | 70 | 1490 | 1507 | -17 | ROP | 254 | 295 |
| 14-15 TOTAL | 96.2% | | 446 | 357 | 362 | 356 | 341 | 362 | 355 | 339 | 335 | 1420 | 250 | 4923 | --- | --- | Special Education - | | |
| 13-14 TOTAL | | 96.9% | 400 | 375 | 375 | 357 | 365 | 346 | 333 | 339 | 343 | 1447 | 235 | | 4915 | --- | SDC | 70 | 60 |
| CHANGE | | -0.70% | 46 | -18 | -13 | -1 | -24 | 16 | 22 | 0 | -8 | -27 | 15 | --- | --- | 8 | RSP | 83 | 76 |
| | | | | | | | | | | | | | | | | | Adult | 264 | 334 |

7. POLICY DEVELOPMENT AND REVIEW

7.1 Revisions to Board Policy and Administrative Regulation 6174, Education for English Language Learners

BACKGROUND INFORMATION: As a result of recommendations for revisions from the California School Boards Association (CSBA) policy service, Board Policy and Administrative Regulation 6174 have been reviewed and revised. All proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Education Code 300-340 enacted in June 1998 requires that English learners be educated, as defined in law and the accompanying administrative regulation, with the goal that students learn English as rapidly and effectively as possible.

The requested policy change reflects the following:
Proposition 227 which requires that English learners be educated through a program of “sheltered English immersion”.

Education Code 44253.1 - 44253.11 and related Title 5 regulations requiring the school district to ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

Education Code 310 - 311’s allowance of parental exception waivers from the requirements of Education Code 305 regarding placement in the structured English immersion program and instead be taught through bilingual education or other permitted methodologies.

Education Code 313.1’s definition of a “long-term English learner” and “English learner at risk of becoming a long-term English learner” as well as program evaluation of the district’s educational program for English learners.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT’S RECOMMENDATION: The superintendent’s recommendation is to approve revised Board Policy 6174, Education for English Language Learners as presented. Administrative Regulation 6174 is presented as information only and does not require any board action.

Instruction

Education For English Language Learners

The Governing Board intends to provide English language learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the district's academic standards. The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

~~The Board encourages staff to exchange information with staff in other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.~~

~~(cf. 4112.22—Staff Teaching Students of Limited English Proficiency)~~

English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with state content standards. The district's program shall be based on sound instructional theory and adequately supported in order to assist students in accessing the full educational program.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that all staff employed to teach English learners possess the appropriate authorization from the Commission on Teacher Credentialing.

(cf. 4112.22 - Staff Teaching English Language Learners)

Identification and Assessment

The Superintendent or designee shall maintain procedures which provide for the *accurate* identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations. *of their proficiency and needs in the areas of listening, speaking, reading, and writing in English.*

Once identified as an English learner, a student shall be annually assessed for language proficiency until he/she is reclassified based on criteria specified in administrative regulation.

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Placement of English Learners

Students who are English learners shall be educated through "sheltered English immersion" or "structured English immersion," as defined in law and administrative regulation, during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's structured English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305-306)

The district has defined the term "nearly all" as follows:

All classroom instruction is conducted in English except for clarification, explanation and support (including primary language support) as needed.

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of

Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)

When an English learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education, any district assessments, and/or other criteria adopted by the Board, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is overwhelmingly in English. (Education Code 305-306; 5 CCR 11301)

(cf. 6162.5 - Student Assessment)

An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:

The determination of "reasonable" fluency is made based upon the scores on the CELDT and the student's grade level. Students in grades K-1 are considered to have "reasonable" fluency in English when the oral English CELDT score is at Intermediate, Early Advanced or Advanced. Students in grades 2 - 12 must also be assessed in reading and writing using the CELDT reading and writing assessments. Students in grades 2 -12 are considered to have "reasonable" fluency in

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English when the overall English CELDT score is at level intermediate, Early Advanced or Advanced.

(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6171 - Title I Programs)

At any time during the school year, the parent/guardian of an English learner may have his/her child moved into an English language mainstream program. (5 CCR 11301)

Parental Exception Waivers

When allowed by law, the parent/guardian of an English learner may submit a request that his/her child be exempted from placement in a structured English immersion program and instead be placed in a class where he/she is taught English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. (Education Code 310-311)

Each waiver request shall be considered on its individual merits with deference given to parental preference for student placement.

A waiver request shall be granted in accordance with law unless the principal and educational staff have determined that an alternative program would not be better suited to the student's overall educational development. (5 CCR 11309)

Program Evaluation

To evaluate ~~program~~ *the effectiveness of the district's educational program for English learner*, the Superintendent or designee shall ~~regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.~~ *report to the Board, at least annually, regarding the progress of English learners towards proficiency in English, the number and percentage of English learners reclassified as fluent English proficient, the number and percentage of English learners who are or are at risk of being classified as long-term English learners, the achievement of English learners on standards-based tests in core curricular areas, and a comparison of current data with data from at least the previous year. The Superintendent or designee also shall provide the Board with regular reports from any district or schoolwide English learner advisory committees.*

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

Type of Instruction

~~Students who are English language learners shall be educated through "sheltered English—~~

~~immersion" or "structured English immersion" during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)~~

~~The district has defined the term "nearly all" as follows:~~

~~All classroom instruction is conducted in English except for clarification, explanation and support (including primary language support) as needed.~~

~~When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state designated assessments approved by the California Department of~~

~~Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)~~

~~An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following:~~

~~The determination of "reasonable" fluency is made based upon the scores on the CELDT and the student's grade level. Students in grades K–1 are considered to have "reasonable" fluency in English when the oral English CELDT score is at Intermediate, Early Advanced or Advanced. Students in grades 2–12 must also be assessed in reading and writing using the CELDT reading and writing assessments. Students in grades 2–12 are considered to have "reasonable" fluency in English when the overall English CELDT score is at level intermediate, Early Advanced or Advanced.~~

~~(cf. 6011—Academic Standards)~~

~~(cf. 6162.5—Student Assessment)~~

~~(cf. 6171—Title I Programs)~~

~~Upon the request of his/her parent/guardian, a student shall be placed in an English language—~~

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~~mainstream classroom.—(5 CCR 11301)~~

~~Parental Exception Waivers~~

~~At any time during the school year, the parent/guardian of an English language learner may have his/her child moved into an English language mainstream program.—~~

~~Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.~~

Legal Reference:

EDUCATION CODE

300-340 English language education ~~for immigrant children~~

430-446 English Learner and Immigrant Pupil Federal Conformity Act

~~33308.5 CDE guidelines not binding~~

33050 State Board of Education waiver authority

44253.1-44253.11 Qualifications for teaching English learners

~~44253.5-44253.10 Certification for bilingual cross-cultural competence~~

~~48985 Notices to parents in language other than English~~

~~51101 Rights of parents to information~~

~~51101.4 – 51101.1 Rights for parents of English learners~~

52130-52135 Impacted Languages ~~Act~~ of 1984

52160-52178 Bilingual Bicultural Act

~~52180-52186 Bilingual teacher training assistance program~~

~~54000-54028 Programs for disadvantaged children~~

60200.7 Suspension of state instructional materials adoptions

60605.87 Supplemental instructional materials, English language development

60810-60812 Assessment of language development

~~62001-62005.5 Evaluation and sunseting of programs~~ **Continuation of advisory committee after program sunsets**

CODE OF REGULATIONS, TITLE 5

~~4320 Determination of funding to support program to overcome the linguistic difficulties of English learners~~

11300-11316 English Language Learner Education

11510-11517 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

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COURT DECISIONS

Valeria G. v. Wilson, ~~(9th Circuit) 2002 U.S. App. Lexis 20956~~ **(2002) 307 F.3d 1036**
California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141
McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196
Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698
~~Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989~~

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California English Language Development Test (CELDT): 2012-13 CELDT Information Guide, 2012

English Language Development Standards for California Public Schools: Kindergarten Through Grade Twelve, 2012

Matrix of Test Variations, Accommodations, and Modifications for Administration of California Statewide Assessments

U.S. DEPARTMENT OF EDUCATION NONREGULATORY GUIDANCE

Assessment and Accountability for Recently Arrived and Former Limited English Proficient (LEP) Students, May 2007

~~Guidelines for Reclassification of English Learners, September 2002~~

~~Accommodations for the California English Language Development Test, Revised 8/13/01~~

WEB SITES

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

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

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

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

Policy

Adopted: ~~February 3, 2005~~ **November 20, 2014**

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

Instruction

Education For English Language Learners

Definitions

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)

Long-term English learner means an English learner who is enrolled in grades 6-12, has been enrolled in schools in the United States for more than six years, has remained at the same English language proficiency level for two or more consecutive years as determined by the California English Language Development Test (CELDT) or any successor test, and scores far below basic or below basic on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)

English learner at risk of becoming a long-term English learner means an English learner who is enrolled in grades 5-11 in the United States for four years, scores at the intermediate level or below on the CELDT or any successor test, and scores in the fourth year at the below basic or far below basic level on the English language arts test of the California Standards Tests or any successor test. (Education Code 313.1)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

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Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not been previously identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the CELDT. The test shall be administered between 60 calendar days before the date of first enrollment in a district school and 30 calendar days after the date of first enrollment, but not before July 1 of that school year. (5 CCR 11511)

~~Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)~~

~~All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)~~

The CELDT shall be administered in accordance with 5 CCR 11511-11516.7.

*Variations and accommodations in test administration may be provided pursuant to 5 CCR 11516-11516.7. Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. . **If he/she is unable to participate in the assessment or a portion of the assessment with such accommodations, he/she shall be administered an alternate assessment for English language proficiency as set forth in his/her IEP.** (5 CCR 11516.5 - 11516.7)*

(cf. 6152.51 - State Academic Achievement Tests)

(cf. 6159 - Individualized Education Program)

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

Parental Notifications

The district shall notify parents/guardians of their child's results on the CELDT within 30 calendar days *following receipt of the results from the test contractor.* (5 CCR 11511.5)

(cf. 5145.6 - Parental Notifications)

~~Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and~~

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~~writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)~~

~~Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)~~

At the beginning of each school year, parents/guardians shall be informed of the placement of their child in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - a. The manner in which the program will meet the educational strengths and needs of the student
 - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students, and the expected rate of graduation ~~from secondary school if Title I funds are used for students in secondary schools~~ ***if applicable***
 - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative

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program

5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

~~Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)~~

Parental Exception Waivers

~~At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)~~

~~A parent/guardian may request that the district waive the requirements of Education Code 305, pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:-~~

A parent/guardian may, by personally visiting the school, request that the district waive the requirements pertaining to the placement of his/her child in a structured English immersion program if one of the following circumstances exists: (Education Code 310-311)

1. ~~Students who already know English:~~ The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. ~~(Education Code 311(a))~~
2. ~~Older students:~~ The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. ~~(Education Code 311(b))~~
3. Students with special needs: The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development. ~~(Education Code 311(c))~~

~~The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)~~

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Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: ~~(Education Code 310, 311; 5 CCR 11309)~~ *pursuant to item #2 or #3 above. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (Education Code 311; 5 CCR 11309)*

~~1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study and all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices~~

~~2. For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines~~

~~Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)~~

~~When evaluating waiver requests pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards and teacher evaluations. *item #1 above and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include district standards and assessment and teacher evaluations of such students.*~~

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Parental exception waivers pursuant to ~~Education Code 311(b) for students 10 years or older to~~ **item #2 above** shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to ~~Education Code 311(e) for students with special needs~~ **shall be to item #3 above shall be granted by the Superintendent** granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's ~~overall educational development~~ **rapid acquisition of basic English language skills**. (Education Code 311)

The principal shall consider all waiver requests made pursuant to ~~Education Code 311(e) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent or designee. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition.~~ **item #3 above shall be granted by the Superintendent if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological, or educational needs, an alternate course of educational study would be better suited to the student's overall educational development.** (Education Code 311)

~~Each waiver shall be considered on its individual merits with great deference given to parental preference for student placement.~~

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to ~~Education Code 311(e) for students with special needs~~ **to item #3 above** shall not be acted upon during the 30-day placement in an English language classroom. ~~These~~ **Such** waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

~~All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)~~

~~Any~~ individual schools in which 20 students or more of a given grade level receive a waiver shall **offer an alternative class where the students are taught English and other subjects through**

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bilingual education techniques or other generally recognized educational methodologies permitted by law. ~~be required to offer such a class;~~ ~~o~~**Otherwise**, they must allow the students *shall be allowed* to transfer to a public school in which such a class is offered. (Education Code 310)

