

**CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

**February 21, 2007**

**Board Workshop – 5:30 p.m.**

**Regular Session – 7:00 p.m.**

**Chico City Council Chambers**

**421 Main Street, Chico, CA 95928**

**1. CALL TO ORDER**

1.1 Welcome to Visitors

1.2 Flag Salute

**2. BOARD WORKSHOP – 5:30 p.m. – City Council Chambers**

2.1 Review of Materials and Information Obtained at CSBA Conference in November 2006.

**3. STUDENT REPORTS**

**4. SUPERINTENDENT'S REPORT**

**5. CONSENT CALENDAR**

**A. GENERAL**

1. Consider approval of minutes for regular meeting on 01/17/07 and special meeting/workshop on 02/06/07.
2. Consider approval of donations.

**B. EDUCATIONAL SERVICES**

1. Consider approval of student expulsions under the following ID's: #18658, #29364, #34504, #35719, #57056, #57080 and #61273, #61398, and #63659.
2. Consider Requests to Enroll at CUSD from non-district students under the following ID's: #50678 and #64127.
3. Consider approval of Field Trip Request by Parkview Elementary to visit a Gold Rush Simulation at Sausalito, CA on 04/13/07.
4. Consider approval of Field Trip Request by Chico High School Acapella Choir to visit New York City for various singing, cultural and historical touring on 30/29/07 – 04/03/07.
5. Consider approval of Field Trip Request by PVHS Athletics to attend a baseball tournament in Tucson, AZ from 03/07/07 – 03/10/07.
6. Consider approval of Fund Raising Request by Shasta Elementary to hold a Jog-a-Thon on 03/30/07.
7. Consider approval of Field Trip Request by PVHS culinary students to attend a state finals culinary competition in Pomona from 03/10/07 – 03/04/07.
8. Consider approval of Field Trip Request by PVHS Fellowship of Christian Athletes Club to visit Yosemite from 03/09/07 – 03/11/07.
9. Consider approval of Field Trip Request by Shasta, Marigold & Chapman 6<sup>th</sup> graders to attend Woodleaf Outdoor Camp from 04/10/07 – 04/13/07.
10. Consider approval of Field Trip Request by Hooker Oak 7<sup>th</sup> & 8<sup>th</sup> grade OSC to visit Yosemite National Park from 05/15/07 – 05/17/07.
11. Consider approval of Fund Raising Request from Hooker Oak to hold dinner/auction 3/24/07.
12. Consider approval of Field Trip Request from McManus 5 graders to visit Monterey, CA from 05/08/07 – 05/11/07.

13. Consider approval of Field Trip Request from CHS Friday Night Live Club to attend leadership conference at Richardson Springs from 03/08/07 – 03/10/07.
14. Consider approval of Field Trip Request from PVHS Yearbook class to visit Denver, CO, for the National Journalism Education Assoc. Convention from 04/12/07 – 04/15/07.
15. Consider approval of Part II of the Consolidated Application for Funding Categorical Aid Programs.
16. Consider approval of Fund Raising Request from CHS WEST to conduct a penny harvest from 02/22/07 – 04/9/07.

**C. HUMAN RESOURCES**

1. Consider approval of certificated human resources actions.
2. Consider approval of classified human resources actions.

**D. BUSINESS SERVICES**

1. Consider approval of warrants from January 11, 2007 – February 14, 2007.
2. Consider approval of Consultant Agreement in the amount of \$16,560.00, funded by Special Education, for John Alexander to provide individual/family clinical counseling.

**6. DISCUSSION/ACTION CALENDAR**

**A. GENERAL**

1. Vote for a representative to the California School Boards Association Delegate Assembly, representing Sub-region 4-B (Butte County).
2. Public Hearing on George Washington Carver High School Charter Petition as per Education Code §47605. No action required at this time.

**B. EDUCATIONAL SERVICES**

1. Information on School Accountability Report Cards (SARC). Copies are available at the District Office or they can be viewed on our website at [www.chicousd.org](http://www.chicousd.org) by going to each site.
2. Information on Fair View WASC review scheduled for March 12-14, 2007.
3. Information update on Chico junior high schools.
4. 2<sup>nd</sup> reading and consider approval of 5000 Series Policies – Students:
  - #5000 – Concepts & Roles;
  - #5020 – Parent Rights & Responsibilities;
  - #5021 – Noncustodial Parents;
  - #5022 – Student & Family Privacy Rights;
  - #5111 – Admission;
  - #5112.1 – Exemptions from Attendance;
  - #5112.5 – Open Campus;
  - #5113 – Absences & Excuses;
  - #5113.1 – Truancy;
  - #5116 – School Attendance Boundaries;
  - #5116.1 – Intradistrict Open Enrollment;
  - #5117 – Interdistrict Attendance;
  - #5117.1 – Interdistrict Attendance Agreements;
  - #5119 – Students Expelled from Other Districts;
  - #5121 – Grades/Evaluation of Student Achievement;
  - #5123 – Promotion/Acceleration/Retention;
  - #5125 – Student Records;
  - #5125.1 – Release of Directory Information;

- #5127 – Graduation Ceremonies & Activities;
- #5131 – Conduct;
- #5131.1 – Bus Conduct;
- #5131.4 – Student Disturbances;
- #5131.5 – Vandalism, Theft & Graffiti;
- #5131.6 – Alcohol & Other Drugs;
- #5131.62 – Tobacco;
- #5131.63 – Steroids;
- #5131.7 – Weapons & Dangerous Instruments;
- #5131.9 – Academic Honesty;
- #5132 – Dress & Grooming;
- #5136 – Gangs;
- #5137 – Positive School Climate;
- #5138 – Conflict Resolution/Peer Mediation;
- #5141 – Health Care & Emergencies;
- #5141.1 – Accidents;
- #5141.21 – Administering Medication & Monitoring Health Conditions;
- #5141.22 – Infectious Diseases;
- #5141.24 – Specialized Health Care Services;
- #5141.26 – Tuberculosis Testing;
- #5141.3 – Health Examinations;
- #5141.31 – Immunizations;
- #5141.33 – Head Lice;
- #5141.4 – Child Abuse Prevention & Reporting;
- #5141.6 – Student Health & Social Services;
- #5142.1 – Identification & Reporting of Missing Children;
- #5144 – Discipline;
- #5144.1 – Suspension & Expulsion/Due Process;
- #5145.11 – Questioning & Apprehension;
- #5145.12 – Search & Seizure;
- #5145.2 – Freedom of Speech/Expression;
- #5145.3 – Nondiscrimination/Harassment;
- #5145.6 – Parental Notifications;
- #5145.8 – Refusal to Harm or Destroy Animals;
- #5145.9 – Hate Motivated Behavior;
- #5146 – Married/Pregnant/Parenting Students.
- 5. 1<sup>st</sup> reading of Board Policy #5148.2 – Before/After School Programs.
- C. HUMAN RESOURCES
  - 1. Consider approval of Resolution #982-07: Elimination of Classified Services.
  - 2. Consider approval of Variable Waiver for Carla Feulner.
- D. BUSINESS SERVICES
  - 1. Consider approval of 2005/2006 Independent Audit Report.
  - 2. Consider approval of Loma Vista Classroom Addition.
  - 3. Consider approval of 2007/2008 CUSD Student Housing Recommendations.
  - 4. Consider approval of Architectural Agreement for PVHS Performing Arts Center.

**7. ITEMS FROM THE FLOOR****8. ANNOUNCEMENTS**

**9. CLOSED SESSION**

**9.1. Conference with Legal Counsel: Anticipated Litigation or Significant Exposure to Litigation; Government Code section 54956.9(b) One Potential Case**

**Representatives:**

Chet Francisco, Superintendent  
Bob Feaster, Assistant Superintendent  
Kelly Staley, Assistant Superintendent  
Randy Meeker, Assistant Superintendent  
Counsel: Greg Einhorn, Attorney at Law

**10. ADJOURNMENT**



**MINUTES****1. CLOSED SESSION**

Board Members Present: Rick Rees, Jann Reed, Dr. Kathleen Kaiser, Rick Anderson, Dr. Andrea L. Thompson  
Absent: None

**1.1 Update on Labor Negotiations**

Employee Organizations:

CSEA, Chapter #110

Dr. Chet Francisco, Superintendent

Other Representatives:

Bob Feaster, Assistant Superintendent

Kelly Staley, Assistant Superintendent

Randy Meeker, Assistant Superintendent

**1.2 Conference with Legal Counsel: Anticipated Litigation or Significant Exposure to Litigation; Government Code section 54956.9(b) Two Potential Cases (per Addendum posted 01/16/07)**

Representatives:

Dr. Chet Francisco, Superintendent

Bob Feaster, Assistant Superintendent

Kelly Staley, Assistant Superintendent

Randy Meeker, Assistant Superintendent

Counsel: Greg Einhorn, Attorney at Law

**2. RECONVENE TO REGULAR SESSION**

2.1 Board President Rees called the Regular Session Meeting to Order in the City Council Chambers at 7:04 p.m.

**2.2 Announcements on Closed Session**

Board President Rees announced that the Board had been in closed session since 6:15 p.m. discussing items 1.1 and 1.2 and there were no announcements.

2.3 Board President Rees led the salute to the Flag.

**3. STUDENT REPORTS**

CHS ASB representative, Katie Nathan, provided updates on activities at Chico High School.

PVHS ASB President Oya Ross-Walcott and Ashley Ysasaga, ASB Treasurer, gave an update on events at Pleasant Valley High School.

**4. SUPERINTENDENT'S REPORT**

Superintendent Francisco made the following announcements: Monday, January 22, Jim Trelease, internationally known author and reading advocate would be giving a presentation at CSU, Chico's BMU in the evening. PVHS culinary students were invited to participate in the governor's inaugural event. There will be a board facilities workshop in February covering student growth and facilities, and the Early College program.

Superintendent Francisco welcomed the Egyptian educators visiting CSU, Chico and the Board Meeting.

**5. CONSENT CALENDAR**

At 7:15 p.m., Board President Rees indicated that item 5.B.3 was being pulled for further work and asked if there were any public comments on any consent items or any items to be removed. Nothing further presented, a motion was made by Board Clerk Kaiser and seconded by Board Vice President Reed to approve the Consent Agenda without 5.B.3, as follows:

**A. GENERAL**

1. The Board approved Minutes of Regular Meeting of 12/06/06 and Special Meeting of 12/13/06.
2. The Board approved the items donated to Chico Unified School District.

Donor	Item	Recipient
Soroptimist International	\$500.00	Chapman - 6th Grade Outdoor
Nan Timmons - Soroptimist	CD/Cassette Player w/Remote	Chapman - Kindergarten class
Chico Host Lions Club	\$175.00	Chapman PTA
Butte Literacy Council	\$200.00	Chico Reads/RIF
Chapman PTA	\$600.00	Chico Reads/RIF

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Citrus PTA	\$200.00	Chico Reads/RIF
David & Betty Nopel	\$50.00	Chico Reads/RIF
Dr. Barbara Page	\$100.00	Chico Reads/RIF
J. Caldwell (in memory of Bill Kalberer)	\$50.00	Chico Reads/RIF
Ken Grossman, Sierra Nevada	\$1,000.00	Chico Reads/RIF
Life Touch	\$100.00	Chico Reads/RIF
Parkview PTA	\$200.00	Chico Reads/RIF
Rosedale PTA	\$300.00	Chico Reads/RIF
Skip McDonald	\$100.00	Chico Reads/RIF
Teresa & Cornelius Dunbar	\$30.00	Chico Reads/RIF
Victor & Charlene Fedrizzi	\$100.00	CHS - ACT
Hallmark Shop	Watches	CHS - CPS Holiday Stockings
Marv Brogden	One gross of playing cards	Citrus - Cribbage Club
Larry Moore, Orchard Supply	Goods & Services	Citrus - Garden Project
Merril Stephens	Printer, Scanner, Copier	Citrus - Mrs. Bonifacino's Class
Cohasset PTA	\$433.50	Cohasset - field trips
Soroptimist International	E-Script	Cohasset - white boards for Room 4
Ray & Bette Narbaitz	Cabinet, records, folders, misc.	CUSD - Fine Arts
Butte Community Bank	\$150.00	FVHS - Christmas Dinner
Soroptimist International	\$25.00	FVHS - Grad Night
Soroptimist International	\$500.00	FVHS - Young Parent Program
Jennifer Preston	\$278.00	Hooker Oak - Classroom
Christina Nichols	\$1,000.00	HS - Athletics
Brett Wyer	Miscellaneous	LCC
Steve Velasco	\$192.00	LCC - 1st Grades
Craig Fellner	Costumes, Hats, Closet	McManus
	Dresser/Mirror, Masks & Puppets	McManus
	Computer Monitor	McManus
Dave & Kristi Grissom		McManus - Room 1
Longfellow Lumber	\$125.00	MJHS - Drama
Nancy J. Svec	\$20.00	MJHS - History
PG&E	\$117.00	MJHS - Home Ec
Doborah Hart	\$20.00	MJHS - Home Ec
John M. Buffington	\$20.00	MJHS - Math
PG&E	\$45.00	MJHS - Science
PG&E	\$45.00	MJHS - Science
PG&E	\$117.00	Parkview - 6th gr. Science Camp
Scott Baum - Papa Murphy's	Pizzas	PVHS
PG&E	\$249.00	PVHS
PV Grad Night c/o Ray Block	\$1,000.00	PVHS - ASB Drama
Colin Boggs	\$60.00	PVHS - Girls Tennis
Butte Creek Foundation	\$300.00	PVHS - Library
Amber Enos	22 Books	PVHS - Library
Ann Dempsey	296 Books	PVHS - Library
Charlie Copeland & Sally Foltz	139 Books	PVHS - Library
Linda Elliott	2 Books	PVHS - Library
Linda Elliott	DVD	PVHS - Library
Sue Mieske	19 Books	PVHS - Library
Timothy Kuang	\$20.00 Gift Card	PVHS - Library
Susan Krug	\$20.00	Chico Reads/RIF

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Shasta PTO  
Mike & Debra Humes

20 - 17in Flat Screens  
\$200 Gift Card

Shasta - Classrooms  
Sierra View

## B. EDUCATIONAL SERVICES

1. The Board approved clearing student expulsions with the following ID's: 21467, 21603, 22674, 23767, 24059, 24202, 24962, 25986, 26391, 26770, 29334, 33193, 34270, 34677, 35075, 35549, 25820, 36603, 36619, 36818, 37420, 37505, 39607, 39668, 40975, 50252, 50350, 52905, 53257, 53780, 54106, 54387, 56036, 56371, 56422, 57998, 59305, 59463, 60973, 61202, 61363, and 61846.
2. The Board approved expulsions of students with the following ID's: 25244, 25301, 31904, 33976, 34689, 34719, 34720, 35280, 42892, and 56549.
3. *The Field Trip Request by CHS Acapella Choir was pulled and will be returned at a later date.*
4. The Board approved the Field Trip Request by Bidwell Jr. High to visit Yosemite as an alternative to environmental camp from 05/01/07 – 05/04/07.
5. The Board approved the Fund Raising Request by Sierra View PTA to host a book fair March 12-16, 2007.
6. The Board approved the Fund Raising Request by Sierra View PTA to do a Mathathon fundraising event March 2007.
7. The Board approved the Fund Raising Request by Citrus PTA to host a spaghetti dinner and silent auction February 8, 2007.
8. The Board approved the Fund Raising Request by Chico High School junior class to sell Prom Tickets to fund the prom on April 28, 2007.

## C. HUMAN RESOURCES

1. The Board approved the certificated human resources actions:

Name	Assignment	Effective	Comment
<u>Rescission/Change Leave Request(s) for 2006/07</u>			
Cross, Deidra	Secondary	2 <sup>nd</sup> Semester 2006/07	Rescind .2 FTE of Leave (Work .4 FTE)
Villasenor, Sandra	Counselor	2 <sup>nd</sup> Semester 2006/07	Rescind .2 FTE Leave (Work 1.0 FTE)

Temporary Appointment(s) 2006/07 According to Board Policy

Bowen, Jessica	1.0 FTE School Counselor	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
Muldoon, Kathleen	0.4 FTE School Counselor	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
O'Laughlin, Paula	1.0 FTE School Counselor	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
Roberts, Cathleen	1.0 FTE School Counselor	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
Schwarz, Gwen	1.0 FTE Elementary	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
Simone-Letcher, Victoria	0.2 FTE Elementary	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment
Xiong, Ja Pao	1.0 FTE School Counselor	2 <sup>nd</sup> Semester 2006/07	Temporary Appointment

Change in Employment Status

Wolfsberger, Janelle	.0 FTE Elementary	2006/07	Change to Probationary Status
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Retirement(s)/Resignation(s)

Gustafson, Loretta		December 21, 2006	Resignation
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2. Consider approval of classified human resources actions:

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<u>Name</u>	<u>Class/Location/Assigned Hours</u>	<u>Effective</u>	<u>Comments/Fund</u>
<b><u>Appointments</u></b>			
Anderson, Tyson	IA-Special Education/Chapman/3.0	12/20/06	Vacated Position/ Special Education
Bhojak, Deborah	LT IA-Special Ed/CHS/6.5	11/30/06-02/15/07	New LT Position/ Special Education
Carrell, Kimberley	IA-Elementary Guidance/Shasta/1.0	12/01/06	New Position/ Grant Fund
Grimes, Louis	Campus Supervisor/BJHS/1.0	12/19/06	Vacated Position
La Rosa, Christopher	IPS-Classroom/Rosedale/3.0	11/30/06	Vacated Position/ Special Education
Luger, Rachel	LT IPS-Classroom/Loma Vista/3.0	12/07/06-01/01/07	New LT Position/ Special Education
Olson, Kathryn	IPS-Classroom/Loma Vista/2.0	11/30/06	Vacated Position/ Special Education
Robinson, Mitchell	IPS-Healthcare/Nord/6.0	12/19/06	Vacated Position/ Special Education
Rowntree, Mary	IPS-Classroom/Rosedale/3.5	12/04/06	Vacated Position/ Special Education
Savage, Jonas	Grounds Worker/M & O/8.0	12/06/06	Vacated Position
Schultz, Nathaniel	Computer Technician/Marigold/2.0	12/11/06	Vacated Position/ Categorical Fund
Van Gilder, Jon	LT Computer Technician/Information Services/8.0	12/20/06-05/06/07	New LT Position
Vincent, John	LT Computer Technician/Information Services/8.0	12/20/06-05/06/07	New LT Position
<b><u>Increase in Hours</u></b>			
Baber, Susan	Program Coordinator-Substance Use Prevention & Intervention/CHS/8.0	11/30/06	Existing Position/ Grant & Categorical Funds
Greene, Heather	IPS-Classroom/Loma Vista/3.0	11/30/06	Existing Position/ Special Education
Machado, Mary	Transportation Special Education Aide/Transportation/4.2	10/05/06	Existing Position/ Special Education
Mosher, Abraham	IPS-Healthcare/CHS/7.0	12/15/06	Existing Position/ Special Education
<b><u>Voluntary Reduction in Hours</u></b>			
Grimes, Louis	Campus Supervisor/BJHS/1.8	01/08/07	Vacated Position
Inserra, Mary	IA-Multicultural/FVHS/6.0	01/08/07	Existing Position/ Categorical Fund
Reise, Marcy	Parent Classroom Aide-Restr/Emma Wilson/2.0	01/08/07	Existing Position/ Categorical Fund
<b><u>Reclassification</u></b>			
Cooper, Brenda	School Bus Driver-Type 2/Transportation/7.3	12/01/06	Existing Position
<b><u>Promotion</u></b>			
Bingham, Tuolumne	Sr Custodian/M & O-District Office/8.0	12/18/06	Vacated Position
Spainhower, Dale	Grounds Worker/M & O/8.0	12/06/06	Vacated Position
Leave of Absence			
Gonzalez, Nelly	IA-Bilingual/Chapman/5.0	01/17/07-06/04/07	Per CBA 5.12
Heinly-Cullen, Kay	IPS-Classroom/Shasta/6.0	11/07-12/03/06 & 12/19/06-01/05/07	Corrected LOA Dates
Schutz Fort, Emma	IPS-Healthcare/Loma Vista/3.0	11/01/06-01/05/07	Per CBA 5.12

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Tatom, Judy	IPS-Classroom/Loma Vista/1.0	08/15/06-12/21/06	Per CBA 5.12
Layoff to Re-employment			
Baird, Keven	Sr Equipment Mechanic/Transportation/8.0	01/04/07	LOA Expired to 39-Month Re-employment List
Van Camp, Cindy	Sr Office Assistant/Ed Svcs/8.0	11/29/06	LOA Expired to 39-Month Re-employment List

Resignations

## Resigned Only Position Listed

Baber, Susan	Program Coordinator-Substance Use Prevention & Intervention/CHS/6.4	11/29/06	Increase in Hours
Bingham, Tuolumne	Custodian/PVHS/8.0	12/17/06	Promotion
Cooper, Brenda	Passenger Van Driver/Transportation/7.3	11/30/06	Reclassification
Greene, Heather	IPS-Classroom/Loma Vista/2.0	11/29/06	Increase in Hours
Grimes, Louis	Campus Supervisor/CJHS/2.0	01/07/07	Voluntary Reduction in Hours
LaRosa, Christopher	LT IPS-Classroom/Rosedale/6.0	11/29/06	Voluntary Resignation
Machado, Mary	Transportation Special Education Aide/ Transportation/1.6	10/04/06	Increase in Hours
Spainhower, Dale	Custodian/Emma Wilson- Rosedale/8.0	12/05/06	Promotion
Resignation/Termination			
Berg, Katie	IPS-Healthcare/Loma Vista/3.0	01/19/07	Voluntary Resignation
Copper, Joseph	Grounds Worker/M & O/8.0	10/10/06	Auto Resignation
Employee Holding Position #219248	IPS-Healthcare/Parkview/3.5	12/11/06	Released During Probationary Period
Employee Holding Position #407037	IPS-Healthcare/Parkview/3.0	12/11/06	Released During Probationary Period
Kniffen, Brian	IA-Special Education/Chapman/3.0	12/08/06	Voluntary Resignation
Nguyen, Kathie	IPS-Healthcare/Hooker Oak/4.0	01/06/07	Voluntary Resignation
Ross, Eileen	Parent Classroom Aide- Restr/Rosedale/2.0	11/08/06	Voluntary Resignation

## D. BUSINESS SERVICES

1. The Board approved warrants from November 30 – January 10, 2006, as follows:

FUND #:	FUND DESCRIPTION:	WARRANT #S:	AMOUNT
01	General Fund	341047-341378	\$749,529.47
13	Nutrition Services	341028-341045	\$56,288.56
13	Nutrition Services	341379-341380	\$52.53
14	Deferred Maintenance	341381-341383	\$20,235.67
25	Capital Facilities FD - State CAP	341384	\$71,373.00
29	BLDG FD - 1988 Ser. C - INT	341385-341386	\$867.56
35	County School Facility Fund	341387-341391	\$39,402.55
42	Special Reserve - RDA City Pass Thru	341392-341394	\$96,033.01

## TOTAL WARRANTS TO BE APPROVED:

\$1,033,782.35

2. The Board approved the Consultant Agreement with Butte County Office of Education to provide sign language interpreters at \$2,962.24 funded by SpEd-DIS Programs at various sites according to IEP requirements.
3. The Board approved the Consultant Agreement with Creative Spirit LLC to provide site staff training on healthy play for \$17,500.00 at Chapman, McManus, and Shasta funded by Early Mental Health Initiative grant.
4. The Board approved the Consultant Agreement with Club-Z In Home Tutoring Service to provide tutoring for

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- \$18,900.00 under NCLB funded by District Title I.
5. The Board approved the Consultant Agreement with Boys & Girls Club to provide tutoring for \$23,712.00 under NCLB funded by District Title I.
  6. The Board approved the Consultant Agreement with Kumon Math & Reading Learning Center to provide tutoring for \$19,550.00 under NCLB funded by District Title I.
  7. The Board approved the Consultant Agreement with Professional Tutors of America to provide tutoring for \$5,040.00 under NCLB funded by District Title I.
  8. The Board approved the Notice of Completion of Science Classroom Modernization at Bidwell Jr. High School.
  9. The Board approved the Notice of Completion of bleacher replacements at Bidwell and Chico junior high schools.
  10. The Board approved the declaration of surplus property and directed staff to dispose of property pursuant to the methods set forth in the declaration.

(Consent Agenda Vote)

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

6. **DISCUSSION/ACTION CALENDAR**

A. **EDUCATIONAL SERVICES**

1. Board President Rees announced that Board Member Anderson would introduce Resolution #978-07: Fix the No Child Left Behind Act, and also that Board Member Anderson had been recently elected to the CSBA Board of Directors. Board Member Anderson reviewed the need for the Resolution, read it in its entirety, and encouraged the general public to seek from their representatives passage of House Resolution 5907 which addresses concerns in NCLB. At 7:24 p.m., Board President Rees ask for public comment. There being none, a motion was made by Board Vice President Reed and seconded by Board Clerk Kaiser to approve Resolution #987-07: Fix the No Child Left Behind Act.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

2. *Board President Rees announced that information on the Fair View WASC review had been pulled and would be presented at a later meeting.*
3. Sara Simmons, Director, and Teacher Robert Quist provided information and an update on CUSD's College Connection Program, now in its 12<sup>th</sup> year, and requested that the Board approve expanding the program to double its size. At 7:34 p.m. Board President Rees asked for public comment. There was none. A motion was made by Board Member Anderson and seconded by Board Clerk Kaiser to approve expansion of the College Connection Program to double its current size.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

4. Assistant Superintendent Staley reviewed with the Board the need for accurate, up-to-date policies and announced that Policy #5131.61 – Drug Testing would be pulled. This was the 1<sup>st</sup> reading of 5000 Series Policies – Students: #5000 – Concepts & Roles; #5020 – Parent Rights & Responsibilities; #5021 – Noncustodial Parents; #5022 – Student & Family Privacy Rights; #5111 – Admission; #5112.1 – Exemptions from Attendance; #5112.5 – Open Campus; #5113 – Absences & Excuses; #5113.1 – Truancy; #5116 – School Attendance Boundaries; #5116.1 – Intradistrict Open Enrollment; #5117 – Interdistrict Attendance; #5117.1 – Interdistrict Attendance Agreements; #5119 – Students Expelled from Other Districts; #5121 – Grades/Evaluation of Student Achievement; #5123 – Promotion/Acceleration/Retention; #5125 – Student Records; #5125.1 – Release of Directory Information; #5127 – Graduation Ceremonies & Activities; #5131 – Conduct; #5131.1 – Bus Conduct; #5131.4 – Student Disturbances; #5131.5 – Vandalism, Theft & Graffiti; #5131.6 – Alcohol & Other Drugs; #5131.62 – Tobacco; #5131.63 – Steroids; #5131.7 – Weapons & Dangerous Instruments; #5131.9 – Academic Honesty; #5132 – Dress & Grooming; #5136 – Gangs; #5137 – Positive School Climate; #5138 – Conflict Resolution/Peer Mediation; #5141 – Health Care & Emergencies; #5141.1 – Accidents; #5141.21 – Administering Medication & Monitoring Health Conditions; #5141.22 – Infectious Diseases; #5141.24 – Specialized Health Care Services; #5141.26 – Tuberculosis Testing; #5141.3 – Health Examinations; #5141.31 – Immunizations;

## MINUTES

#5141.33 – Head Lice; #5141.4 – Child Abuse Prevention & Reporting; #5141.6 – Student Health & Social Services; #5142.1 – Identification & Reporting of Missing Children; #5144 – Discipline; #5144.1 – Suspension & Expulsion/Due Process; #5145.11 – Questioning & Apprehension; #5145.12 – Search & Seizure; #5145.2 – Freedom of Speech/Expression; #5145.3 – Nondiscrimination/Harassment; #5145.6 – Parental Notifications; #5145.8 – Refusal to Harm or Destroy Animals; #5145.9 – Hate Motivated Behavior; #5146 – Married/Pregnant/Parenting Students. This was an information only item, and no action was required.

## B. BUSINESS SERVICES

1. Facilities Planning & Construction Supervisor Mike Weissenborn reviewed the steps used in compiling the Developer Fee Report for 2005-06 and the Government Code requiring this update and accounting on collection and use, and asked that the Board consider approval of Resolution #977-07: Annual Developer Fee Report. At 8:15 p.m., Board President Rees asked for public comment. There being none, a motion was made by Board Member Anderson and seconded by Board Vice President Reed to approve Resolution #977-07.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

2. Assistant Superintendent Meeker reviewed the housekeeping changes suggested for the NCSIG Bylaws and JPA Agreement to improve understanding and consistency. He requested that the Board consider approval of Resolution #979-07: Amend Joint Powers Agreement and Bylaws of Northern California School Insurance Group (NCSIG). At 8:17 p.m., Board President Rees asked for public comment. There was none. A motion was made by Board Vice President Reed and seconded by Board Member Thompson to approved Resolution #979-07.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

3. Fiscal Services Director Scott Jones presented the need for CSBA recommended updates to the 3000 series and asked for approval. Board President Rees indicated that due to the need to work through these policies, he would like to ask the Board for a motion and a second on the table to approve the entire #3000 Series as an action item and then address each policy individually to determine if an amendment would be made. He affirmed that any of the following policies could be revisited by the Board at any future meeting.

A motion was made by Board Member Anderson and seconded by Board Vice President Reed to approve the 2<sup>nd</sup> reading and approval of the #3000 series, with amendments, as follows:

Business and Noninstructional Operations:

#3100 – Budget (no amendments);  
#3260 - Fees and Charges (no amendments);  
#3270 – Sale & Disposal of Books, Equipment and Supplies (no amendments);  
#3280 - Sales, Lease, Rental of District-Owned Real Property (no amendments);  
#3290 - Gifts, Grants and Bequests, *with the amendment that the following line be eliminated in the fifth paragraph, "Donors are encouraged to donate all gifts to the District rather than to a particular school."*;  
#3300 – Expenditures & Purchases (no amendments);  
#3311 – Bids (no amendments);  
#3312 – Contracts (no amendments);  
#3314 – Payments for Goods & Services (no amendments);  
#3314.2 – Revolving Funds (no amendments);  
#3320 – Claims & Actions Against the District (no amendments);  
#3350 – Travel Expenses (no amendments);  
#3400 – Management of District Assets/Accounts (no amendments);  
#3430 – Investing; #3452 – Student Activity Funds (no amendments);  
#3460 – Financial Reports & Accountability (no amendments); and  
#3580 – District Records; and #3600 – Consultants (no amendments).

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

**MINUTES**

4. Board President Rees asked that the same procedure as above be used for the 7000 - Facilities Series. A motion was made by Board Clerk Kaiser and seconded by Board Vice President Reed to approve the 2<sup>nd</sup> reading and approval of the #7000 series, with amendments, as follows:

#7000 – Concepts and Roles (no amendments);  
#7110 – Facilities Master Plan (no amendments);  
#7131 – Relations with Local Agencies (no amendments);  
#7140 – Architectural and Engineering Services (no amendments);  
#7150 – Site Selection and Development (no amendments);  
#7210 – Facilities Financing (no amendments);  
#7211 – Developer Fees (no amendments);  
#7214 – General Obligation Bonds (no amendments); and  
#7310 – Naming of Facility (no amendments).

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

5. Facilities Planning & Construction Supervisor Mike Weissenborn reviewed the request to authorize Assistant Superintendent – Business Services to proceed with the development of construction documents and secure approval plans from DSA for permanent restrooms at Chico Junior and to put the project out to bid in accordance with the Public Contract Code. After receiving Board approval at an earlier meeting for relocatable restrooms, further research showed that this was not the best option. Replacing the current restrooms with permanent construction was determined to be optimum. A motion was made by Board Clerk Kaiser and seconded by Board Vice President Reed to approve proceeding with the steps necessary to build permanent restrooms at Chico Junior.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

C. **HUMAN RESOURCES**

1. Assistant Superintendent Feaster presented information on Resolution #980-07: Offering two years of additional service credit for STRS. This was part of the recent negotiations agreement with CUTA, which the Board approved on December 6, 2006. Board President Rees asked for public comment at 9:24 p.m. There being none, a motion was made by Board Clerk Kaiser and seconded by Board Member Anderson to approved Resolution #980-07.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

2. Assistant Superintendent Feaster reviewed #981-07: Offering two years of additional service credit for certificated staff in PERS, in a PUBLIC HEARING which included financial disclosure, a requirement for PERS additional service credits. Board President Rees asked for public comment at 9:28 p.m. There was none. A motion was made by Board Member Anderson and seconded by Board Vice President Reed to approve Resolution #981-07.

AYES: Rees, Reed, Kaiser, Anderson, Thompson

NOES: None

7. **ITEMS FROM THE FLOOR**

At 9:28 p.m. Board President Rees asked if there were any members of the public who wished to speak to the Board. There were none; Board President Rees closed the public forum.

8. **ANNOUNCEMENTS**

Board Vice President Reed announced that tickets were on sale at Chico High School for the Chico Education Hall of Fame dinner on March 14, 2007. This year's honorees are: Roque Santos, Kristen Lucena, Marilyn Gammett, Bernie Vigallon, Kathy Jones and Randy Gilzean.

9. **CLOSED SESSION**

At 9:35 p.m. Board President Rees adjourned regular session and announced that the Board would be returning to



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MINUTES

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Closed Session with the same parties to discuss items 1.1 and 1.2, as noted above.

**10. ADJOURNMENT**

At 10:13 p.m. the Board reconvened, there were no announcements and the meeting was adjourned.

:mga

APPROVED:

\_\_\_\_\_  
Board of Education

\_\_\_\_\_  
Administration

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MINUTES

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**1. CALL TO ORDER**

Board President Rees called the Special Session Facilities Workshop to Order in the Large Conference Room at the CUSD District Office, 1163 E. 7<sup>th</sup> Street, Chico, CA 95928, at 4:01 p.m.

Present: Rick Rees, Jann Reed, Dr. Kathleen Kaiser, Rick Anderson, Dr. Andrea L. Thompson,  
Dr. Chet M. Francisco, Superintendent

**2. SCHOOL FACILITIES BOARD WORKSHOP**

The Board received information from Cheryl King, JM King Associates, on the 10-year enrollment projections for CUSD. Ms. King projected that schools in North Chico could be significantly impacted by 2011/2012. Facilities Planning/Construction Supervisor Mike Weissenborn indicated that Facilities would be bringing the annual Student Housing report to the Board at the next regular meeting. The Board received information on facility needs and priorities at the Senior High Schools, as well as the costs of modernization. Director Sara Simmons presented information on the Early College program and the plan to bring an MOU to the Board at the next regular meeting in order to proceed with the next step in the development of this program. Possible funding sources were identified in the presentation, as well as staff recommendations on projects, which included: early college program with Butte College at a cost of \$4.8 million funded by developer fees; performing arts center at PVHS at a cost of \$7.3 million funded by developer fees; and the replacement of older relocatables at CHS at a cost of \$9.8 million funded by Measure A Bonds already issued. This was an information only meeting, no action was required.

**3. ADJOURNMENT**

Board President Rees adjourned the workshop at 7:14 p.m.

imga

APPROVED:

\_\_\_\_\_  
Board of Education

\_\_\_\_\_  
Administration

**DONATIONS/GIFTS**

<u>Donor</u>	<u>Item</u>	<u>Recipient</u>
Heather & Michael Ricks	\$35.00	BJHS - ADA
James Voss	\$50.00	BJHS - Team Grizzly
Jeanne Woodbury	2 Mosaic Glass Nippers	CHS - Art
Jill McKay	2 Bags of Art Books	CHS - Art
Colby Barr	\$25 Gift Certificate	CHS - Empty Bowls
Brigitta & Matt Brewster	\$20.00	CJHS - Art
Kenneth & Jeanne Castleman	\$50.00	CJHS - Art
Therese & Robert Stansbury	\$25.00	CJHS - Art
Darin & Kristen Wilson	\$20.00	CJHS - Library
Bill & Jenn Flory	Trumpet, Music Book & Stand	CJHS - Music
Jace & Melissa Herbert	\$50.00	CJHS - Music
Julie & Albert Danan	\$25.00	CJHS - Music
Kathryn Stillman	\$25.00	CJHS - Music
Nicole Lagrave	\$10.00	CJHS - Music
Robin Azevedo	\$50.00	CJHS - Music
Sierra Nevada Brewery	\$450.00	CJHS - Music
Terri & Mark Stemen	\$20.00	CJHS - Music
NVCF	\$3,500.00	CJHS. - Outdoor Adventure
California Waterfowl Assn.	\$500.00	CJHS. - Science
Lynn Thornton	\$150.00	Cohasset - Music
Emma Wilson PTA	\$20,280.05	Emma Wilson
Emma Wilson PTA	\$174.25	Emma Wilson - CD Copiers
Chico Sports Club	35 Exercise Mats	Fair View - PE
Craig & Kim Stilwell	\$500.00	Little Chico Creek - 6th Grades
Courtney & Debra Calkins	Monitor, Keyboard & Mouse	Marigold - Mrs. Moore's class
Marigold PTA	\$3,129.16	Marigold - Office Remodel
John McManus PTA	\$6,331.93	McManus - Classrooms
Lisa Dickenson	\$200.00	MJHS - Home Ec
Karen Starkey	\$100.00	MJHS - Music
NVCF - Collin Sweeney Memorial	\$2,000.00	PVHS - Athletics - Boys Basketball
Chico Running Club	\$1,177.00	PVHS - Athletics - Cross Country
First Responder EMS, Inc.	\$750.00	PVHS - Athletics - Girls Basketball
Liberty School Services	\$623.69	PVHS - Athletics - Girls Golf
Guy Rents	Nissan Electric Forklift	PVHS - Industrial Tech
Linda Elliott	10 Books	PVHS - Library
Linda Elliott	2 Hardback & 2 MM Books	PVHS - Library
Sarah Clarke	3 Books	PVHS - Library
McManus PTA	\$600.00	RIF - Chico Reads
Gary Fowler & Elizabeth Sandbach	Storage Unit	Shasta
Shasta PTO	\$25,109.59	Shasta
Shasta PTO	\$386.10 Price Discount on	Shasta
Shasta PTO	20 Flat Screen Monitors	Shasta
Shasta PTO	Dell Computer	Shasta - Office

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: Simulation Tour for Explorers/Gold Rush

Prepared by: Rachel Tadeo

- ☒ Consent  
☐ Information Only  
☐ Discussion/Action

Board Date: 02/21/07

Background Information

I have organized this field trip for the past 8 years. Students will study life on a big ship as an explorer and traveler to California during the Gold Rush. While on the boat, students will experience the jobs and duties conducted on these vessels during the voyage. The voyage is a 3 hour sailing experience in Sausalito, CA.