~~Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.~~

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

~~(cf. 5117—Interdistrict Attendance)~~

In cases where a parental exception waiver pursuant to ~~Education Code 311(b) or (c)~~ **item #2 or #3 above is denied**, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until ~~the English language learners~~ **they** have: (5 CCR 11302)

1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers
2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English language learners shall ~~be redesignated~~ **reclassified** as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the ~~regular program~~ **an English language classroom** and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

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1. ~~Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment of the student's English reading and writing skills; On the CELDT a English Language Learner must score at Early Advance or Advanced overall and score Intermediate or higher in listening/speaking, reading and writing to be eligible for reclassification~~ *using an objective assessment instrument, including, but not limited to, the CELDT.*

2. ~~Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions; Teacher evaluates the English Language Learner's progress in English language proficiency through a variety of instruments including the ELD Progress Profile and curriculum mastery using district benchmarks in language arts~~ *related to the student.*

3. ~~Parent/guardian opinion and consultation. during a redesignation interview~~ *The Superintendent or designee shall provide the parent/guardian with notice and a description of the reclassification process and of his/her opportunity to participate in the process and shall encourage his/her involvement in the process.*

~~Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.~~

4. *Student performance on a statewide assessment of basic skills in English.*

~~Comparison of performance in basic skills – Students being considered for redesignation must demonstrate proficiency in established reading, writing, listening, and speaking standards comparable to the proficiency of the average "English Only" students in the district of the same grade cohort. Sierra Sands uses the called cut scores of the prior year's California English Language Arts Standards Test (CST) as the cut point. These cut points are recalculated on a yearly basis.~~

5. ~~English Learner's Academic Performance in English – The EL must have a 2.0 GPA and have passed all core classes for the prior semester, and be passing all core classes in the current semester.~~

~~The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native English speaking peers, monitoring the rate of redesignation, and ensuring~~ *the progress of reclassified students to ensure their correct classification and placement. (5 CCR 11304)*

~~The Superintendent or designee shall develop a process to monitor the effectiveness of the~~

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~~district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.~~

Students shall be monitored for at least two years following their reclassification. As part of this evaluation, the Superintendent or designee shall identify whether the student needs any additional academic support to ensure his/her language and academic success.

Advisory Committees

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The district's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 5020 - Parent Rights and Responsibilities)

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(cf. 6020 - Parent Involvement)

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

Regulation

Approved: ~~February 3, 2005~~ **November 20, 2014**

SIERRA SANDS UNIFIED SCHOOL DISTRICT
Ridgecrest, California

7. POLICY DEVELOPMENT AND REVIEW

7.2 Approval of Revisions to Board Policy and Administrative Regulation 6154, Homework/Makeup Work

BACKGROUND INFORMATION: As a result of recommendations for revisions from the California School Boards Association (CSBA) policy service, Board Policy and Administrative Regulation 6154, Homework/Makeup Work have been reviewed and revised to reflect current law. All proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Review of the homework policy was identified as a need and action item in the Local Control Accountability Plan. Staff is in the process of reviewing homework practices and drafting a site homework plan as outlined in the revised Board Policy and Administrative Regulations for Homework/Makeup Work. These plans will then be reviewed vertically to ensure matriculation across grade levels/content areas.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: The superintendent's recommendation is to approve the revisions to Board Policy 6154, Homework/Makeup Work as presented. Administrative Regulation 6154 is presented as information only and does not require any board action.

Instruction

Homework/Makeup Work

Homework

The Governing Board recognizes that homework contributes toward building responsibility, self-discipline and life-long learning habits, and that time spent on homework directly influences students' ability to meet the district's academic standards. The Board expects students, parents/guardians and staff to view homework as a routine and important part of students' daily lives.

(cf. 6011 - Academic Standards)

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

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

~~The Governing Board recognizes the importance of regular homework as a means of extending classroom instruction. The Superintendent and staff shall develop an effective homework program for all students in all grades, including guidelines for assignment of homework, instruction in the techniques and methods for doing homework, duties of students and staff in regard to homework, informing parents/guardians about their responsibilities as parents/guardians in this area, and the relation of homework to the grades and evaluations of each student.~~

~~The Board believes that homework is the responsibility of the student. Through their homework, students can reinforce academic skills taught in school and learn how to conduct research effectively, develop ideas creatively and become life-long learners.~~

~~It is the student's job to develop regular study habits and to do most assignments independently. The Board encourages teachers at all grade levels to use the parent/guardian as a contributing resource and to structure homework assignments so as to involve the parent/guardian without diminishing the student's sense of responsibility.~~

Although it is the student's responsibility to do most homework assignments independently, the Board expects teachers at all grade levels to use parents/guardians as a contributing resource. When students repeatedly fail to do their homework, parents/guardians shall be notified and asked to contact the teacher.

Instruction

Homework/Makeup Work

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

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

(cf. 1240 - Volunteer Assistance)

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

(cf. 3541 - Transportation Routes and Services)

(cf. 5148 - Child Care and Development)

(cf. 6112 - School Day)

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

~~When assigning homework which involves interaction with parents/ guardians, teachers should include instructions which show how parents/ guardians can best help their children.~~

~~Homework should reinforce classroom learning objectives and be related to individual student needs and abilities.~~

Makeup Work

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

~~Students shall be given the opportunity to make up school work missed because of an excused absence and shall receive full credit if the work is turned in according to a reasonable makeup schedule.~~

(cf. 5113 - Absences and Excuses)

Instruction

Homework/Makeup Work

Teachers may require a suspended student to complete any assignments and tests missed during suspension. (Education Code 48913)

Homework

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work *for full or reduced credit*. Teachers may assign such makeup work as necessary to ensure academic progress, not as a punitive measure.

(cf. 6182 - Opportunity School/Class/Program)

Legal Reference:

EDUCATION CODE

48205 Absences for personal reasons

48913 Completion of work missed by suspended pupil

48980 Parental notifications

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

Management Resources:

SBE POLICIES

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

Policy

adopted: ~~September 17, 1998~~ ***November 20, 2014***

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

Instruction

Homework/Makeup Work

School-Site Homework Plan

The principal and staff at each school shall develop and regularly review a school-site homework plan which includes guidelines for the assignment of homework and describes the responsibilities of students, staff and parents/guardians. The plan shall identify all of the following:

- 1. For each grade level, the amount of time that students shall be expected to spend on homework*
- 2. For each grade level, the extent to which homework assignments shall systematically involve participation by parents/guardians*
- 3. The means by which parents/guardians shall be informed about:*
 - a. Homework expectations*
 - b. How homework relates to the student's grades*
 - c. How best to help their children*
- 4. Techniques that will be taught to help students allocate their time wisely, meet their deadlines and develop good personal study habits*
- 5. The access that students shall have to obtain:*
 - a. Resource materials from the library media center*
 - b. Assistance and/or tutoring through telephone help lines and/or after-school centers*
- 6. The means by which teachers shall coordinate assignments so that students do not receive an overload of homework one day and very little the next*
- 7. For each grade level, the extent to which homework assignments shall emphasize independent research, reports, special reading and problem-solving activities*

Makeup Work

The Superintendent or designee shall notify parents/guardians that no student may have

Instruction

Homework/Makeup Work

his/her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

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

(cf. 5145.6 - Parental Notifications)

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

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

~~Homework is usually a continuation of work begun at school. Homework may be other than written work. When a student is assigned reading, this is also homework.~~

~~Primary age students can do homework as well as all other age levels, but the length and difficulty of homework must vary with the student, the grade, and the situation. When a kindergarten student finds pictures to take to school, this is homework.~~

~~Homework gives the student an opportunity to take on additional responsibility and exercise self-discipline.~~

~~There are different kinds of homework assignments. Each has a different purpose. Parents/guardians' roles in helping students should vary accordingly.~~

~~Homework may:~~

- ~~1. — Give practice needed to master a particular skill.~~
- ~~2. — Extend or enrich learning.~~
- ~~3. — Provide an activity not possible in the classroom.~~
- ~~4. — Develop perseverance.~~
- ~~5. — Develop productive use of leisure time.~~
- ~~6. — Develop the responsibility for gathering materials, completing the assignment on time, and returning materials promptly.~~

Instruction

Homework/Makeup Work

~~7. — Allow parent/guardian and child to work together.~~

~~Each teacher will decide what homework is to be assigned and how often. The following amounts are suggested guidelines:~~

~~K = 10-20 minutes 3 times a week or 1/2 to 1 hour per week.
1st = 15-30 minutes 3 times a week or 3/4 to 1 1/2 hours per week.
2nd = 20-30 minutes 4 times a week or 1 1/4 to 2 hours per week.
3rd = 30-40 minutes 4 times a week or 1 1/2 to 3 hours per week.
4th = 30-45 minutes 4 times a week or 2 to 4 hours per week.
5th/6th = 45-60 minutes 4 times a week or 3 to 5 hours per week.
7th/8th = 60-90 minutes 5 times a week or 5 to 8 hours per week.
9th/12th = 90-120 minutes 5 times a week or 8 to 10 hours per week.~~

~~Assigned homework will be checked or corrected and returned to the student within a reasonable time. Suggested timelines are:~~

~~1. — Elementary = 24-48 hours.~~

~~2. — Secondary = 1 week.~~

~~Parents/guardians shall be informed by the school of homework policies, student's needs for successful completion of homework, amount of parent/guardian help expected, and relation to grades.~~

~~It is suggested that homework not be assigned over the weekend for elementary students.~~

Regulation

approved: ~~September 17, 1998~~ *November 20, 2014*

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

7. POLICY DEVELOPMENT AND REVIEW

7.3 Approval of Revisions to Board Policy and Administrative Regulations 6142.7, Physical Education and Activity

BACKGROUND INFORMATION: As a result of recommendations for revisions from the California School Boards Association (CSBA) policy service, Board Policy and Administrative Regulation 6142.7, Physical Education and Activity have been reviewed and revised to reflect current law. All proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations.

CURRENT CONSIDERATIONS: Revisions to Board Policy 6142.7 reflects the following:

- The district's physical education program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.
- Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or 504 accommodation plan.
- Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.
- The district shall provide physical education teachers with professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.
- The district shall annually administer the physical fitness test designated by the State Board of Education to students in grades 5, 7, and 9.
- The district may grant a temporary, two-year, permanent, or other exemptions from physical education under specific conditions.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: The superintendent's recommendation is to approve the revisions to Board Policy 6142.7, Physical Education and Activity as presented. Administrative Regulation 6142.7 is presented as information only and does not require board action.

Instruction

Physical Education

The Governing Board recognizes the positive benefits of physical activity for student health and academic achievement. *The district shall provide all students the opportunity to be physically active on a regular basis through high-quality physical education instruction and may provide additional opportunities for physical activity throughout the school day. The district's physical education and activity programs shall support the district's coordinated student wellness program and encourage students' lifelong fitness.* ~~The Board desires to provide a physical education program that builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity. Besides promoting high levels of personal achievement and a positive self image, physical education activities should teach students how to cooperate in the achievement of common goals.~~

(cf. 5030 - Student Wellness)

(cf. 6142.8 - Comprehensive Health Education)

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

~~(cf. 6142.8 - Comprehensive Health Education)~~

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

~~(cf. 6146.1 - High School Graduation Requirements)~~

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

The district's physical education program shall provide a developmentally appropriate sequence of instruction aligned with the state's model content standards and curriculum framework. The Superintendent or designee shall ensure that the district's program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

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

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

~~The Board shall approve the components of the physical education program. The district's program shall include a variety of kinesthetic activities, including team and individual sports, as well as aesthetic movement forms, such as dance.~~

~~(cf. 6143 - Courses of Study)~~

Students with disabilities shall be provided instruction in physical education in accordance with their individualized education program or Section 504 accommodation plan.

(cf. 6159 - Individualized Education Program)

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

Instruction

Physical Education

During air pollution episodes, extreme weather, or other inclement conditions, physical education staff shall make appropriate adjustments to the program or shall seek alternative indoor space to enable students to participate in active physical education.

(cf. 3514 - Environmental Safety)

(cf. 5141.7 - Sun Safety)

~~An appropriate alternative activity shall be provided for students with a physical disability that may restrict excessive physical exertion.~~

~~(cf. 6146.6 - Identification and Education Under Section 504)~~

~~Physical education staff shall appropriately limit the amount or type of physical exercise required of students during air pollution episodes, hot weather or other inclement conditions.~~

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

Staffing

Physical education instruction shall be delivered by appropriately credentialed teachers who may be assisted by instructional aides, paraprofessionals, and/or volunteers.

(cf. 1240 - Volunteer Assistance)

(cf. 4112.2 - Certification)

(cf. 4222 - Teacher Aides/Paraprofessionals)

The district shall provide physical education teachers with continuing professional development, including classroom management and instructional strategies designed to keep students engaged and active and to enhance the quality of physical education instruction and assessment.

(cf. 4131 - Staff Development)

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

Physical Fitness Testing

The Superintendent or designee shall annually administer the physical fitness test designated by the State Board of Education to students in grades 5, 7, and 9. (Education Code 60800; 5 CCR 1041)

Instruction

Physical Education

Temporary Exemptions

The Superintendent or designee may grant a temporary exemption from physical education under either of the following conditions: (Education Code 51241)

- 1. The student is ill or injured and a modified program to meet his/her needs cannot be provided.***
- 2. The student is enrolled for one-half time or less.***

Two-Year Exemptions

With the student's consent, the Superintendent or designee may exempt a student from physical education courses for any two years during grades 10-12 provided that the student has satisfactorily met at least five of the six standards of the state's physical fitness test in grade 9. (Education Code 51241)

~~The Superintendent or designee may exempt students, with their consent, from any two years of physical education courses during grades 10-12. (Education Code 51241)~~

Permanent Exemptions

The Superintendent or designee may grant permanent exemptions from physical education to a student who is either: (Education Code 51241)

1. Age 16 years or older and has been enrolled in grade 10 for one or more academic years
2. Enrolled as a postgraduate student
3. Enrolled in a juvenile home, ranch, camp or forestry camp school with scheduled recreation and exercise.

Other Exemptions

The Superintendent or designee may grant an exemption from physical education under the following special circumstances:

- 1. The student in grades 10-12 is excused for up to 24 clock hours in order to participate in automobile driver training. (Education Code 51222)***

Instruction

Physical Education

2. *The student in grades 10-12 attends a regional occupational center or program and attendance in physical education courses results in hardship because of the travel time involved. (Education Code 52316)*

3. *The student is in high school and is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)*

(cf. 6145.2 - Athletic Competition)

~~The Superintendent or designee may excuse any students in grades 10-12 who attends a regional occupational center or program from attending physical education courses if such attendance results in hardship because of the travel time involved. (Education Code 52316)~~

~~The Superintendent or designee may exempt a high school student from physical education if he/she is engaged in a regular school-sponsored interscholastic athletic program carried on wholly or partially after regular school hours. (Education Code 51242)~~

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

~~(cf. 6146.11 - Alternative Credits Toward Graduation)~~

Program Evaluation

The Superintendent or designee shall annually report to the Board the results of the state physical fitness testing for each school and applicable grade level. He/she shall also report to the Board regarding the number of instructional minutes offered in physical education for each grade level, the number of two-year and permanent exemptions granted pursuant to Education Code 51241, and any other data agreed upon by the Board and the Superintendent or designee to evaluate program quality and the effectiveness of the district's program in meeting goals for physical activity.

(cf. 0500 - Accountability)

(cf. 6190 - Evaluation of the Instructional Program)

Legal Reference:

EDUCATION CODE

33126 School accountability report card

33350-33354 CDE responsibilities re: physical education

35256 School accountability report card

49066 Grades; physical education class

Instruction

Physical Education

51210 Course of study, grades 1-6
51220 Course of study, grades 7-12
51222 Physical education
51223 Physical education, elementary schools
51241 Temporary , *two-year* or permanent exemption from physical education
51242 Exemption from physical education for athletic program participants
52316 Excuse from attending physical education classes
60800 Physical performance test
CODE OF REGULATIONS, TITLE 5
1041-10468 Physical performance test
3051.5 Adapted physical education for individuals with exceptional needs
10060 Criteria for high school physical education programs
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504
ATTORNEY GENERAL OPINIONS, ***TITLE 42***
1758b Local wellness policy
ATTORNEY GENERAL OPINIONS
53 Ops.Cal.Atty.Gen. 230 (1970)

Management Resources:

CSBA PUBLICATIONS

Active Bodies, Active Minds: Physical Activity and Academic Achievement, Fact Sheet, February 2010

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

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

Moderate to Vigorous Physical Activity in Physical Education to Improve Health and Academic Outcomes, Fact Sheet, November 2009

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

Physical Education and California Schools, Policy Brief, rev. October 2007

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 2009

Instruction**Physical Education**

Physical Education Model Content Standards for California Public Schools: Kindergarten Through Grade 12, January 2005

Adapted Physical Education Guidelines for California Schools, 2003

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES PUBLICATIONS

2008 Physical Activity Guidelines for Americans, October 2008

~~Healthy Food Policy Resource Guide, 2003~~

~~CDE PUBLICATIONS~~

~~Physical Education Framework for California Public Schools: Kindergarten Through Grade 12, 1996~~

~~CDE PROGRAM ADVISORIES~~

~~0418.89 Physical Education, April 18, 1989~~

~~CDHS PUBLICATIONS~~

~~Jump Start Teens, 1997~~

~~Playing the Policy Game, 1999~~

~~School Idea and Resource Mini Kit, 2000~~

~~CDC PUBLICATIONS~~

~~School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide for Elementary and Middle/High Schools, 2000~~

~~NASBE PUBLICATIONS~~

~~Fit, Healthy and Ready to Learn, 2000~~

~~WEB SITES~~

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

~~California Department of Education, Physical Fitness Testing: <http://www.cde.ca.gov/ta/tg/pf>~~

~~CDE, Nutrition Services Division/SHAPE California: <http://www.cde.ca.gov/nsd>~~

~~CDHS, School Health Connections: <http://www.mch.dhs.ca.gov/programs/she/she.htm>~~

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

~~California Project LEAN (Leaders Encouraging Activity and~~

~~Nutrition): <http://www.californiaprojectlean.org>~~

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

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

~~National Association of State Boards of Education (NASBE): <http://www.boards@nasbe.org>~~

~~Centers for Disease Control and Prevention (CDC): <http://www.cdc.gov>~~

~~Educational Data System, California physical fitness:~~

~~<http://www.eddata.com/projects/current/cpf>~~

~~Healthy People 2010: <http://www.healthypeople.gov>~~

~~National Association for Sport and Physical Education: <http://www.aahperd.org/naspe>~~

~~President's Council on Physical Fitness and Sports: <http://www.fitness.gov>~~

Instruction

Physical Education

The California Endowment: <http://www.calendow.org>

U.S. Department of Health and Human Services: <http://www.health.gov>

Policy

adopted: ~~February 15, 2007~~ **November 20, 2014**

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

Instruction

Physical Education

Definitions

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for developing and maintaining physical fitness throughout their lifetimes, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

~~Instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1-6 and not less than 400 minutes each 10 school days for students in grades 7-12. (Education Code 51210, 51222)~~

~~Students in grades 10-12 who are exempted from physical education pursuant to Education Code 51241(b)(1) or (c) shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. Students in a regional occupational program or center who are exempted from physical education pursuant to Education Code 52316 shall have a minimum school day of 180 minutes. (Education Code 51241, 52316)~~

Instructional Time

Students in grades 10-12 who have been granted a two-year exemption pursuant to Education Code 51241(b) shall be offered a variety of elective physical education courses of not less than 400 minutes each 10 school days. (Education Code 51222)

Instruction

Physical Education

Students in grades 10-12 who have been granted a two-year or permanent exemption from physical education pursuant to Education Code 51241(b)(1) or (c) shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

Students in a regional occupational program or center who are exempted from physical education pursuant to Education Code 52316 shall have a minimum school day of 180 minutes. (Education Code 52316)

(cf. 6178.2 - Regional Occupational Center/Program)

Monitoring Moderate to Vigorous Physical Activity

To monitor whether students are engaged in moderate to vigorous physical activity for at least 50 percent of physical education class or session time, the Superintendent or designee may:

- 1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity or the number of students who are inactive during physical education classes*
- 2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes*

(cf. 4115 - Evaluation/Supervision)

Physical Performance Testing

During the month of February, March, April or May, students in grades 5, 7 and 9 shall undergo the physical performance testing designated by the State Board of Education. Students with a physical disability and students who are physically unable to take all of the tests shall undergo as much of the test as their physical condition will permit. (Education code 60800)

(cf. 6162.5 - Student Assessment)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

Instruction**Physical Education**

Students shall be provided with their individual results after completing the physical performance testing. The test results may be provided orally as the student completes the testing. (Education Code 60800)

Each student's scores on the physical performance test shall be included in his/her cumulative record. (5 CCR 1044)

(cf. 5125 - Student Records)

Testing Variations

All students may be administered the state's physical fitness test with the following test variations: (5 CCR 1047)

- 1. Extra time within a testing day*
- 2. Test directions that are simplified or clarified*

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

- 1. Audio amplification equipment*
- 2. Separate testing for individual students provided that they are directly supervised by the test examiner*
- 3. Manually Coded English or American Sign Language to present directions for test administration*

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

- 1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor*
- 2. Administration of the test by a test examiner to the student at home or in the hospital*

Instruction

Physical Education

3. Any other accommodation specified in the student's IEP or Section 504 plan for the physical fitness test

(cf. 6159 - Individualized Education Program)

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

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that they are directly supervised by the test examiner

2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

Regulation

approved: ~~February 15, 2007~~ **November 20, 2014**

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

7. POLICY DEVELOPMENT AND REVIEW

7.4 Approval of Revisions to Board Policy and Administrative Regulations 1312.3, Uniform Complaint Procedures: Community Relations

BACKGROUND INFORMATION: The Assistant Superintendent of Human Resources reviews selected board policies and administrative regulations as a result of recommendations for revisions from the California School Boards Association (CSBA) policy service. All proposed policy and administrative regulation revisions reflect recent changes in applicable state and/or federal laws and regulations. BP/AR 1312.3 Uniform Complaint Procedures was last updated March 2013.

CURRENT CONSIDERATIONS: 5 CCR 4621 mandates districts to adopt policies and procedures that are compliant with the state's uniform complaint procedures as specified in 5 CCR 4600-4687. During the Federal Program Monitoring (FPM) process, the California Department of Education (CDE) staff will review the district's Uniform Complaint Policy, Administrative Regulation, and annual notification. During this review, CDE staff will check to ensure that the district's policy contains updates that include, among others, policies and procedures implementing the use of the UCP to resolve complaints alleging noncompliance with requirements related to the local control and accountability plan (LCAP).

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: The superintendent's recommendation is to approve the revisions to Board Policy 1312.3 as presented. Administrative Regulation 1312.3 is presented as information only and does not require board action.

Community Relations

Uniform Complaint Procedures

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. ~~The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.~~ *The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.*

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)

*(cf. 3553 - Free and Reduced Price Meals)
 (cf. 3555 - Nutrition Program Compliance)
 (cf. 5141.4 - Child Abuse Prevention and Reporting)
 (cf. 5148 - Child Care and Development)
 (cf. 6159 - Individualized Education Program)
 (cf. 6171 - Title I Programs)
 (cf. 6174 - Education for English Language Learners)
 (cf. 6175 - Migrant Education Program)
 (cf. 6178 - Career Technical Education)
 (cf. 6178.1 - Work-Based Learning)
 (cf. 6178.2 - Regional Occupational Center/Program)
 (cf. 6200 - Adult Education)*

2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in district programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

Community Relations

Uniform Complaint Procedures

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. *Any complaint alleging bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics*

(cf. 5131.2 - Bullying)

4. *Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)*

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

5. *Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)*

(cf. 0460 - Local Control and Accountability Plan)

6. *Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy*

7. *Any other complaint as specified in a district policy*

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a

Community Relations

Uniform Complaint Procedures

party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

Community Relations

Uniform Complaint Procedures

2. *Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.*
3. *Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.*
4. *Any complaint alleging fraud shall be referred to the California Department of Education.*

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

~~The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.~~

~~(cf. 0410—Nondiscrimination in District Programs and Activities)
(cf. 4030—Nondiscrimination in Employment)
(cf. 4031—Complaints Concerning Discrimination in Employment)
(cf. 5131.2—Bullying)
(cf. 5145.3—Nondiscrimination/Harassment)
(cf. 5145.7—Sexual Harassment)~~

~~Uniform complaint procedures shall also be used to address any complaint alleging the district's failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical—~~

Community Relations

Uniform Complaint Procedures

~~education and training programs, child care and development programs, child nutrition programs, and special education programs.~~

~~(cf. 0450—Comprehensive Safety Plan)
(cf. 1312.1—Complaints Concerning District Employees)
(cf. 1312.2—Complaints Concerning Instructional Materials)
(cf. 3260—Fees and Charges)
(cf. 3320—Claims and Actions Against the District)
(cf. 3553—Free and Reduced Price Meals)
(cf. 3555—Nutrition Program Compliance)
(cf. 5141.4—Child Abuse Prevention and Reporting)
(cf. 5148—Child Care and Development)
(cf. 6159—Individualized Education Program)
(cf. 6171—Title I Programs)
(cf. 6174—Education for English Language Learners)
(cf. 6175—Migrant Education Program)
(cf. 6178—Career Technical Education)
(cf. 6178.1—Work Based Learning)
(cf. 6178.2—Regional Occupational Center/Program)
(cf. 6200—Adult Education)~~