Education Implications

Students will experience first hand the various jobs on a galleon ship. They will steer, lift sails, map routes, write diaries and chart their travel from Europe to California.

Fiscal Implications

Parents donations

Additional Information

DO Recommendation: \_\_\_\_\_

## CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street

Chico, CA 95928-5999

(530) 891-3000

5.B.3

Page 2 of 2

## FIELD TRIP REQUEST

TO: CUSD Board of Education

Date: 1/8/07

FROM: Rachel Tadeo

School/Dept.: Parkview Elementary

SUBJECT: Field Trip Request

Request is for 4th Gr. Immersion Rm. 16 - Tadeo Parkview  
(grade/class/group)

Destination: Sausalito, Ca. Activity: Gold Rush Simulation

from 4/13/07 / 6:30 am to 4/13/07 / 9:00 pm  
(dates) / (times) (dates) / (times)

Rationale for Trip: Students will experience life as an early explorer on a tall ship. They will spend 3 hrs. mapping, lifting sails and experiencing the daily chores as an explorer during gold rush.

Number of Students Attending: 35 Teachers Attending: 2 Parents Attending: 10

Student/Adult Ratio: 3:1

Transportation: Private Cars \_\_\_\_\_ CUSD Bus ☒ Charter Bus Name \_\_\_\_\_  
Other: \_\_\_\_\_

All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.

## ESTIMATED EXPENSES:

Fees \$ 1225- Substitute Costs \$ 0 Meals \$ 0

Lodging \$ 0 Transportation \$ 0 Other Costs \$ 0

## ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name Rachel Tadeo Acct. #: 01-0000-0-1342-4900 \$

Name \_\_\_\_\_ Acct. #: \_\_\_\_\_ \$

Rachel Tadeo  
Requesting Party1/8/07  
DateL. Capen  
Site Principal1-10-07  
Date
☒ Approve/Minor ☐ Do not Approve/Minor  
 or  
☒ Recommend/Major ☐ Not Recommended/Major  
 (If transporting by bus or Charter)
Bryan J. O'Leary  
Director of Transportation1/16/07  
Date

## IF MAJOR FIELD TRIP

W. Alan Hays  
Director of Educational Services1-17-07  
Date
☒ Recommend ☐ Not Recommended  
☐ Approved ☐ Not Approved

Board Action

Date

# **Chico Unified School District**

**Educational Services - Elementary Education**  
(530) 891-3000 x137

**TITLE:** FIELD TRIP REQUEST - CHS Acapella Choir

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Prepared by Mary Lou Lim

## **Background Information:**

The Chico High Acapella Choir has traveled extensively in the last several years, and it has been beneficial to the life of the group. The community has become involved with the fund raising efforts, and it has been advantageous to Chico High School and to the community to be in partnership in fund raising projects of this nature. This year I felt it would be a good thing to take the choir to New York City. I wanted the choir to work together on a common project, with a goal to reach that would challenge them both musically and as young people learning about life. When a choir works together in this way, they also sing better together. There is greater unity, and it is more fun, as well as more rewarding to be a part of the group.

## **Educational Implications:**

The purpose of the trip is to take learning from the classroom and connect it with the real thing...Ellis Island, Broadway, the art at the Met, Wall Street...and allow the students to be involved in it and experience it first hand. The music we sing spans hundreds of years in time, and reflects the styles and languages of many cultures. We will be learning and performing music that will connect with what we are seeing and experiencing.

Stephanie Starmer, one of our chaperones, teaches humanities here at CHS, and the students will see works of art they have learned about in this class. I believe it is very important to approach music and the other areas of the arts simultaneously. Because of the history this choir has of going on trips, I wanted to take them to a place where they could experience a very broad range of cultures and have many experiences in different areas of the arts. For this reason, I selected New York City.

I believe the experience of singing in the St. Paul's Chapel, at the site of Ground Zero, will impact them deeply. We will be doing a 40 minute concert there. I believe going to the Metropolitan Museum of Art and to the Guggenheim Museum will open them up to art in a profound way. This will also deepen their understanding and appreciation of the music they are singing. We are also arranging a concert at St. John's Divine Cathedral. We will sing at the Statue of Liberty and in any other place we are allowed to sing. The students will grow as people through giving something of themselves away as they sing. We will also visit the Julliard School of Music, Dance and Drama, as well as have a tour of NYU, led by a Chico girl, Katie Babb, who is going to school there. We will attend one Broadway musical together, and will attend others as we can get tickets. Attached is

# **Chico Unified School District**

## **Educational Services - Elementary Education**

(530) 891-3000 x137

a comprehensive list of the places we are planning to visit and tour. I anticipate that other opportunities will come as we move closer to going, and as we are there.

### **Fiscal Implications:**

We are raising the necessary funds for this trip through different fundraisers, mostly involving the students and singing. Attached is a form stating to the parents we need to raise \$55,674 to send 41 students through fundraising and donations. Education code permits the school to collect student fees for field trips on a voluntary basis provided the trip is not during school time (weekend, holidays and breaks). This trip is scheduled over the Spring Break. All money raised will go towards funding all 41 students' trip. At this time, 41/43 students in the choir are planning to go on the trip. There are an additional 10 chaperones that will be attending. The cost of the chaperones is \$10,068 and will be paid by each individual chaperone. The total cost of the trip will be approximately \$65,742, which includes everything but personal incidentals and shopping. We currently have \$32,932 available for this trip (including \$10,068 paid for by the chaperones) leaving approximately \$32,810 yet to be raised. The following fundraisers are planned through March 2007:

Coupon Book -	\$10,000
Talent Show -	\$4,200
International Dinner -	\$4,500
Silent Auction -	\$3,000
Valentine's Day -	\$500
Coffee -	\$1,000
Phone Campaign -	\$2,000
T-Shirt -	\$1,500
Baskin Robins -	\$500

**TOTAL** **\$27,200**

We anticipate some parents/students will contribute to the cost of the trip as permitted by Education Code to complete total fundraising requirements of this trip. Should the necessary funds not be raised by the March 9, 2007 all contributions by parents will be returned in full.

### **Additional Information:**

The travel company we will be using is called Student Adventure Tours. They are committed to working with us and will accept payments as we have money. We have until March 9, 2007 to pay all funds. If, by March 9, 2007, we are unable to raise the needed funds to go on the trip, we will refund any parent donations given directly by parent check. The remaining funds will go into our ASB account, earmarked for a future trip. All money we raise is going into our ASB account.

### **Recommendation:**

I recommend approval of the proposed field trip.

Reviewed: *V. Staley* 2-1-07

## CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.4

Page 3 of 5

## FIELD TRIP REQUEST

TO: CUSD Board of Education

Date: 2/1/07FROM: Mary Lou LimSchool/Dept.: Chico High School

SUBJECT: Field Trip Request

Request is for Chico High School Acapella Choir

(grade/class/group)

Destination: New York CityActivity: singing, cultural & historical  
touringfrom 3/29/07 / 7:00 a.m.  
(dates) / (times)to 4/3/07 / 11:30 p.m.  
(dates) / (times)Rationale for Trip: please see attachedNumber of Students Attending: 41 Teachers Attending: 2 Parents Attending: 9Student/Adult Ratio: 4:1Transportation: Private Cars to airport CUSD Bus \_\_\_\_\_ Charter Bus Name \_\_\_\_\_Other: Airline to NYC**All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.**

## ESTIMATED EXPENSES:

Fees \$ \_\_\_\_\_ Substitute Costs \$ \_\_\_\_\_ Meals \$ 250 eachLodging \$ 350 each Transportation \$ 450 each Other Costs \$ 300 each

## ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name ASB Choral Music Acct. #: \_\_\_\_\_ \$ 63,000

Name \_\_\_\_\_ Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_

Mary Lou Lim  
Requesting Party2-1-07  
DateJim Hamlor  
Site Principal2/1/07  
Date

Approve/Minor



Do not Approve/Minor

or

or

Recommend/Major

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation

Date

## IF MAJOR FIELD TRIP

Kelly Staley  
Director of Educational Services2-1-07  
Date

Recommend



Not Recommended



Approved



Not Approved

Board Action

Date



CHICO HIGH CHOIR  
NEW YORK CITY FIELD TRIP

THURSDAY/MARCH 29

3:00 a.m. Students gather at CHS  
3:20 a.m. Parent drivers transport to Sacramento Int'l Airport  
Depart Sacramento Airport Jet Blue Flight #B6 259 7:00 AM  
Arrive Kennedy Airport 5:05 pm  
Bus to Hilton Garden Inn  
Evening: Walk around Times Square, get oriented

FRIDAY/MARCH 30

9:00 am Subway to Battery Park (\$4.00 RT)  
10:00am Ferry to Statue of Liberty/Ellis Island (\$6.25)  
Ellis Island Immigration Museum  
2:00pm Ground Zero  
3:30pm Perform at St Paul's. Chapel—40 minute concert  
5:00pm Subway to Hotel/ Dinner  
8:00pm The Drowsy Chaperone--Broadway show, Lincoln Center  
concert, chaperoned free time

SATURDAY MARCH 31

9:00am Subway (\$4.00RT) to NYU/tour with student Katie Babb  
11:00am Washington Square/Greenwich Village/Shopping  
5:00pm Subway to Hotel/Dinner  
8:00pm Mary Poppins Broadway show

SUNDAY APRIL 1

AM Options: Rest, Church at St. Patrick's Cathedral if interested  
11:00am Options: tour Times Square, city bus tour around city,  
Museum of Natural History, Guggenheim Museum  
3:00pm Possible TKTS shows, or walk through Central Park,  
go exploring with a group

MONDAY APRIL 2

9:00 am Walk to Rockefeller Center  
9:30 am Tour Top of The Rock (\$14.40)  
11:00 am Tour Radio City Music Hall (\$11.00)  
1:00 pm Walk 5<sup>th</sup> Avenue to Grand Central Station, United Nations  
Sing in Grand Central Station, steps of NYC Public Library,  
United Nations Building  
8:00 pm Chaperoned free time, possible Broadway show

TUESDAY APRIL 3

9:00am Walk to tour Juilliard School of Music and Drama  
10:00am Tour Central Park  
11:30am Metropolitan Museum of Art (\$8/students, \$16/adults)  
Bus to Kennedy Airport  
Depart Jet Blue Flight #B6 171 8:25pm  
Arrive Sacramento 11:57pm



**Administrative Offices** 1163 E. Seventh Street Chico, CA 95928-5999  
phone: (530) 891-3000 • fax: (530) 891-3220 • [www.ChicoUSD.org](http://www.ChicoUSD.org)

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Chico High School  
901 The Esplanade  
Chico, CA 95926  
(530) 891-3026  
FAX (530) 891-3284  
[www.chs.chico.k12.ca.us](http://www.chs.chico.k12.ca.us)

Dear Friends and Family of \_\_\_\_\_,

Chico High School's A Cappella Choir will be bringing *our gift of song from Chico High School to New York City* this spring! We will be singing at some of our country's most memorable sites—and having the opportunity to spend six days being together, singing together, and learning together in a city that has so much to offer.

Choir students are raising funds by singing at community events, giving concerts, selling coffee, selling sponsorships and advertising to local businesses, having auctions, yard sales, our annual dinner, which this year is called, "*Around the World in 80 Minutes*", and more.....

We need to raise \$55,674 to send all 41 students on the trip, through these fund raising events. It is our intention that every choral student that wants to go will go on this trip. If you would like to help make this possible, please consider making a donation to the *CHS to NYC trip fund*. Make your check payable to *Chico High School* and send it to: *Chico High Choral Music, Chico High School, 901 The Esplanade, Chico, CA, 95926*. You may also make your donation on-line by going to:  
<http://www.chs.chico.k12.ca.us> - select "on-line payments" and then "donations to Chico High". Select "*CHS to NYC Choir Trip*" and proceed with doing a credit card donation.

Thank you so much. Your investment in this opportunity will help bring enrichment, education, and life-long memories to the lives of each choir student, and the *gift of song* to New York City.

Sincerely,

Mary Lou Lim, Choral Director  
Chico High School  
901 The Esplanade  
Chico, CA 95926  
(530) 891-3026 ext. 322

Title: Proposed Agenda Item - Field Trip Request PVHS Athletics

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

February 21, 2007

Prepared by: Ron Souza  
Pleasant Valley High School

**Background Information**

The PVHS Baseball team has traveled to Arizona to play in a tournament and visited Arizona State University campus twice in the past. This will be our third trip to Arizona.

**Educational Implications**

This trip will allow students the opportunity to experience:

- # guided tour at a major university,
- # professional coaching and instruction from a major league baseball staff
- # tour an Aztec Indian museum
- # participate in a highly competitive baseball tournament with teams from Arizona and as far away as Arkansas

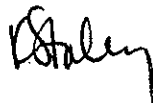
**Fiscal Implications**

No Fiscal Impact to the general Fund. Students and parents have been fund raising all year. The expenses will be paid out of the Dugout Club, sports boosters.

**Additional Information**

**Recommendation**

I recommend approval of this field trip.



### FIELD TRIP REQUEST

**TO:** CUSD Board of Education

**Date:** 12/18/06

**FROM:** Ron Souza

**School/Dept.:** PVHS Athletics

**SUBJECT:** Field Trip Request

Request is for Varsity Baseball	
(grade/class/group)	
Destination: Tucson, Arizona	Activity: Baseball Tournament
From: 3/7/07 / 7:00 a.m. (dates) / (times)	to: 3/10/07 / 6:00 p.m. (dates) / (times)
Rationale for Trip: Higher level baseball visit - Visit University of Arizona. Have the opportunity to visit Arizona Diamondbacks major baseball training camp.	
Number of Students Attending: 20	Teachers Attending: 2
Parents Attending: 10-12	
Student/Adult Ratio: _____	
Transportation: Private Cars <u>X</u> CUSD Bus _____ Charter Bus Name _____	
Other: Maybe two vans	
All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.	

#### ESTIMATED EXPENSES:

Fees \$ \_\_\_\_\_ Substitute Costs \$ 225.00 Meals \$ 1,600.00  
Lodging \$ 500.00 Transportation \$ \$4,500.00 Other Costs \$ 500.00

ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S): Dugout Club

Name Private Donation Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_  
Name 4 Sports Booster Funded Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_

<u>Ron Souza</u> Requesting Party	<u>12-18-06</u> Date
<u>[Signature]</u> Director of Transportation	<u>1/12/07</u> Date
<u>[Signature]</u> Site Principal	<input checked="" type="checkbox"/> Approve/Minor or Recommend/Major
	<input type="checkbox"/> Do not Approve/Minor or Not Recommended/Major
<u>Kelly Staley</u> Director of Educational Services	<u>1-17-07</u> Date
	<input checked="" type="checkbox"/> Recommend
	<input type="checkbox"/> Not Recommended
	<input type="checkbox"/> Approved
	<input type="checkbox"/> Not Approved
Board Action	Date

To: CUSD Department of Education  
Date: January 7, 2007  
Re: Field Trip Request for PV Varsity Baseball Team

Dear CUSD Board of Education,

This is a formal request to participate in a varsity baseball tournament in Tucson Arizona, Wednesday, March 7<sup>th</sup> through Saturday, March 11<sup>th</sup>, 2007. This is a highly competitive varsity tournament with teams participating as far away as Arkansas. By going to this tournament, our student athletes will have the opportunity to participate in many activities: including a guided tour of the University of Arizona campus, visiting a Tucson museum, and an opportunity to watch a major league spring training game. We will meet with the coaching staff of the Arizona Diamondbacks and get the opportunity for individual instruction from major league players and coaches. One of the major league players is former PV baseball player, Evan Mc Lane.

I believe this is an incredible opportunity for our student athletes. PV's baseball program has participated in this type of field trip/tournament in the past and I would like the opportunity to take this year's varsity team once again. For these student-athletes this once in a life time opportunity will absolutely no cost to Chico Unified School District.

Thank you,

Ron Souza  
Pleasant Valley High School  
Physical Education Teacher  
Varsity Baseball Coach

# **Chico Unified School District**

5.B.6  
Page 1 of 2

**Educational Services – Elementary Education**  
(530) 891-3000 x137

**TITLE: Proposed Agenda Item: Fundraising Request – Shasta**

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Agenda Item: \_\_\_\_\_  
DATE of Board Meeting: \_\_\_\_\_

Prepared by: Larry Spini/Principal

## **Background Information**

Shasta Elementary School has an annual fundraiser, the Shasta Shuffle (Jog-a-thon). This year's Shasta Shuffle will be the 12<sup>th</sup> annual.

## **Educational Implications**

The funds raised will help to support school wide projects.

## **Fiscal Implications**

Shasta PTO budgets \$1500. for expenses with anticipated revenue of \$15,000.

## **Additional Information**

Students will get pledges from family and friends for each lap run in the Shasta Shuffle.

## **Recommendation**

"I recommend approval of the proposed major fundraiser."

# RECEIVED

1163 East Seventh Street  
Chico, CA 95928-5999

5.B.6  
Page 2 of 2

## JAN 23 2007 FUND RAISING REQUEST

All fund raising projects/activities are to be approved by the school principal (minor) or the Board of Education (major) prior to initiating the project/activity. The principal/designee shall maintain a written financial record of each approved fund raising project/activity. Funds generated from the projects/activities shall be deposited in the Associated Student Body account, PTA/PTO account or the appropriate District account.

SCHOOL SHASTA ELEMENTARY

CLUB OR ORGANIZATION PTO, (PARENT TEACHER ORGANIZATION)

ADVISOR LAURA WRIGHT - PTO PRESIDENT

PURPOSE OF THE FUND RAISING PROJECT/ACTIVITY TO RAISE MONEY FOR PTO  
SPONSORED PROJECTS IN 06-07, COMPUTERS, SOFTWARE, PLAYGROUND IMPROVEMENT

FINANCIAL GOAL OF THE PROJECT: (Major = more than \$5,000 gross)

[ ] Minor: Estimated Gross \$ \_\_\_\_\_ [ ] Major: Estimated Gross \$ 15,000  
Estimated Net \$ \_\_\_\_\_ Estimated Net \$ 13,500

NATURE OF PROJECT/ACTIVITY (i.e., car wash) SHASTA SHUFFLE -  
JOG-A-THON - 12TH ANNUAL

- ☒ Class I - A project or series of activities that will be restricted to a school's student and parent population.  
☐ Class II - A project or series of activities that will extend beyond a school's population and will involve students, parents and members of the general community population in the fund raising effort.