~~The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.~~

~~The Board encourages the early, informal resolution of complaints at the site level whenever possible.~~

~~The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with the uniform complaint procedures, whenever all parties to a complaint agree to try resolving the problem through mediation, the Superintendent or designee shall initiate that process. The Superintendent or designee shall ensure that the results are consistent with state and federal laws and regulations.~~

~~In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.~~

~~(cf. 4119.23/4219.23/4319.23—Unauthorized Release of Confidential/Privileged Information)
(cf. 5125—Student Records)~~

Community Relations

Uniform Complaint Procedures

~~(cf. 9011—Disclosure of Confidential/Privileged Information)~~

~~The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:~~

- ~~1.—— Sufficiency of textbooks or instructional materials~~
- ~~2.—— Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff~~
- ~~3.—— Teacher vacancies and misassignments~~
- ~~4.—— Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination~~

~~(cf. 1312.4—Williams Uniform Complaint Procedures)~~

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

~~37254 Intensive instruction and services for students who have not passed exit exam~~

~~41500-41513 Categorical education block grants~~

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

~~54000-54028 Economic impact aid programs~~

~~54100-54145 Miller-Unruh Basic Reading Act~~

Community Relations

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54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

~~6601-6777 Title II preparing and recruiting high quality teachers and principals~~

6801-6871 Title III language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

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110.25 Notification of nondiscrimination on the basis of age

Management Resources:

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

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

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

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

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

Policy

adopted: ~~March 14, 2013~~ ***November 20, 2014***

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

Uniform Complaint Procedures

Except as the Governing Board may otherwise specifically provide in other Board policies, the **general** uniform complaint procedures (**UCP**) shall be used only to investigate and resolve ~~complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.~~ **only the complaints specified in BP 1312.3.**

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

~~The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)~~

~~(cf. 5145.6 - Parental Notifications)~~

Compliance Officers

The Governing Board designates the following compliance officer (s) ~~to receive and investigate complaints and to ensure district compliance with law:~~ **identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual also serve as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination. The individual shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.**

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources
Sierra Sands Unified School District
113 W. Felspar Avenue
Ridgecrest, CA 93555
(760) 499-1620

Uniform Complaint Procedures

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be designated to investigate a complaint if he/she is mentioned in the complaint or has a conflict of interest that would prohibit him/her from fairly investigating the complaint. Any complaint filed against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. ~~Such employees may have access to legal counsel as determined by the Superintendent or designee.~~ *which they are assigned to investigate. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating complaints, including those involving alleged discrimination, applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.*

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, if possible, one or more of the interim measures. The interim measures may remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. *(Education Code 262.3, 49013, 52075;5 CCR 4622)*

Uniform Complaint Procedures

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 3260 - Fees and Charges)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

~~The superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge. (5 CCR 4622)~~

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable.
3. Advise the complainant of the appeal process ~~pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies~~, *including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination.*
4. Include statements that:
 - a. ~~The district is primarily responsible for compliance with state and federal laws and regulations.~~ *has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.*

Uniform Complaint Procedures

b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

c. A complaint alleging ~~unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.~~ *retaliation, unlawful discrimination, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.*

d. *A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.*

e. *The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.*

(cf. 0460 - Local Control and Accountability Plan)

~~f.~~ The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.

~~e.g.~~ The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

h. *Copies of the district's UCP are available free of charge.*

~~Procedures~~ ***District Responsibilities***

All ***UCP-related*** complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint: ***unless the complainant agrees in writing to an extension of the timeline.*** (5 CCR 4631)

Compliance officers shall maintain a record of each complaint and subsequent related actions, including ***steps taken during the investigation and*** all information required for compliance with 5 CCR 4631 and 4633.

Uniform Complaint Procedures

All parties involved in allegations shall be notified when a complaint is filed, ~~when a complaint meeting or hearing is scheduled and when a decision or ruling is made.~~ *and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination, or bullying confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)*

Step 1: Filing of Complaint

~~Any individual, public agency or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)~~

~~Complaints alleging unlawful discrimination, harassment, intimidation, or bullying may be filed by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint must be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)~~

~~A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)~~

~~The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.~~

~~If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint. (5 CCR 4600)~~

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

- 1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child*

Uniform Complaint Procedures

care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. (Education Code 49013, 52075)

3. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may be filed only by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination or bullying requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

~~Step 2:~~ Mediation

~~Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.~~ *business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Meditation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of asexual assault or where there is a*

Uniform Complaint Procedures

reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a ~~alleging discrimination, harassment, intimidation, or bullying~~, the compliance officer shall ensure that all parties agree to make the mediator a party to ~~related confidential information~~. *alleging retaliation, unlawful discrimination, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.*

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. *If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation. (5-CCR 4631)*

~~Step 3:~~ Investigation of Complaint

~~Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.~~

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation, shall individually interview all available witnesses with information pertinent to

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the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To resolve a complaint alleging retaliation, unlawful discrimination, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation of his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Step 4: ~~Response~~ Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

~~Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board.~~

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

Uniform Complaint Procedures

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

The ~~report of the~~ district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

- a. Statements made by any witnesses*
 - b. The relative credibility of the individuals involved*
 - c. How the complaining individual reacted to the incident*
 - d. Any documentary or other evidence relating to the alleged conduct*
 - e. Past instances of similar conduct by any alleged offenders*
 - f. Past false allegations made by the complainant*
- 2. The conclusion(s) of law*
 - 3. Disposition of the complaint*
 - 4. Rationale for such disposition*

Uniform Complaint Procedures

For complaints of retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education*
- b. The type, frequency, and duration of the misconduct*
- c. The relationship between the alleged victim(s) and offender(s)*
- d. The number of persons engaged in the conduct and at whom the conduct was directed*
- e. The size of the school, location of the incidents, and context in which they occurred*
- f. Other incidents at the school involving different individuals*

~~The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district shall arrange a meeting at which a community member will interpret it for the complainant.~~

~~For all complaints, the decision shall include: (5 CCR 4631)~~

- ~~1. The findings of fact based on the evidence gathered~~
- ~~2. The conclusion(s) of law~~
- ~~3. Disposition of the complaint~~
- ~~4. Rationale for such disposition~~
- ~~5. Corrective actions, if any are warranted (5 CCR 4631)~~
- ~~6. Notice of the complainant's right to appeal the district's decision within 15 days to the California Department of Education, and procedures to be followed for initiating such an appeal (5 CCR 4631, 4652)~~

- 5. Corrective action(s), including any actions that have been taken or will be taken to*

Uniform Complaint Procedures

address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the notice may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint*
 - b. Individual remedies offered or provided to the subject of the complaint*
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence*
- 6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal*

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

For complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and bullying, based on state law, the decision shall also include a notice to the complainant that:

- 1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)*
- 2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)*
- 3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.*

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

Uniform Complaint Procedures

For complaints involving retaliation, unlawful discrimination, or bullying, appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

- 1. Counseling*
- 2. Academic support*
- 3. Health services*
- 4. Assignment of an escort to allow the victim to move safely about campus*
- 5. Information regarding available resources and how to report similar incidents or retaliation*
- 6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim*
- 7. Restorative justice*
- 8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation*
- 9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint*

For complaints involving retaliation, unlawful discrimination, or bullying, appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

- 1. Transfer from a class or school as permitted by law*
- 2. Parent/guardian conference*
- 3. Education regarding the impact of the conduct on others*
- 4. Positive behavior support*
- 5. Referral to a student success team*
- 6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law*

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7. *Disciplinary action, such as suspension or expulsion, as permitted by law*

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, including discriminatory harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, such remedies, where applicable, shall include reasonable efforts to ensure full reimbursement to affected students and parents/guardians. (Education Code 49013; 5 CCR 4600)

~~In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)~~

~~If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.~~

~~If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)~~

Appeals to the California Department of Education

~~If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)~~

Any complainant who is dissatisfied with the district's final written decision may file an appeal

Uniform Complaint Procedures

in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 49013, 52075; 5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complain
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file, including but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's complaint procedures
7. Other relevant information requested by the CDE

~~The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. (5 CCR 4650)~~

Civil Law Remedies

~~A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.~~

~~For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to~~

Community Relations

AR 1312.3 (o)

Uniform Complaint Procedures

~~discrimination complaints based on federal law. (Education Code 262.3)~~

Regulation

approved: ~~March 14, 2013~~ **November 20, 2014**

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

8. PERSONNEL ADMINISTRATION

8.1 CERTIFICATED PERSONNEL

8.11 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

8.12 LEAVE OF ABSENCE

8.13 EMPLOYMENT

8.14 CHANGE OF STATUS

RECOMMENDED ACTION: To approve certificated personnel actions as presented.

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT

8.24 CHANGE OF STATUS

RECOMMENDED ACTION: To approve classified personnel actions as presented.

8. PERSONNEL ADMINISTRATION

8.1 CERTIFICATED PERSONNEL

8.11 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

Timothy McFarlane
SDC – Murray
Effective 11-4-14

LEAVE OF ABSENCE

8.13 EMPLOYMENT

Kristy McLaughlin
1st Grade – Las Flores
Effective 11-3-2014

Substitute Teachers for 14-15 year:
Mark McKinney

Coaches for 14-15 year:
Christopher Branson
Basketball – Monroe

Scott Hansen
Basketball – Burroughs

George Paniagua
Football – Burroughs

Volunteer Coaches:
Don Branson
Basketball - Monroe

Amy Flerchinger
Cheerleading - BHS

Trent Steichen
Soccer - BHS

8.14 CHANGE OF STATUS

8. PERSONNEL ADMINISTRATION

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

Shiann Baird
7 hr. Counseling Center Career Technician – Burroughs
Effective 10-21-14

Derek Cooper
1 ½ hr. Noon Duty Supervisor – Gateway
Effective 10-31-14

Cheyenne Fowlkes
2 hr. Noon Duty Supervisor – James Monroe
Effective 9-30-14

Katherine Tucker
1 ¾ hr. Paraprofessional – Inyokern
And
1 ½ hr. Noon Duty Supervisor – Inyokern
And
½ hr. Noon Duty Supervisor – Inyokern
Effective 9-29-14

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT

Derick Brewster
5 ½ hr. Warehouse Worker – Warehouse
Effective 10-30-14

Andrea Constable
5 ½ hr. Paraprofessional – Richmond
Effective 10-14-14

Kayla Decker
1 ½ hr. Noon Duty Supervisor – Inyokern
Effective 10-27-14

8. PERSONNEL ADMINISTRATION

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT (Continued)

Lauren Elliott

6 ½ hr. Food Service Assistant III – Vieweg

Effective 10-20-14

Adam Harper

5 ½ hr. Paraprofessional – Gateway

Effective 10-14-14

Kathy Pierce

5 ½ hr. Paraprofessional – Murray

Effective 10-14-14

Kimberly Register

5 ½ hr. Paraprofessional – Richmond

Effective 10-14-14

Grace Wooding

5 ½ hr. Paraprofessional – Burroughs

Effective 11-3-14

Student Food Service Workers for the 2014-2015 School Year

Andrew Mora

Student Workability Workers for the 2014-2015 School Year

Joseph Duval

David Espindola

Chance Froemer

Melanie Herrin

Charlotte Kooima

Exavier Luke

Keavin Phifer

Rochelle Rosario

Alyssa Skipworth

8. PERSONNEL ADMINISTRATION

8.2 CLASSIFIED PERSONNEL

8.21 RESIGNATION, TERMINATION*, SEPARATION**, RETIREMENT***

8.22 LEAVE OF ABSENCE

8.23 EMPLOYMENT (Continued)

Student Workability Workers for the 2014-2015 School Year (Continued)
Dalton Thompson

Classified Substitutes for the 2014-2015 School Year

Andrew Boyd
Derick Brewster
Cody Decker
Susan Reed
Koree Kelly
Diane Klein
Nicole Owens
Lori Quamme
Flordelina Schad
Patrice Sealy
Hollie Ussery
Thomas Wilson

8.24 CHANGE OF STATUS

Misty Jo Anderson
From: 5 ½ hr. Paraprofessional – Burroughs
To: 7 hr. Counseling Center Career Technician – Burroughs
Effective 11-12-14

Julie Marshall
Add: ½ hr. Noon Duty Supervisor – Inyokern
Effective 10-27-14

Carrie McNatt
From: 2 hr. Noon Duty Supervisor – James Monroe
To: 5 ½ hr. Paraprofessional – Richmond
Effective 10-14-14

8. PERSONNEL ADMINISTRATION

8.3 Approval of Early Retirement Notification Incentive for 2014-15

BACKGROUND INFORMATION: For several years, the district has offered an early retirement notification incentive. By offering this incentive and by early notification from employees, the district retains valuable information in determining staffing needs for the upcoming school year. This notification information provides valuable time for planning, advertisement, and scheduling of teacher recruitment fairs.