BEGINNING/ENDING DATE(S) OF PROPOSED FUND RAISING PROJECT(S)/ACTIVITY(IES):

BEGINNING MARCH 30TH, 2007 ENDING 1 DAY

LOCATION SHASTA ELEMENTARY

NUMBER OF STUDENTS TO BE INVOLVED 650

### RECOMMENDED

Date

1/15/07

Student Officer's Signature (if applicable)

Laura A. Wright

Date

1/11/07

Advisor's Signature

Andy McPherson

Date

1/15/07

Director of Activity Signature (if applicable)

[Signature]

Date

1-24-07

Principal's Signature

W. [Signature]

Date

Assistant Superintendent's/Director's Signature

Approval		Recommend
Minor		Major
Yes	No	Yes
[ ]	[ ]	[X]

Date - Approved by Board of Education

cc: Advisor  
Principal

Title: FIELD TRIP REQUEST - PVHS

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Agenda Item:  
February 21, 2007  
Page

Prepared by: Priscilla Burns  
Pleasant Valley High School

**Background Information**

The Prostart culinary students at PVHS would like to attend a state finals culinary competition in Pomona. It is an overnight trip and requires board approval. We have an "iron chef" team and a management team. The event is sponsored by the California Restaurant Association and meets CTE standards for food service mastery.

**Educational Implications**

Competitive scholarships are available for students along with industry recognition. Contest is judged by nationally recognized experts and students get lots of industry-specific feedback.

**Fiscal Implications**

Perkins and FHA-HERO student account can support this competition. No district funds are needed at this time.

**Additional Information**

Students have worked very hard to get to this point. We work with local industry mentors to help the students prepare.

**Recommendation**

I recommend you approve this field trip request.

Reviewed: *RG*



# CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.7  
Page 2 of 2

## FIELD TRIP REQUEST

**TO: CUSD Board of Education**

**Date:**

1/19/06

**FROM: Priscilla Burns**

**School/Dept.: PVHS/HECT**

**SUBJECT: Field Trip Request**

Request is for Culinary – Prostart Competitions at CSU-Pomona  
(grade/class/group)

Destination: CSU-Pomona ✓ Activity: Prostart State Competition

from Thursday, March 1 6:00 AM to Sunday, March 4, 6:00 PM  
(dates) / (times) (dates) / (times)

Rationale for Trip: Statewide Culinary Competition based on CTE standards for applied culinary skills in food service and food service management.

Number of Students Attending: 8 Teachers Attending: 1 Parents Attending: 1

Student/Adult Ratio: 4:1

Transportation: Private Cars \_\_\_\_\_ CUSD Bus \_\_\_\_\_ Charter Bus Name \_\_\_\_\_  
Other: ROP Van and rental van

**All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.**

### ESTIMATED EXPENSES:

Fees \$ 200 Substitute Costs \$ 150 Meals \$ Included

Lodging \_\_\_\_\_ Transportation \$ 300(rental) and Other Costs \$ \_\_\_\_\_  
\$ 1500 van from ROP- no charge

### ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name Perkins Acct. #: PVHS \$ 1000

Name FHA-HERO Acct. #: PVHS ASB \$ 2000

Requesting Party

Date

Site Principal

Date



Approve/Minor



Do not Approve/Minor

or

Recommend/Major

or

Not Recommended/Major

(if transporting by bus or Charter)

Director of Transportation

Date

### IF MAJOR FIELD TRIP

Director of Educational Services

Date



Recommend



Not Recommended



Approved



Not Approved

Board Action

Date

Title: FIELD TRIP REQUEST - PVHS

Action: \_\_\_\_\_  
Consent: ✓  
Information: \_\_\_\_\_

Agenda Item:  
February 21, 2007

Prepared by: Erinn Gulbrandsen  
Pleasant Valley High School

### **Background Information**

Members of the Fellowship of Christian Athlete Club at Pleasant Valley High School would like to attend a Summit Adventure (individual and group building activities such as camping, hiking, rappelling as well as special speakers) in Yosemite California. This trip builds off of the year's weekly lunchtime meetings.

### **Educational Implications**

This field trip provides students with an opportunity to positively grow as individuals, athletes, and peers. The Summit Adventure encourages students to look and push past pre-conceived limits while developing a deeper understanding of their potentials and the possibilities of what their lives can become.

### **Fiscal Implications**

This field trip is funded through student fundraisers (Community spaghetti dinner) and my individual contribution/donation.

### **Additional Information**

The Summit Adventure Program has been working with kids for 30 years; they are American Mountain Guide Accredited. Students will be involved in a program designed specifically for our Pleasant Valley Club. There will be distance and supervision between male and female tents. The students to adult ratio will be about 2 students to 1 adult. There will 4-5 students to 1 trained program instructor. At no time does a student have to participate in an activity such as rappelling with which he/she is uncomfortable. Transportation will be provided by me, Erinn Gulbrandsen, a teacher and coach at Pleasant Valley High School as well as other district approved drivers.

### **Recommendation**

I recommend that the Board approve.

*Reviewed - K. Staley*

**CHICO UNIFIED SCHOOL DISTRICT**

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.8

Page 2 of 2

**FIELD TRIP REQUEST****TO: CUSD Board of Education****Date:** 01/19/07**FROM: Erinn Gulbrandsen****School/Dept.: Pleasant Valley HS****SUBJECT: Field Trip Request**Request is for **Fellowship of Christian Athletes Club**

Camping, hiking, snow shoeing

Destination: Yosemite Nat'l Park

Activity: "Summit Adventure"

from 03/09/07 3:30 pm to 03/11/07 8:00 pm  
(dates) / (times)

Rationale for Trip: This trip will provide students with an opportunity to see/experience the importance and value of teamwork, to see and push beyond preconceived limits and grow as individuals, athletes, friends, and in their relationships with God while participating in numerous activities.

Number of Students Attending: 10 Teachers Attending: 2 Parents Attending: 0

Student/Adult Ratio: 5:1

Transportation: Private Cars ☒ CUSD Bus \_\_\_\_\_ Charter Bus Name \_\_\_\_\_

Other: \_\_\_\_\_

**All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.****ESTIMATED EXPENSES:** Students are fundraising with a pasta feed.Fees \$ 2,250 Substitute Costs \$ -0- Meals \$     w/in cost \_\_\_\_\_Lodging \$     w/in cost Transportation \$ \_\_\_\_\_ Other Costs \$ \_\_\_\_\_**ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):**

Name FCA, ASB Acct. #: 01-0000-0-1232-1000-020 \$ 2,250.00

Name \_\_\_\_\_ Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_

Erinn Gulbrandsen

01/19/07

(See attachment  
for signatures.)

Requesting Party

Date

Site Principal

Date



Approve/Minor



Do not Approve/Minor

or

Recommend/Major

or

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation

Date

**IF MAJOR FIELD TRIP**

Director of Educational Services

Date



Recommend



Not Recommended



Approved



Not Approved

Board Action

Date

# **Chico Unified School District**

5.B.9  
Page 1 of 2

**Educational Services - Elementary Education**  
(530) 891-3000 x137

**TITLE: Proposed Agenda Item: Field Trip Woodleaf Outdoor School**

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Agenda Item: \_\_\_\_\_  
DATE of Board Meeting: \_\_\_\_\_

Prepared by: Larry Spini, Principal

## **Background Information**

Each year our 6<sup>th</sup> grade students have had the opportunity to attend Woodleaf Outdoor School. This is an outstanding program and an excellent experience for all those involved. My own children who have attended remember this experience as a highlight of their elementary education experience.

## **Educational Implications**

Woodleaf Outdoor School meets many of the standards in science education. Classes include forest and stream ecology, survival skills, wildlife study and environmental science.

## **Fiscal Implications**

Funds for Woodleaf Outdoor School do not impact the general funds. All monies are raised or donated.

## **Additional Information**

We appreciate your continued support of this outstanding program.

## **Recommendation**

"I recommend approval of the proposed field trip."

## CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.9  
Page 2 of 2

## FIELD TRIP REQUEST

TO: CUSD Board of Education

Date: 1/24/07FROM: Larry SpiniSchool/Dept.: Shasta

SUBJECT: Field Trip Request

Request is for Shasta, Marigold & Chapman 6<sup>th</sup> grade classes  
(grade/class/group)

Destination: Woodleaf Outdoor School Activity: Environmental Education

from April 10, 2007 / 8:00 am to April 13, 2007 / 12:00 pm  
(dates) / (times) (dates) / (times)

Rationale for Trip: Environmental EducationNumber of Students Attending: 208 Teachers Attending: 8 Parents Attending: \_\_\_\_\_Student/Adult Ratio: 26:1

Transportation: Private Cars X CUSD Bus \_\_\_\_\_ Charter Bus Name \_\_\_\_\_  
Other: \_\_\_\_\_

All requests for bus or charter transportation must go through the transportation department - NO  
EXCEPTIONS.

## ESTIMATED EXPENSES:

Fees \$14760. for Shasta \_\_\_\_\_ Substitute Costs \$ \_\_\_\_\_ Meals \$ \_\_\_\_\_

Lodging \$ \_\_\_\_\_ Transportation \$ \_\_\_\_\_ Other Costs \$ \_\_\_\_\_

## ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name Shasta Acct. #: 01-0000-0-1304-4900-270 \$ 14760.00

Name \_\_\_\_\_ Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_

Requesting Party \_\_\_\_\_

Date \_\_\_\_\_

Site Principal \_\_\_\_\_

1/24/07  
Date

Approve/Minor



Do not Approve/Minor

or

Recommend/Major

or

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation \_\_\_\_\_

Date \_\_\_\_\_

## IF MAJOR FIELD TRIP

Director of Educational Services \_\_\_\_\_

1-30-07  
Date

Recommend



Not Recommended



Approved



Not Approved

Board Action \_\_\_\_\_

Date \_\_\_\_\_

# ***Chico Unified School District***

5.B.10  
Page 1 of 5

***Educational Services - Elementary Education***  
(530) 891-3000 x137

**TITLE:** FIELD TRIP REQUEST - Hooker Oak

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Prepared by: Denise Findlay for Dr. Rob Williams

## **Background Information**

- 7<sup>th</sup> & 8<sup>th</sup> graders from the Hooker Oak OSC Program will be attending this trip to Yosemite National park. This trip relates to science curriculum. The 7<sup>th</sup> and 8<sup>th</sup> grade program from Hooker Oak has never taken this particular trip, however both teachers (D. Findlay and K. Barry) have previously taken students from Neal Dow Elementary and Bidwell Jr. on a similar trip.

## **Educational Implications**

- Academically, the main focus of this trip is related to the life/earth science curricula for the 7<sup>th</sup> and 8<sup>th</sup> grade program. For specific details related to the California Standards, see the attached documents.

## **Fiscal Implications**

- The field trip will be funded through fundraisers (both parent and student), and donations from parents.

## **Additional Information**

- Students will be transported via a District bus. Parents will follow in private cars/trucks with equipment, food, etc to Yosemite National Park.
- Supervision ratios will be 1 adult to 5 students. Adults include teachers, parents and student teachers.
- This is a three day/2 night field trip. Departure is on May 15, 2007 at 7:00 a.m. and the return is May 17, 2007 at approximately 5:00 p.m.

## **Recommendation**

"I recommend approval of the proposed field trip."

# CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.10  
Page 2 of 5

## FIELD TRIP REQUEST

**TO: CUSD Board of Education**

**Date:** 1/22/07

**FROM:** Denise Findlay / Kevin Barry

**School/Dept.:** Hooker Oak Elementary

**SUBJECT:** Field Trip Request

Request is for Hooker Oak 7<sup>th</sup>/8<sup>th</sup> Grade OSC

(grade/class/group)

Destination: Yosemite National Park

Activity: field trip

from 5/15/07 7:00 a.m.  
(dates) / (times)

to

5/17/07 5:00 p.m.  
(dates) / (times)

Rationale for Trip: Field study of plants/animals in Yosemite and classification of both kingdoms.

Number of Students Attending: 40

Teachers Attending: 2

Parents Attending: 18

Student/Adult Ratio: 2:1

Transportation: Private Cars \_\_\_\_\_ CUSD Bus X Charter Bus Name \_\_\_\_\_  
Other: \_\_\_\_\_

**All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS. (attached)**

### ESTIMATED EXPENSES:

Fees \$ \_\_\_\_\_ Substitute Costs \$ \_\_\_\_\_ Meals \$1,000.00

Lodging \$160.00 campsites Transportation \$1,800.00 Other Costs \$ \_\_\_\_\_

ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name: OSC Acct. #: 01-0000-00-1301-4900-160 \$2,960.00

Name \_\_\_\_\_ Acct. #: \_\_\_\_\_ \$ \_\_\_\_\_

Denise Findlay/Kevin Barry

Requesting Party

1/22/07

Date

Site Principal Rob Williams

1-29-07

Date



Approve/Minor



Do not Approve/Minor

or

Recommend/Major

or

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation

Date

IF MAJOR FIELD TRIP

Director of Educational Services

2-9-07

Date



Recommend



Not Recommended



Approved



Not Approved

Board Action

Date

To: Kim Hernandez  
From: Robert Williams

**CHICO UNIFIED SCHOOL DISTRICT**  
1163 East Seventh Street  
Chico, California 95928-5999  
Transportation 891-3097

**BUS RESERVATION**

12/25/07

*Please submit at least one week in advance of trip. The yellow copy will be returned to you as confirmation of your reservation.*

School Hooker Oak Date of Trip May 15-17  
Destination Yosemite Nat'l Park  
Purpose of Trip Culminating Field  
Experience in Science  
Pick-up Place (be specific) Hooker Oak/Front  
Number of Passengers 45

Bus arrive at school 7 AM  
Bus leave school 7:30 AM  
Bus arrive at destination 2 PM - May 15  
Bus leave destination May 17 @ 10 AM  
Bus arrive at school 5 PM

Date Submitted 1-24-07

\* Organization/Program to be Charged Finlay/Barry  
7/8th Program

Person in Charge Finlay/Barry

Signature of Principal/Designee/Management Representative

Maria K. Otto

Signature of Transportation Staff

✓  
Approved Denied

WHITE:	Transportation
YELLOW:	Transportation (Originator's Confirmation)
PINK:	Originator

T-19  
7/90

\*01-0000-0-1301-4900-160



# **Chico Unified School District**

***Educational Services - Elementary Education***  
(530) 891-3000 x137

5.B.10

Page 4 of 5

## **Attached Pages**

- ✚ Connections to California State Standards in Life and Earth Science related to the Yosemite National Park field trip for Hooker Oak 7<sup>th</sup> and 8<sup>th</sup> grade OSC Program. Specific Standards related to the field trip are highlighted.

## **Focus on Life Science**

### **Evolution**

3. Biological evolution accounts for the diversity of species developed through gradual processes over many generations. As a basis for understanding this concept:
  1. *Students know* both genetic variation and environmental factors are causes of evolution and diversity of organisms.
  2. *Students know* the reasoning used by Charles Darwin in reaching his conclusion that natural selection is the mechanism of evolution.
  3. *Students know* how independent lines of evidence from geology, fossils, and comparative anatomy provide the bases for the theory of evolution.
  4. *Students know* how to construct a simple branching diagram to classify living groups of organisms by shared derived characteristics and how to expand the diagram to include fossil organisms.
  5. *Students know* that extinction of a species occurs when the environment changes and the adaptive characteristics of a species are insufficient for its survival.

### **Earth and Life History (Earth Sciences)**

4. Evidence from rocks allows us to understand the evolution of life on Earth. As a basis for understanding this concept:
  - a. *Students know* Earth processes today are similar to those that occurred in the past and slow geologic processes have large cumulative effects over long periods of time.
  - b. *Students know* the history of life on Earth has been disrupted by major catastrophic events, such as major volcanic eruptions or the impacts of asteroids.
  - c. *Students know* that the rock cycle includes the formation of new sediment and rocks and that rocks are often found in layers, with the oldest generally on the bottom.
  - d. *Students know* that evidence from geologic layers and radioactive dating indicates Earth is approximately 4.6 billion years old and that life on this planet has existed for more than 3 billion years.
  - e. *Students know* fossils provide evidence of how life and environmental conditions have changed.
  - f. *Students know* how movements of Earth's continental and oceanic plates through time, with associated changes in climate and geographic connections, have affected the past and present distribution of organisms.
  - g. *Students know* how to explain significant developments and extinctions of plant and animal life on the geologic time scale.

# Chico Unified School District

5.B.11  
Page 1 of 2

*Educational Services – Elementary Education*  
(530) 891-3000 x137

**TITLE:** FUND RAISING REQUEST - Hooker Oak

Action: \_\_\_\_\_

Consent:   X  

Information: \_\_\_\_\_

Date of Board Meeting: 2/21/07

Prepared by: Robert Williams

## **Background Information**

The Open Structure Parent Advisory Board conducts this fundraiser. It has become an annual event

## **Educational Implications**

Funds being raised will be divided between all classrooms and teachers will decide what will be purchased for their students.

## **Fiscal Implications**

Receipts expected are between \$6,000-\$11,000. The OSC Foundation, via the North Valley Community Foundation will have supervisory control.

## **Additional Information**

Students make some of the items to be auctioned.

## **Recommendation**

"I recommend approval of the proposed major fundraiser."

# CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999

5.B.11  
Page 2 of 2

## FUND RAISING REQUEST

All fund raising projects/activities are to be approved by the school principal (minor) or the Board of Education (major) prior to initiating the project/activity. The principal/designee shall maintain a written financial record of each approved fund raising project/activity. Funds generated from the projects/activities shall be deposited in the Associated Student Body account, PTA/PTO account or the appropriate District account.

SCHOOL Hooker Oak Elementary

CLUB OR ORGANIZATION Parent Advisory Board

ADVISOR Valerie Reddemann, Fundraising Co-Chair

PURPOSE OF THE FUND RAISING PROJECT/ACTIVITY Dinner/Auction to raise money for classrooms.

FINANCIAL GOAL OF THE PROJECT: (Major = more than \$5,000 gross)

☐ Minor: Estimated Gross \$ \_\_\_\_\_ Estimated Net \$ \_\_\_\_\_  
☒ Major: Estimated Gross \$ 11,000  
Estimated Net \$ 10,000

NATURE OF PROJECT/ACTIVITY (i.e., car wash) Dinner Auction

☒ Class I - A project or series of activities that will be restricted to a school's student and parent population.

☐ Class II - A project or series of activities that will extend beyond a school's population and will involve students, parents and members of the general community population in the fund raising effort.