CURRENT CONSIDERATIONS: The district would like to offer the early retirement notification incentive program for 2014-15 to assist with identifying staffing needs for the 2015-16 school year. The district is proposing to offer the same early retirement notification incentive as last year in the amount of \$3,000 for certificated employees and \$1,600 for classified employees to those employees who submit their written retirement notice by January 30, 2015.

The retirement window (i.e., effective date of retirement) for this incentive is as follows: (1) certificated employees between May 29, 2015 and August 1, 2015; and (2) classified employees between February 1, 2015 and August 1, 2015. Employees must be eligible to retire under STRS or PERS in order to receive this incentive. If approved by the board, all employees eligible to retire will receive a letter during the week of November 24, 2014 from the Human Resources Department describing the early retirement notification incentive program.

FINANCIAL IMPLICATIONS: The exact fiscal impact is unknown, but the cost of the program is certain to be offset by the reduced cost in salary and statutory benefits. Most important for the district are the benefits associated with management of staffing in the current fiscal climate.

SUPERINTENDENT'S RECOMMENDATION: The superintendent's recommendation is to approve the early retirement notification incentive program for 2014-15 in the amount of \$3,000 for each certificated employee and \$1,600 for each classified employee who declares his/her intent to retire in writing within the applicable retirement window no later than January 30, 2015.

9. GENERAL ADMINISTRATION

9.1 Gifts to the District

CURRENT CONSIDERATIONS: The following donations have been received: Mesquite High School received an anonymous donation of men's suits, blazers, belts, and ties with an estimated cash value of \$205 to be used in the Prom Closet, Duane and Laurie Rice donated a viola with bow and case with an estimated value of \$250 to the James Monroe Middle School Orchestra Program, Carol Zdeba donated two Rogue guitars with an estimated value of \$150 to the music class at Mesquite High School, Timothy Kummerer donated a desktop computer of unknown value to the Burroughs Wrestling Team, Felice McClain donated ten Humes and Berg light stands with bulbs valued at \$419.19 to the Burroughs High School Music Program, William Carroll donated a Sony Blu-ray player valued at \$86.59 and a GTEC 4 TB G-Drive with a value of \$239.99 to the Burroughs High Technological Program, the Ridgecrest Musical Enrichment Society donated funds raised from their recent production in the amount of \$1,000 to the Mesquite High School Performing Arts Program, Jared Parker donated a 1999 Ford Escort with an estimated cash value of \$2,000 to the Burroughs High School Auto Shop, Russell Petersen donated a 1990 Mazda truck with an estimated cash value of \$1,500 to the Burroughs Auto Shop, Joe Barns donated a 1996 Ford Bronco with an estimated cash value of \$1,400 to the Burroughs Auto Shop, James Fussner donated a 2000 Dodge Neon with an estimated cash value of \$2,000 to the Burroughs Auto Shop, the Rotary Club donated printer supplies with a cash value of \$1,391 to Gateway Elementary School, and AltaOne Federal Credit Union donated miscellaneous furniture items with an estimated value of \$1,375 to Sierra Sands Unified School District.

FINANCIAL IMPLICATIONS: Donations provide support to the district and have a positive financial impact.

SUPERINTENDENT'S RECOMMENDATION: Accept the gifts as described and send appropriate letter of appreciation.

9. GENERAL ADMINISTRATION

9.2 Designation of Date and Time of the Organizational Meeting of the Board

BACKGROUND INFORMATION: Education Code Section 35143 requires that each school district hold an annual organizational meeting within the period of fifteen days of the first Friday in December, which this year is December 5, 2014 through December 19, 2014. Unless otherwise provided by rule of the governing board, the date and time of the annual organizational meeting shall be selected by the board at its regular meeting immediately prior to the annual meeting.

CURRENT CONSIDERATIONS: According to the annually adopted meeting schedule of the board, the regular meeting within the designated period is scheduled for December 11, 2014.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: Designate December 11, 2014 at 7:00 p.m. as the date and time for the regular and organizational meeting of the board. The meeting will be conducted in the Ridgecrest City Council Chambers, 100 West California Avenue.

9. GENERAL ADMINISTRATION

9.3 Nominations for Representatives to the California School Boards Association (CSBA)

BACKGROUND INFORMATION: The CSBA Delegate Assembly is the primary policy-making body of the California School Boards Association. It sets the general policy direction for the association that represents California's school districts and county offices of education. Delegates fulfill a critical governance role by communicating the interest of local boards to CSBA's Board of Directors, Executive Committee, and staff. Delegates give policy and legislative direction through the adoption of the policy platform every two years and the adoption of other policy statements of the association. They also speak on issues and provide direct advocacy on behalf of the association. Delegates play an important communication and support role within their regions, and they also elect the association's officers and board of directors.

CURRENT CONSIDERATIONS: Nominations for representatives to the Delegate Assembly are being accepted through January 7, 2015. There are five delegates whose term expires in 2015 in Subregion 12-B of which Sierra Sands is a part, and each board may nominate as many individuals as it chooses within its geographical region or subregion. The five positions which are up for election are currently held by Linda Brenner of Panama-Buena Vista Union School District, Martha Miller of Kern Union High School District, Deanna Rodriguez-Root of Richland School District, Jeff Stone of Norris School District, and Lillian Tafoya of Bakersfield City Elementary School District. Delegates serve two-year terms beginning April 1, 2015 through March 31, 2017.

FINANCIAL IMPLICATIONS: The financial implications would include mileage, hotel, and meal expenses for two meetings per year with an estimated cost of \$700.00 dependent upon hotel and travel costs. This includes expenses for a May meeting in Sacramento and one additional night of hotel expense in combination with the annual CSBA meeting.

SUPERINTENDENT'S RECOMMENDATION: The board may, if it wishes, nominate one or more individuals to serve on the CSBA Delegate Assembly. Permission must be received from an individual to place his or her name in nomination.



October 22, 2014

DEADLINE: Wednesday, January 7, 2015
BOARD ACTION REQUIRED
Please deliver to all governing board members.

MEMORANDUM

TO: All Board Presidents, Superintendents and CSBA Member Boards of Education

FROM: Josephine Lucey, President

RE: Call for Nominations for CSBA Delegate Assembly

Each year, member boards elect representatives from 21 geographic regions to CSBA's Delegate Assembly. The Delegate Assembly is a vital link in the association's governance structure and sets the general policy direction for the association. Working with local districts, county offices, the Board of Directors, and Executive Committee, delegates ensure that the association promotes the interests of school districts and county offices of education throughout the state. There are two required Delegate Assembly meetings each year, one on May 16-17, 2015 in Sacramento and one on December 2-3, 2015 preceding the CSBA Annual Education Conference and Trade show in San Diego.

Nomination and candidate biographical sketch forms for CSBA's Delegate Assembly are now being accepted until **Wednesday, January 7, 2015**. Nomination instructions are listed below:

- Any CSBA member board is eligible to nominate board members within their geographical region or subregion and may nominate as many individuals as it chooses by submitting a nomination form for each nominee.
- All nominees must serve on CSBA member boards and give their approval prior to being nominated.
- All nominees must submit a one-page, single-sided, candidate biographical sketch form. An optional one-page, one-sided résumé may also be submitted but cannot be substituted for the biographical sketch form.
- All nomination materials must be postmarked by the U.S.P.S. or faxed no later than **Wednesday, January 7**. It is the nominee's responsibility to confirm that all nomination materials have been received by the CSBA Leadership Services department by this due date. Late submissions will not be accepted.
- Ballots will be mailed by Monday, February 2, 2015 and are due Monday, March 16, 2015. Elected Delegates serve a two-year term beginning April 1, 2015 through March 31, 2017.

The following nomination materials and information related to the election process is available to download at www.csba.org/About/Leadership. For more information about the Delegate Assembly, please contact Charlyn Tuter in the Leadership Services department at ctuter@csba.org or (800) 266-3382. Thank you.

- Nomination Form
- Candidate Biographical Sketch Form
- Important Dates
- List of all Delegates with expiration terms
- FAQ



Delegate Assembly Nomination Form

DUE: Wednesday, January 7, 2015

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax (916) 371-3407

CSBA Region/subregion # _____

The Board of Education of the _____ wishes to

(Nominating District)

nominate _____ . The nominee is a member of the

(Nominee)

_____, which is a member of the California

(Nominee's District)

School Boards Association.

- ☐ The nominee has consented to this nomination.
- ☐ Attached is the nominee's required one-page, single-sided candidate biographical sketch form and optional one-page, single-sided résumé.
- ☐ The nominee's required one-page, single-sided candidate biographical sketch form and optional one-page, single-sided résumé will be sent by the deadline date.

Board Clerk or Board Secretary (signed)

Date

Board Clerk or Board Secretary (printed)

PLEASE NOTE: The nomination and candidate biographical sketch forms may be faxed to (916) 371-3407 or mailed to CSBA, Attn: Leadership Services, 3251 Beacon Blvd., West Sacramento, CA 95691 postmarked by the U.S.P.S. no later than **Wednesday, January 7, 2015**. ***It is the nominee's responsibility to confirm that all nomination materials have been received by the CSBA Leadership Services department by the due date. Late submissions cannot be accepted.*** If you have any questions, please contact Charlyn Tuter in the Leadership Services department at ctuter@csba.org or (800) 266-3382. Thank you.

Delegate Assembly

Candidate Biographical Sketch Form



DUE: Wednesday, January 7, 2015

Mail to: CSBA | Attn: Leadership Services | 3251 Beacon Blvd., West Sacramento, CA 95691 | or fax (916) 371-3407

Please complete, sign and date this required one-page candidate biographical sketch form. An optional, one-page, single-sided, résumé may also be submitted; both will be copied exactly as received. Please do not state "see résumé" and please do not re-type this form. Any additional page(s) exceeding this one-page candidate form will **not** be accepted. It is the candidate's responsibility to confirm that all nomination materials have been received by the CSBA Leadership Services department by January 7 postmarked by the U.S.P.S. Late submissions will not be accepted. If you have any questions, please contact Charlyn Tuter in Leadership Services at ctuter@csba.org or (800) 266-3281.

| | |
|---|-----------------------|
| Name: _____ | CSBA Region: _____ |
| District or COE: _____ | Years on board: _____ |
| Contact Number: _____ | E-mail: _____ |
| Are you a continuing Delegate? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, how long have you served as a Delegate? _____ | |

CSBA's Delegate Assembly sets the general education policy direction for the Association. As a member of the Delegate Assembly, please describe what your top three educational priorities would be, and why they are important to the Association.

Another responsibility of Delegates is to communicate the interests of local boards to CSBA's Board of Directors, Executive Committee and staff. Please describe your activities/involvement or interests in your local district or county office.

Why are you interested in becoming a Delegate and what contribution do you feel you would make as a member of the Delegate Assembly?

Your signature indicates your consent to have your name placed on the ballot and to serve as a Delegate, if elected.

Signature: _____

Date: _____

9. GENERAL ADMINISTRATION

9.4 Authorization for Board Member Travel to the Office of Governmental Affairs in
Sacramento on November 4-5, 2014

BACKGROUND INFORMATION: At the May 7, 2009 board meeting, protocol requiring the board to authorize all board member travel was established. The 2014-15 travel budget for the board was approved for \$18,700.

CURRENT CONSIDERATIONS: On November 4-5, 2014, Board Member Judy Dietrichson and Superintendent Ernie Bell traveled to the Office of Governmental Affairs in Sacramento, CA to meet with Michael Hulsizer, Chief Deputy for Governmental Affairs. The purpose of this trip was to discuss the status of and lobby for Sierra Sands Necessary Small Schools funding. Due to the short notice associated with this travel, prior approval was not possible. The costs associated with this travel for Mrs. Dietrichson were as follows:

| | |
|-------------------|---------------|
| Meals | \$ 8.00 |
| Lodging | \$ 171.35 |
| Rental Vehicle | \$ 55.00 |
| Fuel | \$ 37.25 |
| Parking | \$ 10.00 |
| Total Expense | \$ 281.60 |

FINANCIAL IMPLICATIONS: The travel budget for the board for 2014-15 is \$18,700. To date, however, approximately \$11,482.00 has previously been approved.

SUPERINTENDENT'S RECOMMENDATION: In accordance with the board's adopted protocol, it is recommended that the board review the travel expenses incurred and determine if it wishes to authorize this travel activity.

9. GENERAL ADMINISTRATION

9.5 Approval of Amendment to the Superintendent's Contract

BACKGROUND INFORMATION: In April of 2014, the Board of Trustees approved the employment contract for the superintendent for a term beginning July 1, 2014.

CURRENT CONSIDERATIONS: The superintendent has proposed a contract amendment which would increase his base salary, but eliminate other elements of compensation so that the net amount paid would remain the same.

FINANCIAL IMPLICATIONS: The net amount paid to the superintendent remains the same under the proposed contract amendment.

SUPERINTENDENT'S RECOMMENDATION: It is requested that the board approve the amendment to the superintendent's contract.

FIRST AMENDMENT TO CONTRACT OF EMPLOYMENT,
DISTRICT SUPERINTENDENT,
between the
SIERRA SANDS UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION
and
ERNEST BELL, SUPERINTENDENT

The Contract of Employment, District Superintendent (“Contract”), for Ernest Bell is amended as follows:

Paragraph 2. of the Contract is replaced with the following:

2. SALARY

Effective December 1, 2014, the Superintendent's annual salary shall be One Hundred Thirty Thousand Six Hundred Dollars (\$136,000). The salary of the Superintendent shall be determined annually. The Superintendent and the Board may reconsider, review, and adjust the salary payable hereunder; provided that such adjustments shall be only with mutual consent of both the Superintendent and the Board. Any adjustment of the salary shall not be considered the entering into of a new agreement or the extension of the term of this Agreement. The annual salary herein provided shall be payable in twelve (12) equal installments on or about the first day of each month for the preceding month's service.

On or before June 30th of each year, the Board shall meet, determine, and advise the Superintendent whether and to what extent the salary of the Superintendent shall be increased for each succeeding year under this Agreement.

Any adjustment in salary made during the term of this Agreement shall be in the form of an amendment and shall become a part of this Agreement, but any failure to attach the adjustment salary amount as an amendment shall not affect the validity or amount of any such adjustment. In no event shall the Superintendent's salary at any time be reduced below the initial salary stated in this Agreement, or any subsequent increase to such salary.

Paragraph 12. of the Contract is replaced with the following:

12. TRANSPORTATION

The Superintendent will utilize his own automobile at his personal expense, for which he maintains liability insurance, in performance of his duties. In the event the Superintendent is required to drive his personal vehicle on District business outside Kern County or more than 200 miles round trip between the District Office via the shortest reasonable route, whichever is farther, the Superintendent shall receive mileage reimbursement paid at the District approved mileage rate.

With the exception to the amendments noted herein, all other terms and conditions of the Contract remain unchanged.

IN WITNESS WHEREOF, the parties have entered into this First Amendment as of the day and year written below.

Date: _____

Kurt Rockwell, President
Sierra Sands Unified School District Board of Education

Date: _____

Ernest Bell, Superintendent

10. CONSTRUCTION ADMINISTRATION

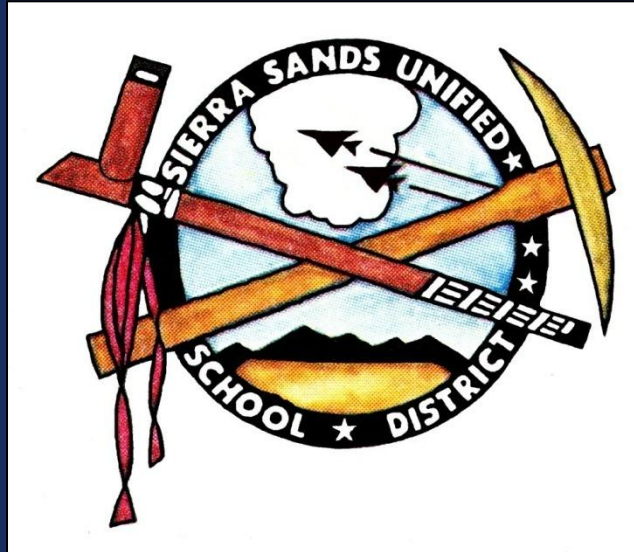
10.1 Report to the Board: Construction Activities and Issues

BACKGROUND INFORMATION: The purpose of this item is to keep the board, administration, and especially the community informed as to the progress of the district's construction efforts.

CURRENT CONSIDERATIONS: Design, documentation activity, and planning continue at several sites. Mr. Steve Hubbard, Project Manager with Maas Co., will update the board and community on these activities.

FINANCIAL IMPLICATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: This item is presented for informational purposes and no action is required.



Capital Projects Report

to the

Board of Trustees of the
Sierra Sands Unified School District

November 20, 2014

BURROUGHS HIGH SCHOOL

PROJECT STATUS REPORT

DESIGN

- | | |
|------------------------|--|
| • Address | 500 E. French Ave. Ridgecrest, CA 93555 |
| • Project Manager | Maas Steve Hubbard |
| • Architect | Westberg + White Tustin, CA |
| • Construction Manager | ProWest PCM |



Fast Facts

Complete renovation of the permanent instructional spaces throughout the campus along with the addition of a new Administration Building at the front of the campus and a new Concessions/Restroom Building adjacent to the existing stadium. Work will include replacement of all existing HVAC systems, site paving improvements, a new and enlarged student parking lot, and modern audio visual and technology infrastructure.

- Total Project Budget \$31,909,274
- Project Square Footage (GSF) 178,202 SF
- Funding Source 80% DOD, 20% District Funds
- Construction Start June 2015
- Targeted Completion 12/31/2017

Sustainable Features

- Meet requirements of the National Environmental Policy Act

BURROUGHS HIGH SCHOOL

PROJECT STATUS REPORT

DESIGN

Fast Financial Facts

- Total Project Budget\$31,909,274
- Construction Budget \$22,410,282
- Expenditures To Date..... \$ 2,375,125
- Percent Complete of Project Cost 7%
- Percent Complete of Construction 0%

Project Update

- Architect has completed revision of construction documents, including prior DSA close-out requirements, and has re-submitted to DSA for back-check.
- Execution of the Admin Building and the Concessions Building as Custom Permanent Modular Construction validated by Construction Manager as a viable cost and schedule saving measure.
- Construction Manager in review of Architect's cost estimate in order validate construction costs.
- Construction Manager has proposed early bidding as a methodology to recover the project schedule to maintain commencement of construction in June 2015.
- CEQA Categorical Exemption remains in review by district counsel.
- CDE final application remains pending completion of construction documents by architect and stamp out by DSA along with final CEQA determination.



BURROUGHS HIGH SCHOOL

SCHEDULE: 12 MONTH

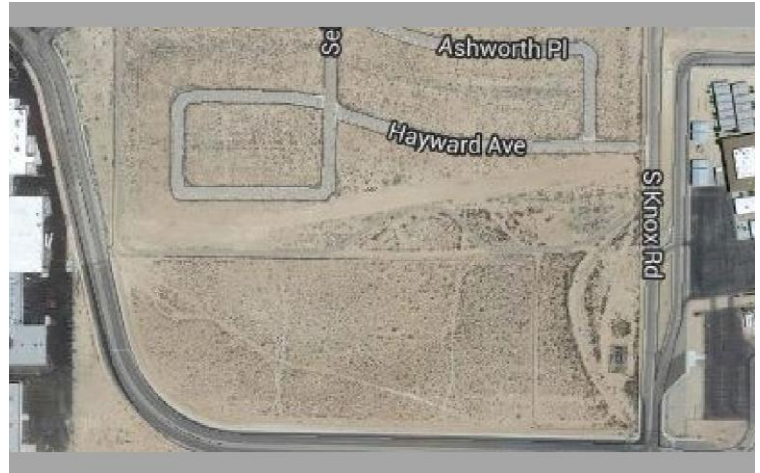
| | |
|------------------------------------|------------------------|
| •DSA Submittal | 11-04-15 |
| •DSA Plan Check Duration – 8 weeks | 01-05-15 |
| •Bid Advertisements (twice) | 02-10-15 and 02-17-15 |
| •Bidding Period | 02-10-15 thru 03-10-15 |
| •Bid Notices of Intent | 03-12-15 |
| •Board Approval of Awards | 03-12-15 |
| •Notices to Proceed | 03-14-15 |
| •Submittal Review | 03-14-15 thru 05-29-15 |
| •Construction Start | 06-01-15 |

MURRAY MIDDLE SCHOOL

PROJECT STATUS REPORT

DESIGN

- Address 200 E. Drummond Ave.
Ridgecrest, CA 93555
- Project Manager Maas
Steve Hubbard
- Architect IBI Group
Bakersfield, CA
- Construction Manager ProWest PCM



Fast Facts

New construction of a complete middle school campus to house the students from the existing Murray Middle School including Classroom Building, Music and Art Building, Library, Gymnasium, Multi-purpose Room and Administration Building, along with playing fields and a central campus courtyard.

- Total Project Budget \$39,542,838
- Project Square Footage (GSF) 68,825 SF
- Funding Source 80% DOD, 20% District Funds
- Construction Start July 2015
- Targeted Completion 9/30/2017

Sustainable Features

- Meet requirements of the National Environmental Policy Act

MURRAY MIDDLE SCHOOL

PROJECT STATUS REPORT

DESIGN

Fast Financial Facts

- Total Project Budget\$39,542,838
- Construction Budget \$24,510,544
- Expenditures To Date..... \$ 2,920,231
- Percent Complete of Project Cost 7%
- Percent Complete of Construction 0%

Project Update

- Architect completed Schematic Design and continues with Design Development; review by District staff has been positive.
- Architect researching and updating the prior regulatory agency approvals.
- Architect working with Construction Manager to validate budget constraints, particularly as relates to optimizing site utilities and earthwork for site development
- Coordination meetings conducted by design team to obtain detailed information and review design progress with Food Service, Technology and Facilities Services.
- CEQA – Laboratory results related to DTSC-required additional sampling on site reviewed with District staff and Navy Liaison personnel.
- Relocation of the Base boundary fence documentation complete and submitted to the Navy for review and approval prior to publishing a solicitation for bids from local contractors.
- Threat force protection consultant has submitted a draft of performance criteria for Custom Permanent Modular construction to Architect, District and the Navy for review.

MURRAY MIDDLE SCHOOL

SCHEDULE: 12 MONTH

| | |
|-------------------------------------|------------------------|
| •DSA Submittal | 02-15-15 |
| •DSA Plan Check Duration – 12 weeks | 05-06-15 |
| •Bid Advertisements (twice) | 05-07-15 and 05-14-15 |
| •Bidding Period | 05-07-15 thru 06-12-15 |
| •Bid Notice of Intent | 06-14-15 |
| •Board Approval of Awards | 06-21-15 |
| •Notices to Proceed | 06-22-15 |
| •Construction Start | 07-01-15 |

HVAC REMEDIATION

PROJECT STATUS REPORT

DESIGN

- | | |
|------------------------|-----------------------------------|
| • Address | Various |
| • Project Manager | Maas Steve Hubbard |
| • Architect | RBB Architects Los Angeles, CA |
| • Construction Manager | TBD |



Fast Facts

Remediation of prior substandard construction and installation of replacement HVAC units by Siemens Building Technologies Corporation. Work at six school sites that have not yet benefited from Modernization projects includes structural, mechanical and electrical retrofitting of existing HVAC units to properly respond to existing conditions and to correct prior substandard work. Projects include Monroe Middle School, Mesquite Continuation School, Richmond Elementary School, Burroughs High School, Murray Middle School and Vieweg Elementary School.

- Total Project Budget \$7,024,500
- Project Square Footage (GSF) Varies
- Funding Source Facilities Hardship / Siemens
- Construction Start December 2014
- Targeted Completion August 2015

Sustainable Features

- Meet requirements of the National Environmental Policy Act

PROJECT STATUS REPORT

DESIGN

Fast Financial Facts

- Total Project Budget\$7,024,500
- Construction Budget \$4,917,150
- Expenditures To Date..... \$197,000
- Percent Complete of Project Cost 3%
- Percent Complete of Construction 0%

Project Update

- Correction of all prior BHS Open A# work and incorporation into the Modernization project documents completed by Westberg + White.
- Design and documentation of Mesquite, and Burroughs continues by RBB Architects
- Monroe submitted to DSA for Plan Check; anticipated approval date is 11-24-14.
- Architect Existing Condition Report for Category 3 work including Richmond, Mesquite and Burroughs completed and submitted to the District.
- BHS PAC boiler and mezzanine remediation and Air Handler Project as well as Mesquite remediation design and construction documents in process by AE team.
- Detailed cost estimates for all elements of the work not yet available; Project Budget Report remains based on rough order of magnitude costs.
- Applications for State Facilities Hardship funds remain in process; CDE Consultant has requested interim documents in order to submit for preliminary funding approval; DSA concurrence that conditions qualify for hardship funding forwarded to OPSC representative.