BEGINNING/ENDING DATE(S) OF PROPOSED FUND RAISING PROJECT(S)/ACTIVITY(IES):

BEGINNING 3/24/07 ENDING 3/24/07

LOCATION CARD Center on Vallombrosa Ave

NUMBER OF STUDENTS TO BE INVOLVED zero

### RECOMMENDED

Date

1-30-07

Student Officer's Signature (if applicable)

Valerie Reddemann

Date

1/30/07

Advisor's Signature

Date

1/30/07

Director of Activity Signature (if applicable)

[Signature]

Date

2-9-07

Principal's Signature

[Signature]

Date

Assistant Superintendent's/Director's Signature

Approval		Recommend
<u>Minor</u>		<u>Major</u>
Yes	No	Yes
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

[Signature]

Date - Approved by Board of Education

cc: Advisor  
Principal

# **Chico Unified School District**

**Educational Services - Elementary Education**  
(530) 891-3000 x137

5.B.12  
Page 1 of 2

**TITLE:** FIELD TRIP REQUEST - McManus

Action:

Consent:   X  

Information:           

Prepared by: Mr. Carlisle, and Mr. Jenswold 5<sup>th</sup> Grade Teacher McManus Elem. and Mrs. Bird, Principal

## **Background Information**

Mr. Carlisle and Mr. Jenswold's 5<sup>th</sup> grades at McManus. I have been on, or organized this trip for 9 years at Jay Partridge and McManus. For many years, Katy Early, Val White, Terri Crawford and Sharon Belkofer organized this trip for each of their schools.

## **Educational Implications**

The field trip to Monterey is consistent with our educational goals and provides a unique hands-on experience for the curriculum taught in our classrooms. This is a culminating activity of our vertebrate and plant units as specified by the Chico Unified School District's science curriculum for the fifth grade.

## **Fiscal Implications**

Students will fund the trip. The reasonable amount of \$70.00 for the four-day trip will also cover anticipated scholarships for students who cannot afford this amount. Through our fundraising, and donations the entire cost of the trip **has already** been met for every fifth grade student in my class.

## **Additional Information**

The Dates of the trip will be Tuesday, May 8 to Friday May 11, 07.

Parents and the teacher will provide the transportation. All drivers will have proper district paperwork on file. I anticipate 15 to 20 parents to attend the trip. This will be a ratio of less than 3 to 1 for every adult to child. There will be 50 students going on the trip. We will be visiting Monterey Bay Aquarium, Pt. Lobos Marine Preserve, Asilomar State Beach (tide pooling), and The Tech Museum in San Jose.

## **Recommendation**



# Chico Unified School District

5.B.13

Page 1 of 2

**Educational Services - Elementary Education**  
(530) 891-3000 x137

**TITLE:** FIELD TRIP REQUEST - CHS

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Prepared by

Sue Baber

## **Background Information**

This three day leadership conference is outstanding for students. The activities include a Challenge Day, student workshops, talent show and more.

## **Educational Implications**

Great training for our future leaders.

## **Fiscal Implications**

The \$1500 fee for students is being paid for by Butte County Behavioral Health Scholarship money. The \$200 Advisor's Fee is being funded by 10th Grade Counseling Money from Chico High School.

## **Additional Information**

## **Recommendation**

I recommend approval of the proposed field trip.

Renewed: 

# CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.13  
Page 2 of 2

## FIELD TRIP REQUEST

TO: CUSD Board of Education

Date: 2/7/07

FROM: Susan Baber

School/Dept.: Chico High School

SUBJECT: Field Trip Request

Request is for Friday Night Live Club Leadership Conference  
(grade/class/group)

Destination: Richardson Springs Activity: Leadership Conference

from March 8 / 8:00 a.m. to March 10 / 5:00 p.m.  
(dates) / (times) (dates) / (times)

Rationale for Trip: Leadership training

Number of Students Attending: 15 Teachers Attending: 1 Parents Attending: 2

Student/Adult Ratio: 8:1

Transportation: Private Cars X CUSD Bus Charter Bus Name  
Other:

All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.

### ESTIMATED EXPENSES:

Fees \$ 100 each for students Substitute Costs \$ 0 Meals \$ incl  
Lodging \$ incl Transportation \$ 0 Other Costs \$ 0

### ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name Friday Night Live Acct. #: Butte County Behavioral Health \$1500.00

Name 10th Grade Counseling Acct. #: \$200.00

Susan Baber

Requesting Party

2/7/07

Date

Site Principal

2/7/07

Date



Approve/Minor



Do not Approve/Minor

or

Recommend/Major

or

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation

Date

### IF MAJOR FIELD TRIP

Director of Educational Services

2-8-07

Date



Recommend



Not Recommended



Approved



Not Approved

Board Action

Date



# **Chico Unified School District**

5.B.14  
Page 1 of 3

**Educational Services - Elementary Education**  
(530) 891-3000 x137

**TITLE: Proposed Agenda Item**  
**Field Trip Request to Spring National**  
**Journalism JEA/NSPA Convention in Denver**  
**Colorado**  
**By Pleasant Valley High's Yearbook and**  
**Newspaper Class**

Action: \_\_\_\_\_  
Consent:   X    
Information: \_\_\_\_\_

Prepared by: [Cindy Hopkins]

## **Background Information**

[Describe course/grade level/class taking the proposed field trip. Include any prior history for the field trip]

PV Yearbook - Grades 9-12

Attending national convention has been an integral part of the journalism program at PV for the last ten years. Yearbook has not missed a Spring National Convention over the past ten years and Saga has not missed it for the past nine years. In addition we have attended fall conventions occasionally. National convention is important for many reasons. 1) It is the largest national convention of its kind therefore providing innumerable opportunities for our students to network and learn. 2) The best speakers in journalism are at this convention. 3) This is where we compete at the national level both as individuals and as an entire staff/program. 4) At Nationals we learn the latest in trends in journalism both with regard to writing and design. 5) It has become tradition.

## **Educational Implications**

[Describe the expected learning outcomes and tie to academic standards]

Students will attend workshops on topics in all areas in journalism. They will include: writing workshops, leadership workshops, design workshops, computer workshops and many others. Academic standards will be reinforced in various areas of curriculum including, but not limited to, English and Fine Arts.

# **Chico Unified School District**

**Educational Services – Elementary Education**

(530) 891-3000 x137

## **Fiscal Implications**

[Explain how the field trip is funded . . . project dollars, student fundraisers, PTA donation, general fund, etc.]

This field trip will be funded in part by the yearbook class and in part by students. Our fundraising is done through ad sales and yearbook sales. Therefore, all students will be provided the same opportunities to be a part of this trip.

## **Additional Information**

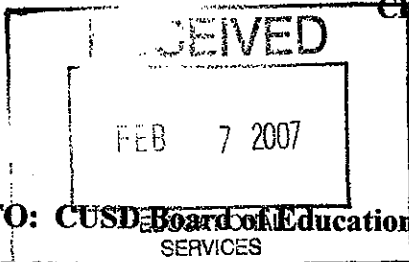
[Explain transportation arrangements, supervision ratios, departure and return times]

The adviser, Ms. Hopkins, and a Parent will supervise the trip. We may have one additional parent or teacher attend. We will be departing the morning of April 12<sup>th</sup> and returning the evening of April 15<sup>th</sup>. Both the adviser and parents will transport students in private vehicles. Approximately 15 students will be attending. Therefore, the supervision ratio is 7 to 1.

## **Recommendation**

"I recommend approval of the proposed field trip."

Reviewed 

**CHICO UNIFIED SCHOOL DISTRICT**

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

5.B.14  
Page 3 of 3

**FIELD TRIP REQUEST**

**TO:** CUSD Board of Education  
SERVICES

**Date:** January 30, 2007

**FROM:** Cindy Hopkins

**School/Dept.:** Pleasant Valley High School

**SUBJECT:** Field Trip Request

Yearbook and Saga

Request is for Students in high school Yearbook class

(grade/class/group)

Destination: Denver, Colorado

Activity: National Journalism Education Assoc. Convention

from April 12 to April 15, 2007  
(dates) / (times)

(dates) / (times)

Rationale for Trip: This is the best of the best convention and our major location for competition for both programs (Yearbook and Newspaper). It is where we learn and grow.

Number of Students Attending: 15 Teachers Attending: 1 or 2 Parents Attending: 1 or 2

Student/Adult Ratio: 3:15

Transportation: Private Cars \_\_\_\_\_ CUSD Bus \_\_\_\_\_ Charter Bus Name \_\_\_\_\_  
Other: Airplane

**All requests for bus or charter transportation must go through the transportation department - NO EXCEPTIONS.**

**ESTIMATED EXPENSES: (Per student)**

Fees \$85

Substitute Costs \$160

Meals \$165

Lodging \$165

Transportation \$250

Other Costs \$50

**ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):**

Name Yearbook Acct. #: ASB Account \$5000.00

Name Saga Acct. #: ASB Account \$1000.00

Requesting Party

Date

Site Principal

Date



Approve/Minor



Do not Approve/Minor

or

or

Recommend/Major

Not Recommended/Major

(If transporting by bus or Charter)

Director of Transportation

Date

**IF MAJOR FIELD TRIP**

Director of Educational Services

Date



Recommend



Not Recommended



Approved



Not Approved

Board Action

Date

Agenda Item: \_\_\_\_\_  
(DO Use Only)

**PROPOSED AGENDA ITEM:** 2006-07 Consolidated Application for Funding  
Categorical Aid Programs.

- ☒ Consent  
☐ Information Only  
☐ Discussion/Action

Board Date: February 21, 2007

**Background Information**

Part II of the Consolidated Application for Funding Categorical Aid Programs (Con App) for 2006-07 primarily contains information related to entitlements, allocations, and numbers of participants in specified programs. The Con App includes both state and federal funding sources. Program entitlements are determined by formulas contained in the laws that created the programs. Out of each state and federal program entitlement, districts allocate funds for indirect costs of administration, for programs operated by the district office, and for programs operated at schools.

**Educational Implications**

The entitlements and allocations funded through the Con App are used to supplement core curricular activities that support student learning in such areas as reading, math, school safety and violence prevention, and support for English Learners.

**Fiscal Implications**

No impact on the general fund. All expenditures of categorical program funds must be described and budgeted in each school's *Single Plan for Student Achievement*. These plans must be presented to and be approved by the *School Site Council*.

**Additional Information**

**Recommendation**

Janet Brinson recommends that you approve this Consolidated Application, Part II.

# 2006-07 Consolidated Application for Funding Categorical Aid Programs (Part II)

California Department of Education

Consolidated Application

<b>Purpose:</b> To declare the agency's intent to apply for 2006-07 funding of Consolidated Categorical Aid Programs.		<b>Agency:</b> Chico Unified	
<b>CDE Contact:</b> Ernie Thornberg - (916) 319-0294 - EThornbe@cde.ca.gov		<b>CD code:</b> 0   4   6   1   4   2   4	
<b>Legal status of agency:</b> <input checked="" type="checkbox"/> School District <input type="checkbox"/> County Office of Education <input type="checkbox"/> Direct-Funded Charter		<b>Dates of project duration:</b> July 1, 2006 -- June 30, 2007	
Do not return the paper copy of this form to the California Department of Education. The ConApp must be submitted electronically using the ConApp Data System (CADS).			
<b>Date of approval by local governing board:</b> 02/21/2007			
<b>Advisory Committees:</b> The undersigned certify that they have been given the opportunity to advise on the pages in this application related to compensatory education programs or programs for English learners.			
Signature-District Advisory Committee (DAC) <i>Sarah M. Lopez</i> Signature-District English Learner/Advisory Committee (DELAC)		OR, for each committee, check the appropriate box to the right <div style="display: flex; justify-content: space-around;"> <div> <input type="checkbox"/> Committee is N/A  <input type="checkbox"/> Committee refused to sign                 </div> <div> <input type="checkbox"/> Committee is N/A  <input type="checkbox"/> Committee refused to sign                 </div> </div>	
Signature of authorized representative <i>Chet Francisco</i>		Printed name of authorized representative Dr. Chet Francisco	
<input checked="" type="checkbox"/> Electronic certification HAS been completed.		<input type="checkbox"/> Electronic certification has NOT been completed.	
Signature of authorized representative Date: 02/21/2007		Title Superintendent Date: 02/21/2007	

**Certification:** I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and, I agree to have the use of these funds reviewed and/or audited according to the standards and criteria set forth in the California Department of Education's Categorical Program Monitoring (CPM) Manual. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this page are on file.

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: Fundraiser - Chico High School

Prepared by: \_\_\_\_\_

- ☒ Consent  
☐ Information Only  
☐ Discussion/Action

Board Date: 02/21/07

Background Information

Penny Harvest: A door-to-door, neighborhood-to-neighborhood effort to harvest one million pennies.

This is part of the WEST students' experience in service over self. WEST will become local stewards for the Chico Chapter of Habitat for Humanity with a link to efforts at recovery in the Gulf region.

Education Implications

Fiscal Implications

Additional Information

DO Recommendation: \_\_\_\_\_

### FUND RAISING REQUEST

All fund raising projects/activities are to be approved by the school principal (minor) or the Board of Education (major) prior to initiating the project/activity. The principal/designee shall maintain a written financial record of each approved fund raising project/activity. Funds generated from the projects/activities shall be deposited in the Associated Student Body account, PTA/PTO account or the appropriate District account.

SCHOOL Chico High

CLUB OR ORGANIZATION WEST

ADVISOR WEST Staff - Dolan, Girt, Goldmann, Price, Simmons, Ward

PURPOSE OF THE FUND RAISING PROJECT/ACTIVITY Provide the WEST students with a real experience in service over self. WEST will become local stewards for Chico Chapter of Habitat for Humanity with a link to efforts at recovery in the Gulf region on New Orleans.

FINANCIAL GOAL OF THE PROJECT: (Major = more than \$5,000 gross)

☐ Minor: Estimated Gross \$ \_\_\_\_\_ [X] Major: Estimated Gross \$10,000  
Estimated Net \$ \_\_\_\_\_ Estimated Net \$10,000

NATURE OF PROJECT/ACTIVITY (i.e., car wash) Penny Harvest - An actual door to door, neighborhood to neighborhood effort to "harvest" one million pennies.

☐ Class I - A project or series of activities that will be restricted to a school's student and parent population.

☒ Class II - A project or series of activities that will extend beyond a school's population and will involve students, parents and members of the general community population in the fund raising effort.

BEGINNING/ENDING DATE(S) OF PROPOSED FUND RAISING PROJECT(S)/ACTIVITY(IES):

BEGINNING 2/22/07 ENDING 4/19/07

LOCATION Chico High's student boundaries in greater Chico area.

NUMBER OF STUDENTS TO BE INVOLVED 250

#### RECOMMENDED

2/7/07

Date

Jaylon Fyda  
Student Officer's Signature (if applicable)

2/6/07

Date

[Signature]  
Advisor's Signature

2/7/07

Date

[Signature]  
Director of Activity Signature (if applicable)

2/7/07

Date

[Signature]  
Principal's Signature

2-15-07

Date

[Signature]  
Assistant Superintendent's Signature

Approved by Council:

(Date of Minutes)

Club: \_\_\_\_\_

By: \_\_\_\_\_  
(Secretary)

ASB: \_\_\_\_\_

By: \_\_\_\_\_  
(Secretary)

Approval Recommendation

Minor Major

Yes No Yes No

☒ ☐ ☒ ☐

Recommend

Major

Yes No

☐ ☐ ☐ ☐

Date - Approved by Board of Education

CHICO UNIFIED SCHOOL DISTRICT  
1163 EAST SEVENTH STREET  
CHICO, CALIFORNIA 95928

5.C.1  
Page 1 of 3

February 21, 2007

MEMORANDUM TO: Board of Education  
FROM: Dr. Chet Francisco, Superintendent  
SUBJECT: Certificated Human Resources Actions

Name/Employee #	Assignment	Effective	Comment
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Part Time Leave Request(s) for 2006/07

Regall, Darcie	Elementary	2 <sup>nd</sup> Semester 2006/07 (Effective 2/26/07)	0.2 FTE Leave (Policy #4475 STRS Reduced Workload)
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Temporary Appointment(s) 2006/07 According to Board Policy

Carr, Julie	0.57 FTE Elementary	2 <sup>nd</sup> Semester 2006/07 (Effective 2/6/07)	Temporary Appointment
Feulner, Carla	1.0 FTE Special Education	2 <sup>nd</sup> Semester 2006/07 (Effective 2/22/07)	Temporary Appointment
Gilmore, Daebin	0.6 FTE Secondary	2 <sup>nd</sup> Semester 2006/07 (Effective 1/19/07)	Temporary Appointment
Hankins, Elizabeth	0.5 FTE Secondary	2 <sup>nd</sup> Semester 2006/07 (Effective 1/16/07)	Temporary Appointment
Scarbrough, Amanda	0.4 FTE Elementary	2 <sup>nd</sup> Semester 2006/07 (Effective 1/22/07)	Temporary Appointment
Vandewater, Diane	0.1 FTE Elementary	2 <sup>nd</sup> Semester 2006/07 (Effective 1/29/07)	Temporary Appointment

Annual Non-Reelection of Temporary Certificated Employees 2006/07

1038	1.0 FTE Secondary	June 7, 2007
3632	1.0 FTE Secondary	June 7, 2007
1106	0.15 FTE Elementary	June 7, 2007
1161	0.10 FTE Psychologist	June 30, 2007
1215	0.20 FTE Psychologist	June 30, 2007
10600	1.0 FTE Counselor	June 7, 2007
3836	0.7 FTE Elementary	June 7, 2007
1311	0.2 FTE Secondary	June 7, 2007
1336	0.2 FTE Secondary	June 7, 2007
3519	0.4 FTE Secondary	June 7, 2007
1202	0.9 FTE Elementary	June 7, 2007
10410	0.8 FTE Secondary	June 7, 2007



3554	0.3 FTE Elementary	June 7, 2007
1498	0.5 FTE Elementary	June 7, 2007
3938	0.66 FTE Elementary	June 7, 2007
1839	0.2 FTE Secondary	June 7, 2007
3658	1.0 FTE Elementary	June 7, 2007
3878	1.0 FTE Elementary	June 7, 2007
1683	1.0 FTE Special Education	June 7, 2007
1711	1.0 FTE Elementary	June 7, 2007
3878	0.2 FTE Secondary	June 7, 2007
3624	0.2 FTE Elementary	June 7, 2007
5986	0.6 FTE Secondary	June 7, 2007
3914	0.2 FTE School Nurse	June 7, 2007
10603	0.5 FTE Secondary	June 7, 2007
3522	0.6 FTE Elementary	June 7, 2007
3608	1.0 FTE Elementary	June 7, 2007
1996	0.2 FTE Secondary	June 7, 2007
3355	1.0 FTE Elementary	June 7, 2007
2063	0.30 FTE Elementary	June 7, 2007
3919	1.0 FTE Elementary	June 7, 2007
3945	0.61 FTE Elementary	June 7, 2007
3453	0.5 FTE Elementary	June 7, 2007
2193	0.75 FTE Elementary	June 7, 2007
3997	0.15 FTE Elementary	June 7, 2007
2223	1.0 FTE Elementary	June 7, 2007
2216	0.8 FTE Secondary	June 7, 2007
6980	0.8 FTE Secondary	June 7, 2007
2245	1.0 FTE Secondary	June 7, 2007
2304	1.0 FTE Secondary	June 7, 2007
2664	0.2 FTE Secondary	June 7, 2007
2580	1.0 FTE Elementary	June 7, 2007
7456	1.0 FTE Secondary	June 7, 2007
2419	0.20 FTE Psychologist	June 30, 2007
2506	1.0 FTE Secondary	June 7, 2007
2514	1.0 FTE Elementary	June 7, 2007
7877	0.4 FTE Counselor	June 7, 2007
10398	1.0 FTE Secondary	June 7, 2007
10400	0.6 FTE Secondary	June 7, 2007
2591	1.0 FTE Counselor	June 7, 2007

2637	0.56 FTE School Nurse	June 7, 2007
3796	1.0 FTE Elementary	June 7, 2007
2699	0.1 FTE Elementary	June 7, 2007
3577	0.92 FTE Elementary	June 7, 2007
10500	0.25 FTE Elementary	June 7, 2007
2774	0.6 FTE Secondary	June 7, 2007
2814	0.4 FTE Secondary	June 7, 2007
10599	1.0 FTE Counselor	June 7, 2007
3588	1.0 FTE Secondary	June 7, 2007
10331	0.4 FTE Elementary	June 7, 2007
10156	1.0 FTE Elementary	June 7, 2007
2990	1.0 FTE Secondary	June 7, 2007
2997	0.2 FTE Elementary	June 7, 2007
3857	0.44 FTE Elementary	June 7, 2007
3084	0.15 FTE Psychologist	June 30, 2007
10149	0.79 FTE Elementary	June 7, 2007
3117	0.4 FTE Elementary	June 7, 2007
3696	1.0 FTE Secondary	June 7, 2007
1482	0.7 FTE Elementary	June 7, 2007
10574	1.0 FTE Secondary	June 7, 2007
3207	0.1 FTE Elementary	June 7, 2007
4015	0.3 FTE Elementary	June 7, 2007
3494	0.8 FTE Secondary	June 7, 2007
3231	0.10 FTE Elementary	June 7, 2007
3326	0.25 FTE Elementary	June 7, 2007
10596	1.0 FTE Counselor	June 7, 2007
1362	0.57 FTE Elementary	June 7, 2007

jm-2/15/07

**CHICO UNIFIED SCHOOL DISTRICT**  
**1163 EAST SEVENTH STREET**  
**CHICO, CA 95928-5999**

5.C.2  
Page 1 of 4

February 21, 2007

MEMORANDUM TO: Board of Education

FROM: Chet Francisco, Superintendent

SUBJECT: Classified Human Resources Actions

<u>NAME</u>	<u>CLASS/LOCATION/ASSIGNED HOURS</u>	<u>EFFECTIVE</u>	<u>COMMENTS/FUND</u>
<b><u>APPOINTMENTS</u></b>			
Anderson, Lindsey	IPS-Classroom/Chapman/3.5	01/22/07	New Position/ Special Education
Bella, Mara	IPS-Classroom/Hooker Oak/2.0	01/25/07	Vacated Position/ Special Education
Boucek, Pamela	Account Clerk/Business Office/8.0	01/09/07	Vacated Position
Bowen, Betty	IPS-General/CJHS/.6	02/06/07	New Position/ Grant Fund
Carrasquel, Cristina	IA-Bilingual/CJHS/3.0	01/08/07	New Position/ Categorical Fund
Carresquel, Lynda	IA-Bilingual/PVHS/4.0	01/22/07	Vacated Position/ Categorical Fund
Chavez, Susana	Parent Classroom Aide-Restr/Citrus/1.0	12/04/07	Vacated Position/ Categorical Fund
Dutra, Deborah	LT IA-Special Education/CJHS/1.0	01/08/07- 06/07/07	Extend LT Position/ Special Education
Egger, Kimberly	IA-Special Education/Rosedale/5.0	01/08/07	Vacated Position/ Special Education
Forbes, Cathryn	IA-Sr Elementary Guidance/McManus/3.0	02/01/07	New Position/ Grant Fund
Forbes, Cathryn	Instructional Assistant/Parkview/3.7	02/05/07	Vacated Position/ Grant Fund
Garcia, Agatha	IA-Special Education/Marigold/6.0	01/08/07	New Position/ Special Education
Hamlyn, Shannon	IPS-Healthcare/Parkview/3.0	01/16/07	Vacated Position/ Special Education
Hogan, Frances	IA-Special Education/BJHS/1.0	01/08/07	New Position/ Special Education/ Categorical Fund
Hunt, Joann	School Bus Driver-Type 1/Transportation/5.9	01/19/07	Vacated Position
Inserra, Mary	IA-Special Education/FVHS/2.0	01/08/07	New Position/ Special Education
Jackson, Joel	Campus Supervisor/CJHS/.5	02/20/07	Vacated Position
Kohen, Jesse	IPS-Classroom/Loma Vista/2.0	02/20/07	Vacated Position
Luger, Rachel	IPS-Classroom/Loma Vista/3.0	01/25/07	Vacated Position/ Special Education
Maroste, Summer	Campus Supervisor/CJHS/2.0	01/09/07	Vacated Position
Martini-Hamor, Anne	Parent Classroom Aide-Restr/Emma Wilson/.6	01/20/07	Vacated Position/ Categorical Fund
Meldrum, Tiffany	IPS-Healthcare/Citrus/3.5	01/18/07	Vacated Position/ Special Education
Miller, Cherise	IA-Sr Elementary Guidance/Chapman/.9	01/18/07	New Position/ Grant Fund
Mugley, Corinne	Sr Account Clerk/Business Office/8.0	01/09/07	Vacated Position
Phillips, Mark	IPS-Healthcare/Hooker Oak/4.0	01/31/07	Vacated Position/ Special Education

Reise, Marcy	Parent Computer Lab Aide-Restr/Emma Wilson/2.0	01/08/07	Vacated Position/ Categorical Fund
Saake, Michele	LT IA-Sr Elementary Guidance/Citrus/6	01/18/07- 03/05/07	New LT Position/ Grant Fund
Smallhouse, Hannah	IPS-Classroom/Rosedale/3.0	01/19/07	New Position/ Special Education
Snyder, Robin	Instructional Assistant/Rosedale/1.5	01/08/07	New Position/ Grant Fund
Sommer, Carol	IPS-Classroom/Hooker Oak/2.0	02/01/07	New Position/ Special Education
Stoner, Wendee	IPS-Classroom/Rosedale/3.0	01/22/07	New Position/ Special Education
Valdivia, Vanesa	LT IA-Elementary Guidance/McManus/3.0	01/08/07- 06/07/07	New LT Position/ During Absence of Incumbent
Vestnys, Mary	IPS-Healthcare/Loma Vista/4.0	01/18/07	Vacated Position/ Special Education
Zuniga, Athena	LT IA-Elementary Guidance/Neal Dow/2.0	01/30/07- 06/07/07	New LT Position/ During Absence of Incumbent
<b><u>Increase in Hours</u></b>			
Carrasquel, Cristina	IA-Bilingual/McManus/3.0	01/08/07	Vacated Position/ Categorical Fund
Kayson, Susan	IA-Special Education/McManus/5.0	02/12/07	Vacated Position/ Special Education
Labrado, Melissa	IPS-Healthcare/CHS/7.0	01/11/07	Existing Position/ Special Education
Larios, Patricia	IPS-Classroom/LCC/6.0	01/29/07	Vacated Position/ Special Education
LaRosa, Christopher	IPS-Classroom/Rosedale/6.0	01/17/07	Vacated Position/ Special Education
Shannon, Jocelyn	IPS-Classroom/Neal Dow/3.0	01/16/07	Vacated Position/ Special Education
Sullivan, Lori	Computer Technician/CJHS/8.0	01/15/07	Vacated Position/ Categorical Fund
<b><u>Increase in Work Year</u></b>			
Gilbert, Becki	Sr Office Assistant/Pupil Personnel Services/8.0	01/22/07	Vacated Position
<b><u>Transfer w/Increased Hours</u></b>			
McGahan, Stephanie	IA-Special Education/Chapman/6.0	02/05/07	Vacated Position/ Special Education
Roberts, Eugenia	Custodian/McManus-BJHS/8.0	12/27/06	Vacated Position
<b><u>Transfer w/Decreased Hours</u></b>			
Lewis, Kelly	IA-Sr Elementary Guidance/Sierra View/3.0	01/08/07	Vacated Position
<b><u>Voluntary Reduction in Hours</u></b>			
Consiglieri, Rosemarie	LT Instructional Assistant/Parkview/.8	08/28/06- 02/23/07	Existing LT Position
Hamlyn, Shannon	IPS-Healthcare/Parkview/3.5	01/16/07	Vacated Position/ Special Education
Lauterio, Tami	LT Instructional Assistant/Parkview/.8	08/28/06- 02/23/07	Existing LT Position
<b><u>Re-employ from Layoff</u></b>			
Geerlings, Jennifer	LT Targeted Case Manager/Education Services/4.0	01/08/07- 06/07/07	New LT Position/ Categorical Fund
<b><u>Reclassification</u></b>			
Shepard, Larry	Lead Mechanic/Transportation/8.0	01/23/07	Existing Position
<b><u>Promotion</u></b>			
Folan, Kathleen	Sr Office Assistant/MJHS/8.0	02/20/07	Vacated Position
Theobald, Diana	Sr Office Assistant/PVHS/8.0	01/29/07	Vacated Position
<b><u>Voluntary Demotion</u></b>			
Hungate, Howard	Custodian/PVHS/8.0	02/07/07	Vacated Position

# Leave of Absence

Balch, Gwendolynn	Cafeteria Assistant/PVHS/2.0	01/27/07-06/07/07	Per CBA 5.12
Brown, Deborah	Cafeteria Assistant/Marigold/4.9	01/15/07-03/14/07	Per CBA 5.12
Golden, Patricia	Library Media Assistant/Rosedale/2.5	01/02/07-06/30/07	Per CBA 5.3.3
Hamilton, Bonny	IPS-Classroom/Rosedale/6.0	01/08/07-06/05/07	Per CBA 5.12
Lo, Pahoua	Impacted Language Liaison/CHS/3.0	01/08/07-04/08/07	Per CBA 5.11
Schutz Fort, Emma	IPS-Healthcare/Loma Vista/3.0	01/06/07-04/06/07	Per CBA 5.12
Swifka, Cosima	Cafeteria Satellite Manager/Sierra View/5.5	01/15/07-04/15/07	Per CBA 5.11
Wittsell, Robin	Sr Account Clerk/Nutrition Services/8.0	12/15/06-01/25/07	Per CBA 5.3.3
Wittsell, Robin	Sr Account Clerk/Nutrition Services/8.0	01/26/07-07/07/07	Per CBA 5.3.3
Xiong, Bao	IA-Elementary Guidance/McManus/3.0	01/10/07-04/09/07	Per CBA 5.12
Xiong, Bao	IA-Elementary Guidance/Neal Dow/2.0	01/10/07-04/09/07	Per CBA 5.12

# RESIGNATIONS

## Resigned Only Position Listed

Budgett, Cheryl	Campus Supervisor/CJHS/2.0	02/20/07	Voluntary Resignation
Carrasquel, Cristina	IA-Bilingual/Rosedale/2.0	01/07/07	Increased Hours
Folan, Kathleen	Office Asst Elementary Attendance/Neal Dow/4.0	02/19/07	Promotion
Folan, Kathleen	Office Asst Elementary Attendance/Emma Wilson/2.0	02/19/07	Promotion
Gilbert, Becki	Sr Office Assistant/MJHS/8.0	01/21/07	Increase in Work Year
Hamlyn, Shannon	IPS-Healthcare/Parkview/6.0	01/15/07	Voluntary Reduction in Hours
Hungate, Howard	Sr Custodian/Neal Dow/8.0	02/06/07	Voluntary Demotion
Kayson, Susan	IA-Special Education/McManus/2.5	02/11/07	Increased Hours
Labrado, Melissa	IPS-Healthcare/CHS/6.0	01/10/07	Increase in Hours
Larios, Patricia	IPS-Classroom/LCC/5.5	01/28/07	Increase in Hours
LaRosa, Christopher	IPS-Classroom/Rosedale/3.0	01/16/07	Increase in Hours
Lewis, Kelly	IPS-Classroom/Chapman/3.5	01/07/07	Transfer w/Decreased Hours
McGahan, Stephanie	IPS-Healthcare/Chapman/3.0	02/04/07	Transfer w/Increased Hours
McGahan, Stephanie	IPS-Healthcare/BJHS/3.0	02/04/07	Voluntary Resignation
McNeille, Robin	IPS-Classroom/Loma Vista/1.0	01/19/07	Voluntary Resignation
Payne, Kathryn	IPS-Classroom/Loma Vista/2.0	01/12/07	Voluntary Resignation
Roberts, Eugenia	Cafeteria Assistant/Rosedale/4.3	12/26/06	Transfer w/Increased Hours
Shannon, Jocelyn	IPS-Classroom/Loma Vista/2.0	01/15/07	Increase in Hours
Stoner, Wendee	Parent Liaison Aide-Restr/Sierra View/1.0	01/22/07	Voluntary Resignation
Sullivan, Lori	Computer Technician/CJHS/5.0	01/14/07	Increase in Hours
Sullivan, Lori	Computer Technician/Neal Dow/3.0	01/14/07	Voluntary Resignation
Theobald, Diana	Office Assistant/PVHS/8.0	01/28/07	Promotion
Witcher, Patrece	School Bus Driver-Type 2/Transportation/5.8	01/18/07	To 39-Month Re-employment List

Resignation/Termination

Bella, Mara  
Employee Holding Position  
#218029  
Frank, Linda

IPS-Classroom/Hooker Oak/2.0  
IA-Special Education/McManus/5.0  
Library Media Assistant/McManus/4.1

02/12/07  
01/07/07  
01/31/07

Voluntary Resignation  
Released During  
Probationary Period  
Voluntary Resignation  
from LOA

Mendoza, Daniel

IPS-Healthcare/Loma Vista/3.0 & 3.0

01/13/07

Voluntary Resignation  
from LOA

Payne, Kathryn  
Rosales, Debra  
Rowntree, Mary  
Storz, Deborah

IPS-Healthcare/Loma Vista/4.0  
IPS-Healthcare/Citrus/3.5  
IPS-Classroom/Rosedale/3.5  
Payroll Coordinator/Payroll/8.0

03/09/07  
01/07/07  
01/10/07  
01/26/07

Voluntary Resignation  
Voluntary Resignation  
Voluntary Resignation  
Voluntary Resignation

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: Consultant Agreement for John R. Alexander

Prepared by: David G. Scott, Director, Pupil Personnel Services

- ☒ Consent  
☐ Information Only  
☐ Discussion/Action

Board Date: 02/21/07

Background Information

The district provides a continuum of services to students with disabilities. The Transition Center Program is a part of the district's continuum of services for students with emotional/behavioral disabilities. Located on the Pleasant Valley High School campus, the Transition Center staff provide the educational programs and student support services which enable students with emotional disabilities to complete the requirements for the high school diploma. An integral part of the Transition Center Program is the individual, group and family clinical counseling provided to students and their parents.

Education Implications

Required per federal (IDEA 2004) and state (AB-1662) laws.

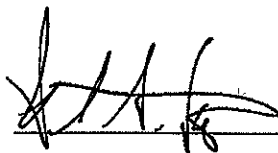
Fiscal Implications

The cost for this service is \$16,560.00 for the remainder of the 2006-07 school year. A portion of this cost will be offset through the use of LEA Medi-Cal Billing.

Additional Information

The district expended approximately \$38,686.00 for this service during the 2005-06 school year.

DO Recommendation: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'J. H. F.', is written over a horizontal line.

Mandatory Instructions  
(click to view)

CHICO UNIFIED SCHOOL DISTRICT  
Business Services  
1163 E. 7<sup>th</sup> Street, Chico, CA 95928  
(530) 891-3000

Business Services Use Only  
CA# \_\_\_\_\_  
V# \_\_\_\_\_  
RCF# \_\_\_\_\_

## CONSULTANT AGREEMENT

1. A completed BS10a. "Certificate of Independent Consultant Agreement" guideline is:  
☐ On File (click to view) ☒ Attached
2. A completed W9 "Request for Taxpayer Identification Number and Certification" form is:  
☐ On File (click to view) ☒ Attached

This Agreement to furnish certain consulting services is made by and between Chico Unified School District and:

Name: John R. Alexander  
Street Address/POB: 1700 Lawler Street  
City, State, Zip Code: Chico, CA 95928  
Phone: (530) 894-1018  
Taxpayer ID/SSN: \_\_\_\_\_

This agreement will be in effect from: 02/22/07

to 06/07/07

Location(s) of Services: (site) Pleasant Valley High School Transition Center

3. Scope of Work to be performed: (attach separate sheet if necessary)

The consultant will provide individual and group psychotherapy to the students enrolled in the Transition Center as well as family therapy.

4. Goal (Strategic Plan, Site Plan, Other) to be achieved as a result of Consultant services:

To increase student achievement through the provision of appropriate student support services.