HVAC REMEDIATION

SCHEDULE:

| | |
|--|------------------------|
| •DSA Submittal, Phased Intake | 08-03-14 thru 03-17-15 |
| •DSA Plan Check Duration – 12 weeks each Phase | 08-03-14 thru 06-03-15 |
| •Bid Advertisements (twice) | 04-07-15 and 04-14-15 |
| •Bidding Period | 04-07-15 thru 05-12-15 |
| •Bid Notices of Intent | 05-14-15 |
| •Board Approval of Awards , first phases | 05-21-15 |
| •Notices to Proceed, first phases | 05-22-15 |
| •Construction Start, first phases | 06-04-15 |

10. CONSTRUCTION ADMINISTRATION

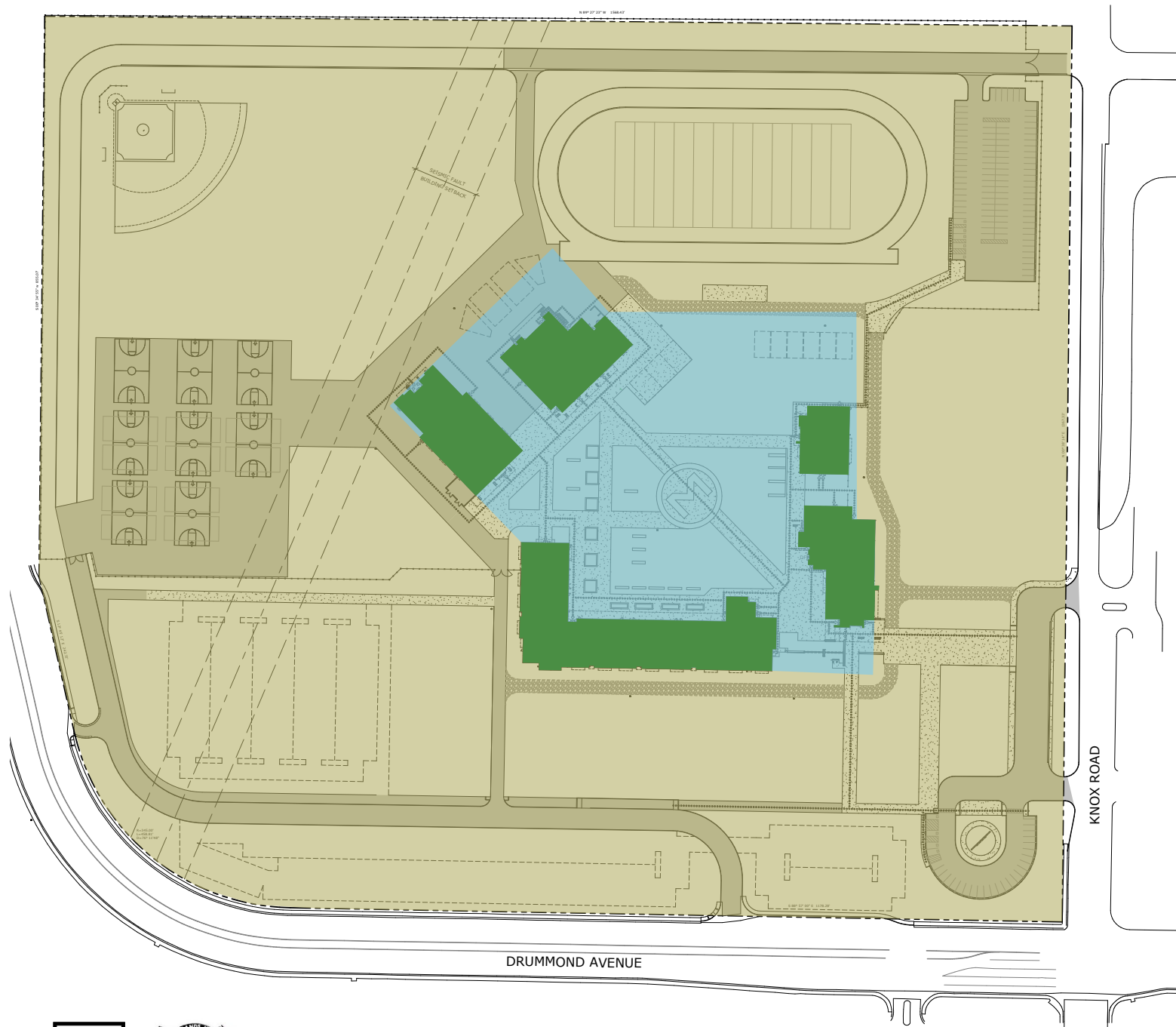
10.2 Presentation of Design Development of the New Murray Middle School

BACKGROUND INFORMATION: In December of 2012, the district was awarded a grant from the Department of Defense (DoD) - Office of Economic Adjustment (OEA) for approximately thirty-nine million dollars for the construction of a new Murray Middle School. In response to that grant, the district initiated design and construction document development services with Westberg + White Architects (W+W). Ultimately, the final design was estimated to be significantly beyond the funding limits of the project. As a result, and after significant research, it was determined that the project should be constructed as a permanent custom modular construction. In that regard, W+W chose not to continue as Architect of Record for the project. Therefore, the district solicited interest from other architects, according to the formal procedures established by the district, the OEA, and the State of California. The firm of IBI Group was selected and contracted as Architect of Record to execute design and construction phase services for the project.

CURRENT CONSIDERATION: At this time, IBI Group has completed the Schematic Design Phase of work, which has been approved by the district. IBI Group is now well into the Design Development Phase of work and is finalizing drawings for review by the district. In that regard, the architect has been requested to present the current status of the project design to the Board of Education.

FINANCIAL IMPLICATIONS: Preliminary “order of magnitude” cost reviews indicate that the project, in its current configuration and as presented is within the budget of funds available.

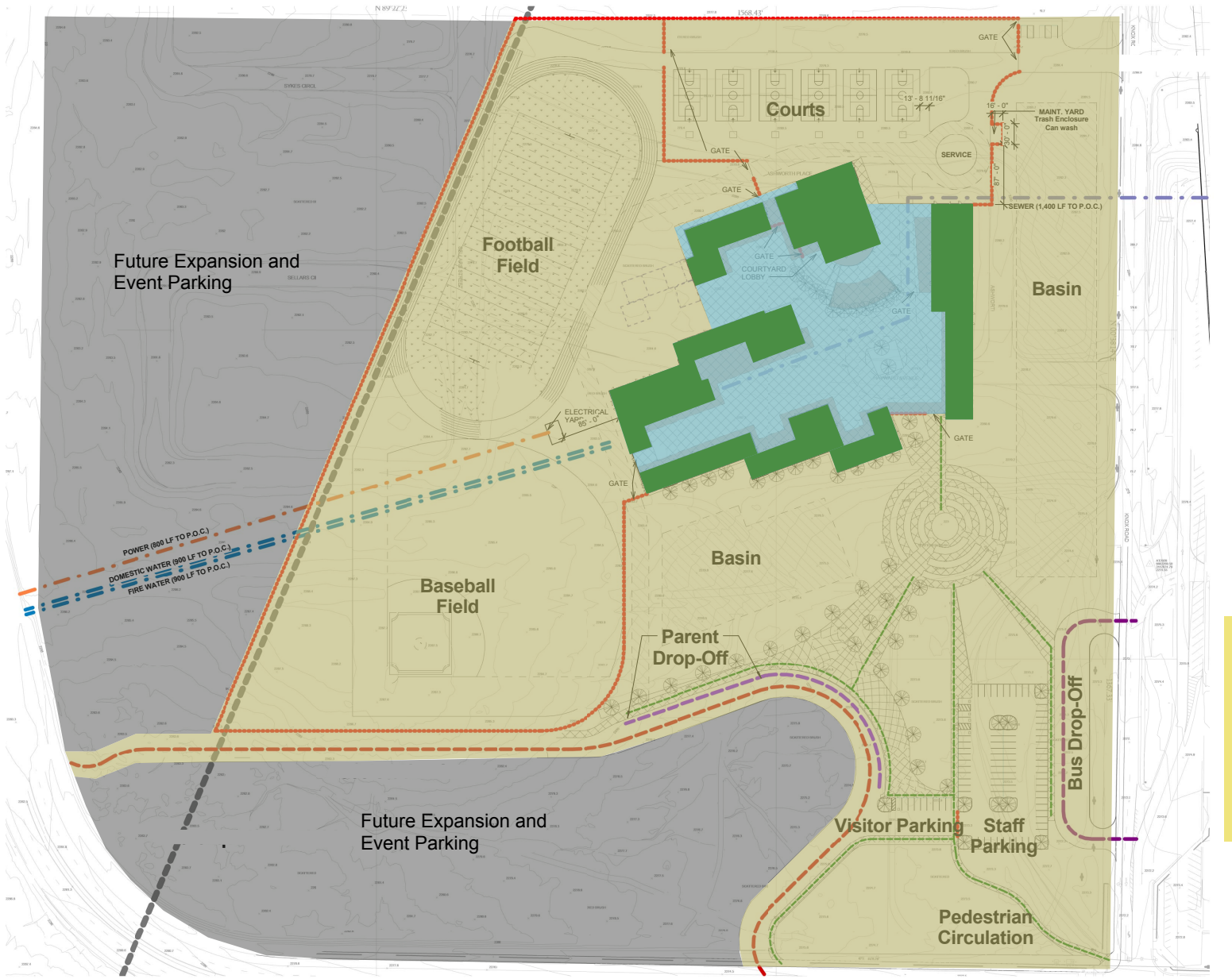
SUPERINTENDENT’S RECOMMENDATION: This presentation is for informational purposes only and no action is required.



Total Developed Site Area:
47.96 Acres

Total Campus Area:
7.47 Acres

Total Enclosed Area:
98,881 SQF



Total Developed Site Area:
25.62 Acres

Total Campus Area:
3.83 Acres

Total Enclosed Area:
68,825 SQF

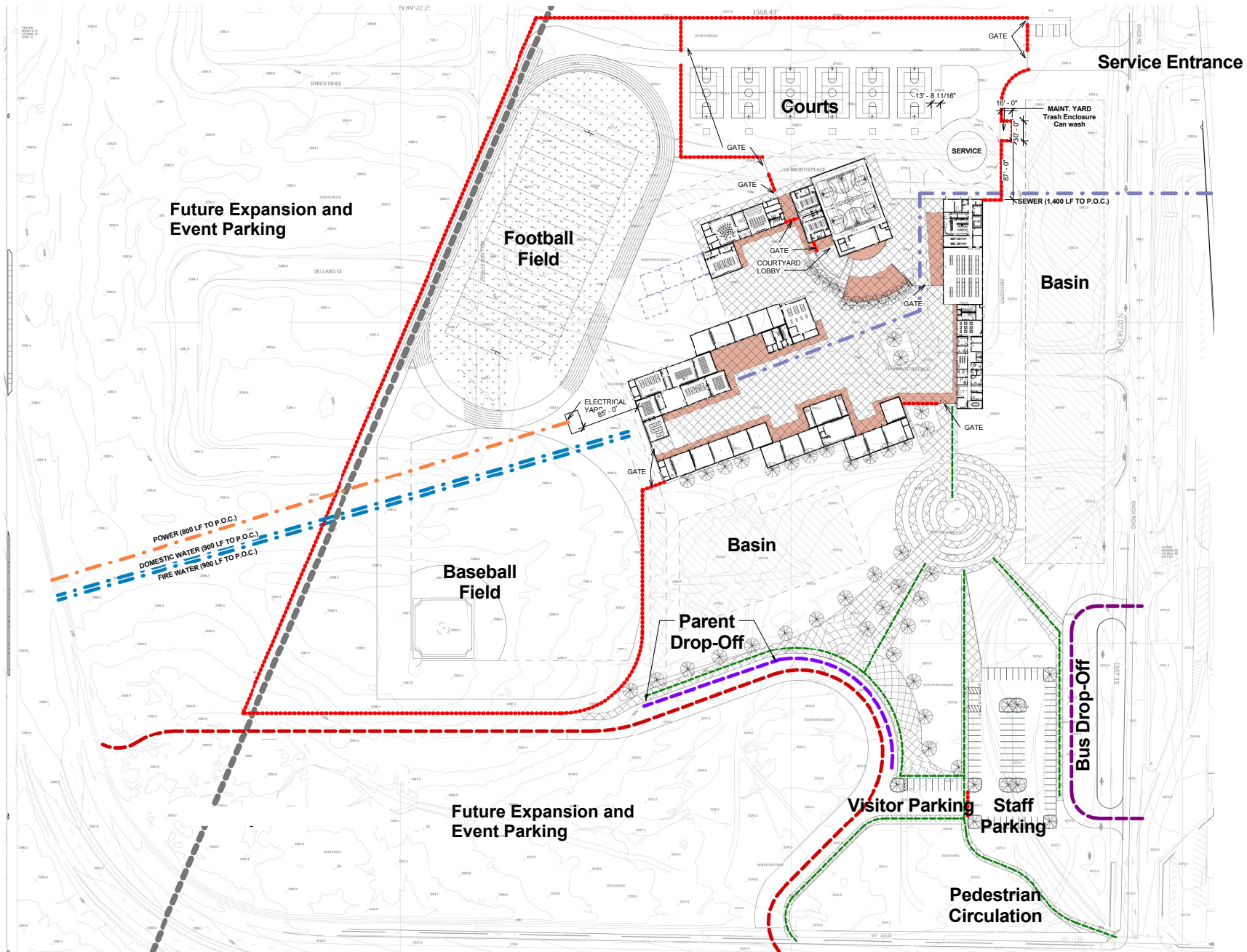
Future Expansion and Event Parking:
18.51 Acres