5. Funding/Programs Affected: (corresponding to accounts below)

- 1) Special Education
- 2)
- 3)

6. Account(s) to be Charged:

	Pct (%)	Fund	Resource	Proj/Yr	Goal	Function	Object	Expense	Sch/Dept
1)	100.00	01	6501	0	5750	1110	5800	14	510
2)							5800	14	
3)							5800	14	

7. Is there an impact to General Fund, Unrestricted funding? ☒ Yes ☐ No

8. Payment to Consultant: (for the above services, District will pay Consultant as follows)

\$ 60.00 Per Unit, times 276.00 # Units = \$ 16,560.00 Total for Services  
(Unit: ☒ Per Hour ☐ Per Day ☐ Per Activity)

9. Additional Expenses:

Gross hourly rate \$60.00 Employee to pay \$ \_\_\_\_\_  
statutory benefits Net hourly rate should \$ \_\_\_\_\_  
approximate \$54.26 \$ \_\_\_\_\_

Total for  
Addit'l Expenses

\$ 16,560.00 Grand Total

10. Amounts of \$1,001.00 or more require Board Approval: (date to Board)

(to be completed by Business Services)



# **CONSULTANT TERMS AND CONDITIONS**

(Applicable, unless determined to be Contract Employee -- See BS10a)

Business Services Use Only  
CA# \_\_\_\_\_  
V# \_\_\_\_\_  
RCF# \_\_\_\_\_

1. The Consultant will perform said services independently, not as an employee of the District; therefore, the District is not liable for worker's compensation or unemployment benefits in connection with this Consultant Agreement. Consultant shall assume full responsibility for payment of all Federal, State and Local taxes or contributions, including Unemployment Insurance, Social Security, and Income Taxes with respect to Consultant's employees.
2. Consultant shall furnish, at his/her own expense, all labor, materials, equipment and other items necessary to carry out the terms of this Agreement, unless agreed upon under Additional Expenses on page 1 of this Agreement.
3. In the performance of the work herein contemplated, Consultant is an independent contractor, with the authority to control and direct the performance of the details of the work, the District being interested in the results obtained.
4. If applicable, the Consultant will certify in writing, using Administration Form #3515.6.1, that criminal background checks have been completed as per Board Policy #3515.6 prior to commencement of services. This requirement also applies to any subcontractors or employees utilized by the Consultant.
5. Consultant agrees to defend, indemnify and hold harmless the District, its Board of Trustees, employees and agents from any and all liability or loss arising in any way out of Consultant's negligence in the performance of this Agreement, including, but not limited to, any claim due to injury and/or damage sustained by Consultant, and/or the Consultant's employee or agents.
6. Consultant will provide to Assistant Superintendent, Business Services, upon request, a Certificate of Insurance showing a minimum \$1,000,000 combined single limits of general liability and automobile coverage as required by the District.
7. Neither party shall assign nor delegate any part of this Agreement without the written consent of the other party.
8. The work completed herein must meet the approval of the District and shall be subject to the District's general right of inspection to secure the satisfactory completion thereof. Consultant agrees to comply with all Federal, State, Municipal and District laws, rules and regulations that are now, or may in the future become, applicable to Consultant, Consultant's business, equipment and personnel engaged in operations covered by this Agreement or occurring out of the performance of such operations.

## **11. AGREED TO AND ACCEPTED:**

John R. Alexander  
(Signature of Consultant) John R. Alexander  
(Print Name)

2/8/07 per telephone call RM  
(Date)

## **12. RECOMMENDED:**

David G. Scott  
(Signature of Originating Administrator) David G. Scott  
(Print Name)

2/8/07  
(Date)

## **13. APPROVED:**

Kelly Staley  
(Signature of District Administrator, or Director of Categorical Programs) Kelly Staley  
(Print Name)

2-8-07  
(Date)

## **APPROVED:**

(for RM)  
(Signature of Asst. Supt. - Business Services) ☐ Consultant  
Randy Meeker  
(Print Name)

☒ **Contract Employee**

2-14-07  
(Date)

## **14. Authorization for Payment:**

### **(a). CHECK REQUIRED (Invoice to accompany payment request):**

- ☐ Partial Payment thru: \_\_\_\_\_  
(Date)
- ☐ Full or Final Payment

### **(b). DISPOSITION OF CHECK by Accounts Payable: (check released upon completion of services)**

- ☐ Send to Site Administrator: \_\_\_\_\_  
(Date check required)
- ☐ Mail to Consultant

### **(c).**

\$ \_\_\_\_\_  
(Amount) \_\_\_\_\_ (Originating Administrator Signature - Use Blue Ink) \_\_\_\_\_ (Date)

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: 2007 CSBA Delegate Assembly Election

Prepared by: Mary Anderson

- ☐ Consent  
☐ Information Only  
☒ Discussion/Action

Board Date: 02/21/07

Background Information

The Delegate Assembly is a vital link in California School Boards Association's (CSBA) governance structure. This body sets the general policy direction for the association. It works with local districts, county offices of education, the Board of Directors and the Executive Committee to ensure that the association reflects the interests of districts and COE's throughout the state. CSBA delegates serve two-year terms.

Education Implications

Fiscal Implications

Additional Information

DO Recommendation: \_\_\_\_\_

THIS COMPLETE, **ORIGINAL** BALLOT MUST BE SIGNED BY THE SUPERINTENDENT/BOARD CLERK AND RETURNED IN THE ENCLOSED ENVELOPE POSTMARKED BY THE POST OFFICE NO LATER THAN **THURSDAY, MARCH 15, 2007**. ONE BALLOT PER BOARD. A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.

OFFICIAL 2007 DELEGATE ASSEMBLY BALLOT  
SUBREGION 4-B  
(Butte County)

Number of vacancies: 1 (Vote for no more than 1 candidate)

\*denotes incumbent

\_\_\_ Jann Reed (Chico USD)

\_\_\_ Katharine White (Oroville City PSD)

**COPY**

WRITE-IN

NAME AND DISTRICT

SCHOOL DISTRICT/COE

SIGNATURE OF SUPERINTENDENT/CLERK

TITLE

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: School Accountability Report Cards (SARCs)

Prepared by: Kelly Staley (18)

☐ Consent

☒ Information Only

☐ Discussion/Action

Board Date 02/21/07

**Background Information**

As a result of Proposition 98 (passed in November 1988) and subsequent legislation, California Public Schools are required to provide information about themselves to the community in the form of an annual School Accountability Report Card or SARC. These report cards provide a variety of data to allow the public to evaluate and compare schools in terms of student achievement, environment, resources and demographics.

**Educational Implications**

The SARC not only provides general information regarding each school, but also provides data specific to academic performance, school completion, school safety, class size, and post-secondary preparation.

**Fiscal Implications**

None

**Additional Information**

SARCs will be available to the public at individual school sites and via the CUSD website on 2/26/07. In addition, the SARCs can be obtained at the California Department of Education website: [www.cde.ca.gov/oep/sarc/](http://www.cde.ca.gov/oep/sarc/)

DO Recommendation: Staley - Approve

Agenda Item #:

(DO Use Only)

PROPOSED AGENDA ITEM: Fair View WASC Report

Prepared by: Steve Connolly

☐ Consent

☒ Information Only

☐ Discussion/Action

Board Date: 02/21/07

Background Information

Fair View has a six year WASC review scheduled for March 12-14, 2007. Fair View has been accredited by the Western Association of Schools and Colleges since 1974.

Education Implications

Ongoing accreditation.

Fiscal Implications

None to the district.

Additional Information

DO Recommendation:

Approve - [Signature]

Fair View High School  
WASC Self Study Summary  
February 2007

**History** - Fair View High School was established by the Chico Unified School District Board of Trustees in 1968. Classes were first held at the Silver Dollar Fair Grounds. The students named the school Fair View because they said they were treated fairly and that the staff and the activities of the school provided them with a new and more positive view of life. The school was moved to its second location (formerly the Oakdale Elementary School) in 1975, a site that has housed a number of schools for over one hundred years. In 2005, Fair View was moved to its present location at the north end of town, the original site of Jay Partridge Elementary School.

Prior to this latest move, the Fair View campus shared space with CAL, the district's opportunity program for 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> grade students, the Oakdale Independent Study School and the Alternative Education Transition Center (A.T.C.). Fair View now has its own campus to meet the many needs of a grade 9-12 student population.

Fair View High School has been accredited by the Western Association of Schools and Colleges since 1974 and received a six year accreditation with a three year review in 2001. Fair View has been recognized as a Model Continuation High in 1994 and in 1999 by the California Department of Education.

**School Purpose** - Fair View High School continues to have a fair and positive approach. Fair View promotes the ABC's and the 3R's, although we have changed their meanings a bit since 1968. Our ABC's stand for attendance, behavior, and credits/grades. These are the three areas that the majority of our students need some assistance with and are the basis for most referrals to alternative education. Our 3R's stand for respect, responsibility, and resiliency. These are the important life skills we address with our students. Respect for self and shared with others. Responsibility for one's own actions at all times. Resiliency, which is our ability to bounce back after setbacks.

Our mission is to provide a safe environment which nurtures individual talents, promotes academic competency and develops productive citizens. Fair View firmly supports the District mission of individual student success through a unified sequence of teaching, learning, assessment and support.

**Status of the School** - Fair View has shown a significant increase (48%) in its API (State testing) score, 354 in 2004 to 525 in 2006. Fair View also met 3 of 6 AYP (Adequate Yearly Progress) criteria. The 3 areas met were the percent proficient for both English-Language Arts and Mathematics and the 2006 graduation rate. Areas not met were the 2006 API Growth, due to no 2005 base score being reported, and the overall participation rate target of 95% for both ELA and Math. However, both these rates were near 70% of our enrollment for the spring 2006 tests. As the Federal expectations related to API and AYP are the same for Fair View as they are for regular education, Fair View is now in its second year of Program Improvement.

While Fair View has shown improvement in these areas, we have also shown a steady growth in our ASAM (Alternative Schools Accountability Model) School Report. This report designed by the State looks beyond the API for California's continuation high schools. ASAM Indicator 2 shows a drop in the suspension rate at Fair View from 2004 to 2005, 26.5% to 22.4%. ASAM Indicator 6 shows an increase in the student attendance rate at Fair View since 2003, 79.5% to

82.3%. ASAM Indicator 13A shows an increase in the student credit completion rate since 2003, 76.79% to 84%.

**Student Enrollment** – Fair View has a student capacity of 270 students, up from 220 at our old facility. However, 512 students passed through our doors during the 2005/06 school year. The majority of our students have been males, with a range of 55% to 59%. Our main ethnicity groups are as follows; White – 62% to 65%, Hispanic/Latino – 18% to 24%, Black/African American – 5% to 9%. English is the primary language spoken in the home, 84% to 88%, while Spanish has a range of 10% to 16%.

**Implications –**

1. While the District has been in declining enrollment, Fair View has seen a yearly increase in its enrollment numbers.
2. The student population is transient by nature. The total number of students served each year is double that served in any one session.
3. The enrollment numbers have increased in the areas of Special Needs and ELL. Fair View has hired an additional RSP Teacher as well as an ELL teacher to address this need.
4. While still below the District average, the average daily rate of attendance has increased significantly over the years.
5. While the API score is low, both the numbers tested and the API score have significantly increased. Fair View offers a standards based curriculum.
6. The 9<sup>th</sup> and 10<sup>th</sup> graders show a movement upward towards proficiency on the STAR tests. A 7<sup>th</sup> period intervention program has been added.
7. The ASAM report indicates an upward trend.
8. While not all seniors pass the CAHSEE, the majority who are eligible for a diploma do pass the test. Those that do not pass the test are invited to stay at Fair View until they do.
9. Despite a significant increase in enrollment numbers, the suspension and expulsion rates have stayed about the same overall, thus indicating a declining percentage rate of activity. School safety remains a high priority at Fair View.

**Critical Needs –**

1. Improved Student Attendance. While Fair View has seen an increase in the average daily attendance rate, students are not consistently coming to all classes in a timely manner that allows them to succeed in a standards based setting. Many of the students that enroll at Fair View are significantly behind in their credits needed for graduation. Non-attendance only places them further behind.
2. Improved Test Results. As stated, Fair View is in year two of program improvement. The only way out is to increase the overall proficiency scores and the number of students tested. Many of the students do not take the State testing process seriously and/or quickly become frustrated during the testing process.
3. Vocational Classes/Career Preparation. Fair View has a segment of its enrollment that is transient and/or enters Fair View with no real means of obtaining a high school diploma through the traditional credit process. Even many of those on track to graduate will not seek further education at the college level. A majority of the Fair View students will enter our community in need of immediately supporting themselves and obtaining employment.

The complete WASC Self Study Report may be found on our web page at:  
[www.chicousd.org/dna/fairview/index.html](http://www.chicousd.org/dna/fairview/index.html)

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

PROPOSED AGENDA ITEM: An Overview of the Three Junior High Schools

Prepared by: Joyce Burdette, Joanne Parsley, and Steve Piluso

☐ Consent

☒ Information Only

☐ Discussion/Action

Board Date February 21, 2007

**Background Information**

An overview of programs and services offered at the three Junior High Schools, including a look at curriculum, textbooks, Interventions/Student Support programs, Technology, Library Services, Student Activities, Electives and Facilities.

**Educational Implications**

n/a

**Fiscal Implications**

n/a

**Additional Information**

DO Recommendation: \_\_\_\_\_



**TITLE: Board Policy Series 5000 (Students)**

Action: \_\_\_\_\_  
Consent: \_\_\_\_\_  
Information: X \_\_\_\_\_

Prepared by: Kelly Staley, Assistant Superintendent for Educational Services

**Background Information**

In order to govern effectively, Districts are required to have accurate and up-to-date Board Policies. By law, Districts are mandated to adopt many policies to ensure legal compliance. Working in conjunction with California School Boards Association (CSBA) Policy Services, CUSD continues to update and revise Board Policies to ensure CUSD is legally compliant.

**Educational Implications**

Up-to-date policies provide clarity to the expectations for students, parents, and staff.

**Fiscal Implications**

CUSD is required to have up-to-date and legally compliant policies. Failure to have such policies in place jeopardizes funding opportunities, especially in regards to Categorical dollars.

**Recommendation**

Adopt the CSBA recommended Board Policies Series 5000

Board Policies and Administrative Regulations  
Presented January 17, 2007  
Board of Education Meeting  
Page 1 of 2

6.B.4  
Page 2 of 88

5000	BP	Concepts And Roles
5020	BP	Parent Rights And Responsibilities
5021	BP	Noncustodial Parents
5022	BP	Student And Family Privacy Rights
5111	BP	Admission
5112.1	BP	Exemptions From Attendance
5112.5	BP	Open Campus
5113	BP	Absences and Excuses
5113.1	BP	Truancy
5116	BP	School Attendance Boundaries
5116.1	BP	Intradistrict Open Enrollment
5117	BP	Interdistrict Attendance
5117.1	BP	Interdistrict Attendance Agreements
5119	BP	Students Expelled From Other Districts
5121	BP	Grades/Evaluation Of Student Achievement
5123	BP	Promotion/Acceleration/Retention
5125	BP	Student Records
5125.1	BP	Release Of Directory Information
5127	BP	Graduation Ceremonies And Activities
5131	BP	Conduct
5131.1	BP	Bus Conduct
5131.4	BP	Student Disturbances
5131.5	BP	Vandalism, Theft and Graffiti
5131.6	BP	Alcohol And Other Drugs
<del>5131.61</del>	<del>BP</del>	<del>Drug Testing</del> <i>delete</i>
5131.62	BP	Tobacco
5131.63	BP	Steroids
5131.7	BP	Weapons and Dangerous Instruments
5131.9	BP	Academic Honesty
5132	BP	Dress and Grooming
5136	BP	Gangs
5137	BP	Positive School Climate
5138	BP	Conflict Resolution/Peer Mediation
5141	BP	Health Care And Emergencies
5141.1	BP	Accidents
5141.21	BP	Administering Medication And Monitoring Health Conditions
5141.22	BP	Infectious Diseases
5141.24	BP	Specialized Health Care Services
5141.26	BP	Tuberculosis Testing
5141.3	BP	Health Examinations
5141.31	BP	Immunizations

**Board Policies and Administrative Regulations**  
**Presented January 17, 2007**  
**Board of Education Meeting**  
**Page 2 of 2**

5141.33	BP	Head Lice
5141.4	BP	Child Abuse Prevention And Reporting
5141.6	BP	Student Health And Social Services
5142.1	BP	Identification And Reporting Of Missing Children
5144	BP	Discipline
5144.1	BP	Suspension And Expulsion/Due Process
5145.11	BP	Questioning And Apprehension
5145.12	BP	Search and Seizure
5145.2	BP	Freedom Of Speech/Expression
5145.3	BP	Nondiscrimination/Harassment
5145.6	BP	Parental Notifications
5145.8	BP	Refusal To Harm Or Destroy Animals
5145.9	BP	Hate-Motivated Behavior
5146	BP	Married/Pregnant/Parenting Students



**Chico Unified School District**  
1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

**DRAFT** 6.B.4

Page 4 of 88

Board Policy:

#5000

Section: 5000

Students

Page 1 of 1

## **CONCEPTS AND ROLES**

The Board of Education shall make every effort to maintain a safe, positive school environment and student services that promote student welfare and academic achievement. The Board expects students to make good use of learning opportunities by demonstrating regular attendance, appropriate conduct and respect for others.

(cf. 5113 - Absences and Excuses)

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

The Board is fully committed to providing equal educational opportunities and keeping the schools free from discriminatory practices. The Board shall not tolerate the intimidation or harassment of any student for any reason.

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall establish and keep parents/guardians and students well informed about school and district rules and regulations related to attendance, health examinations, records, grades and student conduct. When conducting hearings related to discipline, attendance and other student matters, the Board shall afford students their due process rights in accordance with law.

(cf. 5125 - Student Records)

(cf. 5144 - Discipline)

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

(cf. 5145.6 - Parental Notifications)

(cf. 9000 - Role of the Board)

### **Legal Reference:**

#### **EDUCATION CODE**

35160 Authority of governing boards

35160.1 Broad authority of school districts

35291-35291.5 Rules

Policy Adopted:



**Chico Unified School District**  
1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

**DRAFT** 6.B.4  
Page 5 of 88

**Board Policy:**

**#5020**

**Section: 5000**

**Students**

**Page 1 of 1**

## **PARENT RIGHTS AND RESPONSIBILITIES**

The Board of Education recognizes that parents/guardians of district students have certain rights as well as responsibilities related to the education of their children.

The Board believes that the education of the district's students is a shared responsibility. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students at each school site, including the means by which the schools and parents/guardians can help students achieve academic and other standards of the school.

Within this framework, the school's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the school.

Parents/guardians shall have the opportunity to work with schools in a mutually supportive and respectful partnership and to help their children succeed in school. (Education Code 51100)

(cf. 5022 - Student and Family Privacy Rights)  
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall ensure that district staff understand the rights of parents/guardians afforded by law and Board policy and follow acceptable practices that respect those rights.

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

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights in accordance with law.

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall take reasonable steps to ensure that parents/guardians who speak a language other than English are properly notified in English, and in their home language of the rights and opportunities available to them pursuant to Education Code 48985. (Education Code 51101.1)

### **Legal Reference:**

#### **EDUCATION CODE**

33126 School accountability report card  
35291 Disciplinary rules  
48070.5 Promotion and retention of students  
48985 Notice to parent in language other than English  
49091.10-49091.19 Parental review of curriculum and instruction  
49602 Confidentiality of pupil information  
51100-51102 Parent/guardian rights  
51513 Personal beliefs  
60510 Disposal of surplus instructional materials  
**UNITED STATES CODE, TITLE 20**  
1232g Family Educational Rights and Privacy Act  
1232h Protection of pupil rights

### **Management Resources:**

#### **WEB SITES**

CSBA: <http://www.csba.org>  
CDE: <http://www.cde.ca.gov>

**Policy Adopted:**



## Chico Unified School District

1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

6.B.4

Page 6 of 88

Board Policy:

#5021

Section: 5000

Students

Page 1 of 1

### NONCUSTODIAL PARENTS

"Parent" means a natural parent; an adopted parent, or legal guardian. If the parents are divorced or legally separated, only a parent having legal custody of the pupil may challenge the content of a record pursuant to Section 49070, offer a written response to a record pursuant to Section 49072, or consent to release records to others pursuant to Section 49075. Either parent may grant consent if both parents have notified, in writing, the school or school district that an agreement has been made. If a pupil has attained the age of 18 years or is attending an institution of postsecondary education, the permission or consent required of, and the rights accorded to, the parents or guardian of the pupil shall thereafter only be required of, and accorded to, the pupil.