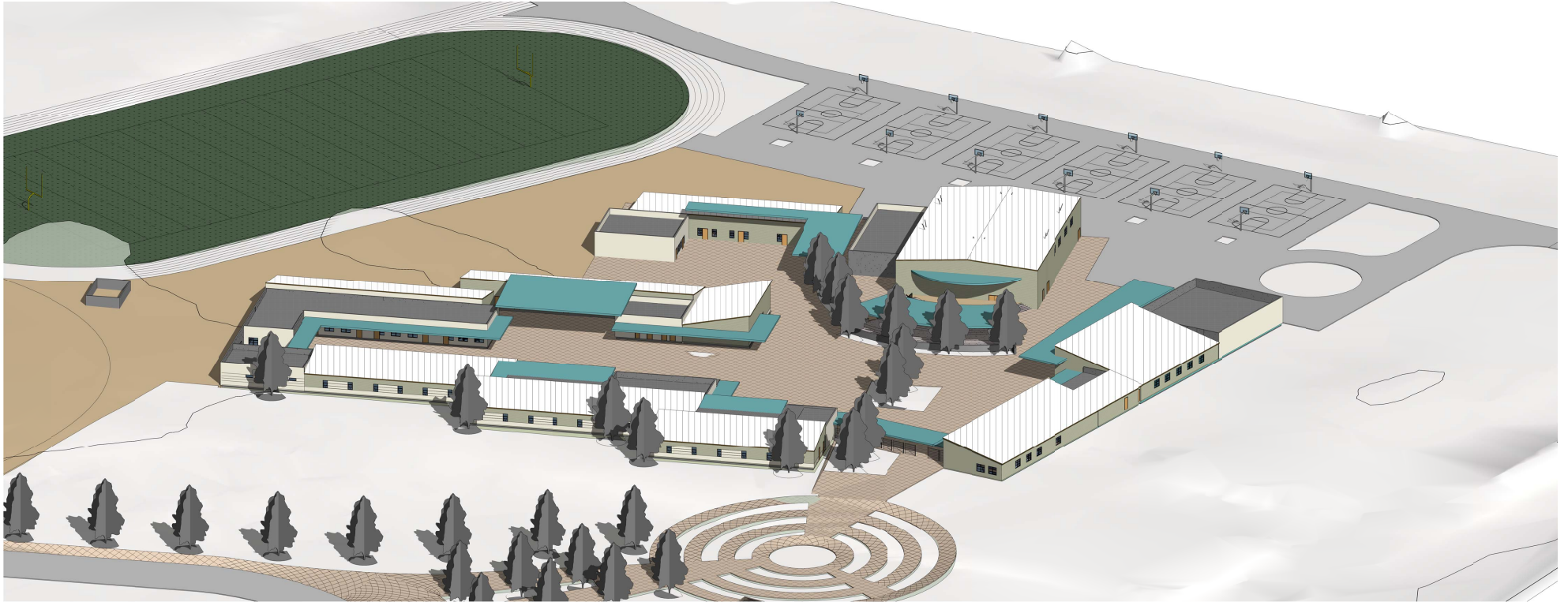
Current Design vs Prior Design

47% LESS site development

49% LESS campus area

30% LESS building SF





10. CONSTRUCTION ADMINISTRATION

10.3 Approval of District Design Standards

BACKGROUND INFORMATION: In December of 2012, the district was awarded two grants from the Department of Defense (DoD) - Office of Economic Adjustment (OEA) for modernization of Burroughs High School and construction of a new Murray Middle School. In response to that grant, the district has been in the process of design and construction document development services with Westberg + White Architects (W+W) and IBI Group Architects. As part of the product and execution specifications for each of these projects, it has become apparent that, in the interest of furthering reasonable ongoing operation and maintenance costs and logistics of finished facilities, certain products and assemblies should be standardized. Such standardization will allow cost effective procurement of replacement parts, minimal inventory stock of parts and supplies, depth of knowledge and experience with equipment leading to effective maintenance and repair of equipment by district staff, and operational efficiency across the district.

CURRENT CONSIDERATIONS: At this time, experience with prior modernization projects throughout the district has made evident certain products, supplies, and equipment that would benefit the district as “standard”. The Sierra Sands Maintenance and Operations Department and the Technology Department have composed a list of those products, supplies, and equipment for review and consideration for standardization by the Board of Education.

FINANCIAL IMPLICATIONS: This list of standards, in and of itself, has no direct financial implications, but rather, they would be specified within each project as construction documents are developed, bid, and constructed. While there are other products that bidders may choose to “substitute” the cost effectiveness of utilizing the “standards” over time will benefit the district in cost savings related to inventory, storage, procurement, as well as staff time spent to repair and service equipment and assemblies.

SUPERINTENDENT’S RECOMMENDATION: It is recommended that this list of standards be approved and adopted as presented.



Sierra Sands Unified School District

CONSTRUCTION MATERIAL & EQUIPMENT STANDARDS

November 10, 2014

| System | Manufacturer | Product | Remarks |
|----------------------------|-----------------|-----------|-------------------------------|
| DOORS & WINDOWS | | | |
| Hardware | | | |
| Key Systems | Schlage | Primus IC | |
| Mechanical Locks | Schlage | L 06N | |
| Hinges | Ives | 3CB1HW | |
| Continuous Hinges | Ives | 703 | |
| Exit Devices | Von Duprin | XP99 | |
| Closers | LCN | 4040XP | |
| FINISHES | | | |
| Floor Covering | | | |
| Resilient Flooring | Lonseal | T.B.D. | |
| Walk-off | Geo Tile | T.B.D. | |
| SPECIALTIES | | | |
| Toilet Room Accessories | | | |
| Soap Dispenser | Waxie | # 385830 | Owner Provided |
| Seat Cover Dispenser | Waxie | # 851570 | Owner Provided |
| Toilet Paper Dispenser | Waxie | # 851143 | Owner Provided |
| Paper Towel Dispenser | Georgia Pacific | # 58443 | Owner Provided |
| FURNISHINGS | | | |
| Window Treatment | MechoShade | | Manual, Chain Drive |
| MECHANICAL SYSTEMS | | | |
| HVAC | | | |
| Package Units | Lennox | Energence | |
| Chillers | Trane | | |
| Controls | Siemens | | |
| Energy Management System | Siemens | | |
| Plumbing | | | |
| Water Closets | - | | No Wall Mounted Water Closets |
| Fittings | Chicago | | |
| Flush Valves | Sloan | | |
| ELECTRICAL SYSTEMS | | | |
| Switchgear | Square D | | |

| System | Manufacturer | Product | Remarks |
|-----------------------------|-------------------|-----------------------|--|
| TECHNOLOGY | | | |
| Hardware | | | |
| Audio Visual Infrastructure | Extron Pole Vault | PVS 400 & Voice Lift | 1 HDMI & 1 PVT RGB D Plus at Teacher Locations & 1 PVT RGB input at front of Classroom |
| Interactive White Board | Polyvision | ENO 28101 A | eno classic 96" |
| Projector | Epson | PowerLite 585W | PowerLite 965 when 585 cannot be used |
| Classroom Speaker/Clock | Atlas | I8SC IP | Speaker w/clock. Enclosure a |
| | | | separate item |
| Outdoor Speaker/Paging | Atlas | IHVP | Vandal & weather resistant IP speaker. Enclosure a separate item |
| Fire Alarm | FCI | E3 series | |
| Security | DMP | XR500N | |
| Telephone | Cisco | IP Phone 7900 Series | |
| Networking | Cisco | T.B.D. | All switches & routers |
| WiFi | Xirrus | XN & XR Series Arrays | |
| | | | |
| | | | |
| SECURITY | | | |
| Motion Detector | Honeywell | DT-7450 | (PIR/Microwave, Wall Mt. 50' x 60' |
| Mounting Bracket | Bosch | B328 | Swivel Mount (DT-7450 & 6155N) |
| Siren | ATW (Mascon) | PR-DS50PW | 15 Watt, 5", 2 Tone, 6-12VDC, White |
| | | | |
| | | | |

12. CONSENT CALENDAR

12.1 Approval of “A” and “B” Warrant

CURRENT CONSIDERATIONS: “A” and “B” warrants released in October, 2014 are submitted for approval. “A” warrants totaled \$2,546,367.22. “B” warrants totaled \$1,800,630.55

FINANCIAL IMPLICATIONS: Warrants were issued as stated.

SUPERINTENDENT’S RECOMMENDATION: Approve “A” and “B” warrants for October, 2014 as presented.

This list represents the "A" and "B" warrants released during the month of October **2014**
The "A" and "B" warrant registers are available in the business office for your review.

RECOMMENDED ACTION: Approve "A" and "B" warrants as presented.

"A" WARRANTS

| <u>Type of Payroll</u> | <u>Amount</u> |
|----------------------------|-----------------------|
| End of month certificated | \$1,804,512.58 |
| End of month classified | \$581,048.21 |
| 10th of month certificated | \$75,687.89 |
| 10th of month classified | \$85,118.54 |
| Total "A" Warrants | \$2,546,367.22 |

"B" WARRANTS

| Register Number | <u>Amount</u> |
|------------------------|---------------|
| 54 | \$4,229.62 |
| 55 | Sept |
| 56 | \$22,434.71 |
| 57 | \$46,860.50 |
| 58 | \$138,215.43 |
| 59 | Food Service |
| 60 | Sept |
| 61 | Food Service |
| 62 | \$39,827.72 |
| 63 | \$989.70 |
| 64 | \$118,718.95 |
| 65 | \$22,481.44 |
| 66 | \$44,514.03 |
| 67 | \$12,454.55 |
| 68 | \$95,584.85 |
| 69 | \$15,270.00 |
| 70 | \$1,197.53 |
| 71 | \$27,487.25 |
| 72 | \$14,236.76 |
| 73 | \$53,480.84 |
| 74 | Food Service |
| 75 | Food Service |
| 76 | \$4,511.88 |
| 77 | \$10,312.00 |
| 78 | \$44,670.46 |
| 79 | \$1,006.01 |
| 80 | \$5,860.14 |
| 81 | \$10,093.56 |
| 82 | Food Service |
| 83 | \$11,973.40 |

| | |
|----|--------------|
| 84 | \$530,261.05 |
| 85 | \$112,809.97 |
| 86 | \$2,564.05 |
| 87 | \$133,915.00 |
| 88 | Nov |
| 89 | Food Service |
| 90 | \$202,922.22 |
| 91 | Nov |
| 92 | \$71,746.93 |

| | |
|---------------------------|-----------------------|
| Total "B" Warrants | \$1,800,630.55 |
|---------------------------|-----------------------|

12. CONSENT CALENDAR

12.2 Approval of Recommendations for Expulsion, Expulsion Case #03 1415

BACKGROUND INFORMATION: Education code requires the board to take final action on recommendations for expulsion.

CURRENT CONSIDERATIONS: Board approval is requested for the following expulsion case:

Expulsion Case #03 1415: As stated in a stipulated expulsion agreement, student is expelled for the remainder of the 2014-15 fall semester and the 2014-15 spring semester, however, suspending the spring semester allowing student to enroll in a SSUSD school under a behavior contract. During the term of expulsion, the student will receive home instruction.

FINANCIAL CONSIDERATIONS: None.

SUPERINTENDENT'S RECOMMENDATION: Approve the recommendation for expulsion, Expulsion Case #03 1415 as presented.