Noncustodial parents generally retain the same rights as custodial parents unless a court order restricts the rights of the noncustodial parent. These rights include but are not limited to accessing his/her child's student records, participating in school activities and visiting the child at school. If a completed or pending legal action curtails the noncustodial parent's rights, the parent/guardian with custody shall provide evidence of this action to the Superintendent or designee.

(cf. 5125 - Student Records)

(cf. 5142 - Safety)

(cf. 6020 - Parent Involvement)

Upon request, the district shall provide noncustodial parents with announcements and notices that are sent to the custodial parent.

While both parents can visit the child at school, only the custodial parent has the right to remove the child from school property. Only a verified note or an emergency card from the custodial parent will be cause for exception to this provision.

(cf. 5141 - Health Care and Emergencies)

In the event of an attempted violation of a court order that restricts access to a student, staff shall contact the custodial parent and local law enforcement officials.

#### Legal Reference:

##### EDUCATION CODE

49061 Definitions

49069 Absolute right to access

##### FAMILY CODE

3025 Parental access to records

Policy Adopted:



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## **STUDENT AND FAMILY PRIVACY RIGHTS**

The Board of Education believes that personal information concerning district students and their families should be kept private in accordance with law.

(cf. 0000 - Vision)  
(cf. 0100 - Philosophy)  
(cf. 0200 - Goals for the School District)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5021 - Noncustodial Parents)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)  
(cf. 6000 - Concepts and Roles)  
(cf. 6162.8 - Research)

### **Collection of Personal Information for Marketing Purposes**

The Board prohibits district staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.

#### **Legal Reference:**

##### **EDUCATION CODE**

49450-49457 Physical examinations  
49602 Confidentiality of pupil information  
51513 Personal beliefs

##### **UNITED STATES CODE, TITLE 20**

1232g Family Educational Rights and Privacy Act  
1232h Protection of pupil rights

#### **Management Resources:**

##### **WEB SITES**

CSBA: <http://www.csba.org>  
CDE: <http://www.cde.ca.gov>  
USDOE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>

Policy Adopted:



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Board Policy:

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## ADMISSION

The Board of Education believes that all children should have the opportunity to receive educational services. Staff shall encourage parents/guardians to enroll all school-aged children in school.

The Superintendent or designee shall maintain procedures which provide for the verification of all entrance requirements specified in law and in Board policies and regulations.

- (cf. 5111.1 - District Residency)
- (cf. 5111.11 - Residency of Students with Caregiver)
- (cf. 5111.12 - Residency Based on Parent/Guardian Employment)
- (cf. 5111.13 - Residency for Homeless Children)
- (cf. 5119 - Students Expelled from Other Districts)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5141.3 - Health Examinations)
- (cf. 5141.31 - Immunizations)

### Legal Reference:

#### EDUCATION CODE

- 46600 Agreements for admission of pupils desiring interdistrict attendance
- 48000 Minimum age of admission (kindergarten)
- 48002 Evidence of minimum age required to enter kindergarten or first grade
- 48010 Minimum age of admission (first grade)
- 48011 Admission from kindergarten or other school; minimum age
- 48050-48053 Nonresidents
- 48200 Children between ages of 6 and 18 years (compulsory full-time education)
- 49076 Access to records by persons without written consent or under judicial order
- 49408 Information of use in emergencies

#### HEALTH AND SAFETY CODE

- 120325-120380 Education and child care facility immunization requirements
- 121475-121520 Tuberculosis tests for pupils

#### CODE OF REGULATIONS, TITLE 5

- 200 Promotion from kindergarten to first grade
- 201 Admission to high school

#### CODE OF REGULATIONS, TITLE 17

- 6000-6075 School attendance immunization requirements

#### UNITED STATES CODE, TITLE 20

- 11431-11435 McKinney Homeless Assistance Act

### Management Resources:

#### CDE MANAGEMENT ADVISORIES

- 0900.90 Changes in law concerning eligibility for admission to kindergarten

Policy Adopted:





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## EXEMPTIONS FROM ATTENDANCE

Each child between the ages of 6 and 18 shall be subject to compulsory full-time education. (Education Code 48200)

However, the Board of Education may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student who is a disciplinary problem.

- (cf. 5111 - Admission)
- (cf. 5112.2 - Exclusions from Attendance)
- (cf. 5112.3 - Student Leave of Absence)
- (cf. 5113.2 - Work Permits)
- (cf. 5144 - Discipline)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 6158 - Independent Study)
- (cf. 6183 - Home and Hospital Instruction)

### Legal Reference:

#### EDUCATION CODE

- 33190 Affidavit by persons conducting private school instruction
- 46113 Minimum schoolday for grades four through eight
- 48200-48341 Compulsory education law
- 48400-48454 Compulsory continuation education
- 48800.5 Petition for enrollment as special full-time student

#### LABOR CODE

- 1295.5 Employment of minors; performance of sports-attending services
- 1390-1399 Employment of minors

#### UNITED STATES CODE, TITLE 20

- 1681-1688 Title IX, Discrimination

#### UNITED STATES CODE, TITLE 29

- 794 Section 504 of the Rehabilitation Act of 1973

#### CODE OF FEDERAL REGULATIONS, TITLE 34

- 106.40 Marital or parental status

#### COURT DECISIONS

- Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 342



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### **OPEN CAMPUS**

In order to give students an opportunity to demonstrate responsibility and positive citizenship, the Board of Education establishes an open campus at all district high schools in which students shall have the privilege of leaving campus during lunch.

The privilege of open campus may be revoked from individual students for disciplinary reasons.

(cf. 5144 - Discipline)

Students shall not leave the school grounds at any other time during the school day without written permission of their parents/guardians and school authorities. Students who leave school or who fail to return following lunch without authorization shall be classified truant and subject to disciplinary action.

(cf. 5113 - Absences and Excuses)

#### **Legal Reference:**

##### **EDUCATION CODE**

35160 Authority of the Board

35160.1 Broad authority of school district

44808.5 Permission for pupils to leave school grounds; notice



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## ABSENCES AND EXCUSES

The Board of Education believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5113.1 - Truancy)

### Excused Absences

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board policy and administration regulations. (Education Code 46010, 48216, 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours.

At the beginning of each academic year, notifications shall be sent to the parents/guardians of all students, and to all students in grades 7 through 12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

(cf. 5145.6 - Parental Notifications)

Students in grades K-6 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

Student absence for religious instruction or participation in religious exercises away from school property may be considered excused subject to law and administrative regulations. (Education Code 46014)

### Legal Reference:

#### EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)

2550-2558.6 Computation of revenue limits

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48210-48216 Exclusions from attendance

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

Policy Adopted:



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48340-48341 Improvement of student attendance  
49067 Unexcused absences as cause of failing grade

### ELECTIONS CODE

12302 Student participation on precinct boards

### FAMILY CODE

6920-6929 Consent by minor

### VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

### WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

### CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-421 Record of verification of absence due to illness and other causes

### ATTORNEY GENERAL OPINIONS

66 Ops. Cal. Atty. Gen. 245, 249 (1983)

### COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

### Management Resources:

#### CDE MANAGEMENT ADVISORIES

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

#### CSBA ADVISORIES

0520.97 Welfare Reform and Requirements for School Attendance

#### WEB SITES

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



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## TRUANCY

To improve student attendance, the Superintendent or designee shall implement measures to identify the reasons for a student's unexcused absences and to help resolve the problems caused by truancy. Such strategies shall focus on early intervention and may include, but not be limited to, communication with parents/guardians and the use of student study teams.

(cf. 5113 - Absences and Excuses)  
(cf. 5147 - Dropout Prevention)  
(cf. 5149 - At-Risk Students)  
(cf. 6164.5 - Student Success Teams)  
(cf. 6176 - Weekend/Saturday Classes)

In addition, the Superintendent or designee shall cooperate with other agencies within the community to meet the needs of students who have serious school attendance or behavior problems and to maintain a continuing inventory of community resources, including alternative programs.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Habitually truant students may be referred to a school attendance review board, a truancy mediation program operated by the county's district attorney or probation officer, and/or juvenile court in accordance with law.

For purposes of California's welfare system (CalWORKS), a student shall be determined to be regularly attending school unless he/she has been referred to the county district attorney or probation office pursuant to Education Code 48263.

### Legal Reference:

#### EDUCATION CODE

1740 Employment of personnel to supervise attendance (county superintendent)  
37223 Weekend classes  
41601 Reports of average daily attendance  
46000 Records (attendance)  
46010-46014 Absences  
46110-46119 Attendance in kindergarten and elementary schools  
46140-46147 Attendance in junior high and high schools  
48200-48208 Children ages 6-18 (compulsory full-time attendance)  
48240-48246 Supervisors of attendance  
48260-48273 Truants  
48290-48296 Failure to comply; complaints against parents  
48320-48324 School attendance review boards  
48340-48341 Improvement of student attendance  
49067 Unexcused absences as cause of failing grade

#### VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

#### WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors  
11253.5 Compulsory school attendance

#### CODE OF REGULATIONS, TITLE 5

306 Explanation of absence  
420-421 Record of verification of absence due to illness and other causes

#### ATTORNEY GENERAL OPINIONS

66 Ops. Cal. Atty. Gen. 245, 249 (1983)

Management Resources:

Policy Adopted:



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CDE MANAGEMENT ADVISORIES

0114.98 School Attendance and CalWORKS, Management Bulletin 98-01

CDE PUBLICATIONS

School Attendance Review Board Handbook, 1995

CSBA ADVISORIES

0520.97 Welfare Reform and Requirements for School Attendance

WEB SITES

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

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

Policy Adopted:



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## **SCHOOL ATTENDANCE BOUNDARIES**

The Governing Board shall establish school attendance boundaries in order to maximize the efficient use of district facilities and effective administration of district schools. The Superintendent or designee shall periodically review school attendance boundaries and, as necessary, make recommendations to the Board for boundary adjustments.

When reviewing school attendance boundaries, the Superintendent or designee shall consider the following factors:

1. School enrollment data, including declining enrollment patterns
2. Facility capacity and design, including potential commercial and residential developments
3. School feeder patterns, including maintaining, to the extent practicable, continuity of student attendance
4. Federal, state, or court mandates
5. Community input
6. Student safety
7. Transportation capacity
8. Community and neighborhood identity
9. Geographic features of the district, including traffic patterns
10. Educational programs, such as magnet schools and charter schools

(cf. 7160 - Charter School Facilities)

11. Consistency between municipal boundaries and high school boundaries
12. Other factors

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance)

Students residing in a community facilities district shall have priority, to the extent provided by law, for attendance at schools financed in whole or in part by the community facilities district. The degree of priority must reflect the proportion of each school's financing provided through the community facilities district. (Government Code 53312.7)

(cf. 7212 - Mello-Roos Districts)

In order to alleviate overcrowding, the Superintendent or designee may place some students in a school outside of their attendance area. Parents/guardians of students who are attending schools outside of their attendance area shall be notified of the school their child will be attending as soon as possible. If available, transportation shall be provided for such students.

(cf. 3541 - Transportation Routes and Services)

Policy Adopted:



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### **Legal Reference:**

#### **EDUCATION CODE**

35160 Authority of governing boards

35160.1 Broad authority of school districts

35160.5 District policies; rules and regulations

35291 Rules

35350 Transportation of students

35351 Assignment of students to particular schools

#### **GOVERNMENT CODE**

53311-53317.5 Establishment of community facilities district

#### **CALIFORNIA CONSTITUTION**

Article I, Section 31 Discrimination based on race, sex, color, ethnicity

#### **COURT DECISIONS**

Crawford v. Huntington Beach Union High School District (2002) 98 Cal.App.4th 1275

Crawford v. Board of Education (1976) 17 Cal.3d 280

Jackson v. Pasadena City School District (1963) 59 Cal.2d 876

### **Management Resources:**

#### **WEB SITES**

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





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## **INTRADISTRICT OPEN ENROLLMENT**

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students. The Board establishes an attendance area for each school in the district, including the boundaries of the area to be served and determines the capacity of the district's schools to accept transfers. The purpose of these attendance areas is to maintain a balance in enrollment and a balanced class size among all schools while avoiding excessive traffic hazards and walking distances.

While the majority of students attend the schools serving the area in which they live, the district does recognize that this may create a hardship on families for various reasons. Therefore, the district allows parents to request that their child attend schools outside of their attendance area that may better meet the parents' preferences regarding educational program, emotional well-being, child care needs or other reasons.

The student selection process for intra-district attendance will be random and unbiased when a school receives admission requests that are in excess of the school's capacity and will be based on established priorities.

1. If a district school receiving Title I funds is identified for program improvement, corrective action, or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC 6316)
2. If while on school grounds, a student becomes the victim of a violent criminal offense, as defined by the State Board of Education, or attends a school designated by the California Department of Education as persistently dangerous, he/she shall be provided an option to transfer to another district school or charter school.
3. Priority may be given to siblings of students already in attendance in that school.
4. Priority may be given to students whose parent/guardian is assigned to that school as his/her primary place of employment.
5. Enrollment decisions shall not be based on a student's academic or athletic performance except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students.

No student currently residing within a school's attendance area at the beginning of the school year shall be displaced from attendance at that school by another student transferring from outside the attendance area. Parents will be notified annually of their attendance options.

The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

### **Legal Reference:**

#### **EDUCATION CODE**

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

48980 Notice at beginning of term

#### **UNITED STATES CODE, TITLE 20**

6316 Transfers from program improvement schools

7912 Transfers from persistently dangerous schools

**Policy Adopted:**



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### CODE OF FEDERAL REGULATIONS, TITLE 34

200.36 Dissemination of information

200.37 Notice of program improvement status, option to transfer

200.39 Program improvement, transfer option

200.42 Corrective action, transfer option

200.43 Restructuring, transfer option

200.44 Public school choice, program improvement schools

200.48 Transportation funding for public school choice

### COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4<sup>th</sup> 1275

### ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

### Management Resources:

#### U.S. DEPARTMENT OF EDUCATION GUIDANCE

Public School Choice, December 4, 2002

Unsafe School Choice Option, July 23, 2002

#### WEB SITES

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

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

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



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## INTERDISTRICT ATTENDANCE

The Board of Education recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons. The Board desires to communicate with parents/guardians and students regarding the educational programs and services that are available.

(cf. 5116.1 - Intradistrict Open Enrollment)  
(cf. 5117.1 - Interdistrict Attendance Agreements)  
(cf. 5117.2 - Alternative Interdistrict Attendance Program)  
(cf. 5145.6 - Parental Notifications)

The Board recognizes that the district may be capable of serving additional students. Therefore, the Superintendent or designee may approve interdistrict attendance agreements with other districts.

### Legal Reference:

#### EDUCATION CODE

46600-46611 Interdistrict attendance agreements  
48204 Residency requirements for school attendance  
48209-48209.17 Student attendance alternatives  
48915 Expulsion; particular circumstances  
48915.1 Expelled individuals: enrollment in another district  
48918 Rules governing expulsion procedures  
48980 Notice at beginning of term  
52317 Enrollment of students, inter district attendance

Policy Adopted:



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## INTERDISTRICT ATTENDANCE AGREEMENTS

The district has a primary responsibility to meet the educational needs of students residing inside the district boundaries with a parent, legal guardian or other person having legal control or charge of the student and, under specified conditions, a responsibility to meet the educational needs of some students residing outside the district's boundaries.

Students residing outside the district who meet district residency requirements may be allowed to enroll in district schools. Consistent with California Education Code provisions, a student residing outside a given school district's boundaries may meet the State's residency requirements for that district and may be legally enrolled. Residency requirements for the CUSD may be met by a non-district student:

1. who is placed inside school district boundaries in a regularly established licensed children's institution, or a licensed foster home or a family home, pursuant to the Welfare and Institutions Code;
2. for whom an interdistrict student attendance agreement has been approved;
3. whose residence is located within the boundaries of the district and whose parent/legal guardian is relieved of responsibility, control and authority through emancipation;
4. whose parent/legal guardian has established the residence of the student in a properly licensed home located within the district's boundaries;
5. who is residing in a state hospital located within the boundaries of the district;
6. who is elementary school age and one or both of her/his parents/legal guardians is employed within the boundaries of the district;

To appropriately meet the needs of all students, the district will consider each written interdistrict Student Attendance Application that is submitted by a parent or legal guardian. Parents/legal guardians residing within the district attendance boundaries who wish their child to attend a school outside the district boundaries or parents/legal guardians residing outside the district attendance boundaries who wish their child to attend a district school may submit an interdistrict Student Attendance Application.

Criteria to be used when considering interdistrict Student Attendance Applications may include the educational, social and emotional needs of the student, child care needs of the parents of elementary students and district considerations. Valid reasons for denying the enrollment of a student could include, but are not limited to: school overcrowding; expulsion from former school; etc. Enrollment in district schools will not be denied due to race, ethnicity, sex, parental income, scholastic achievement or any other arbitrary consideration.

Transportation will not be provided for students on interdistrict agreements; however, at no additional cost to the district, individual students may be granted daily permission to ride a school bus on a space-available basis and under the same regulations that apply to district students.

The Superintendent/designee is authorized to consider and approve or deny Interdistrict Student Attendance Applications. If the Superintendent/designee denies the application, the reasons for the denial will be submitted to the parent/legal guardian in writing. The district may require the annual renewal of interdistrict attendance agreements which have been approved.

The Superintendent will be responsible for developing, adopting and monitoring any needed district procedures to implement this policy.

Policy Adopted:



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**Legal Reference:**

**EDUCATION CODE**

- 46600-46611 Interdistrict attendance agreements
- 48204 Residency requirements for school attendance
- 48209-48209.17 Student attendance alternatives
- 48915 Expulsion; particular circumstances
- 48915.1 Expelled individuals: enrollment in another district
- 48918 Rules governing expulsion procedures
- 48980 Notice at beginning of term
- 52317 Enrollment of students, inter district attendance

Policy Adopted:



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## STUDENTS EXPELLED FROM OTHER DISTRICTS

The Board of Education may admit students expelled from other districts upon request as long as their admission is consistent with providing a safe, secure and positive school environment for all district students and staff.

In order to prohibit the enrollment of a potentially dangerous student, the Board shall hold a hearing before admitting any student who has been expelled from another district. If the student has been expelled for certain serious reasons specified in Education Code 48915(a) or (c), his/her enrollment may occur only after the term of expulsion, and only if he/she has established legal residence in the district or is enrolled pursuant to an interdistrict attendance agreement.

(cf. 5111 - Admission)

(cf. 5111.1 - District Residency)

(cf. 5117 - Interdistrict Attendance Agreements)

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

### Legal Reference:

#### EDUCATION CODE

46600 Agreements for interdistrict attendance

46601 Failure to approve interdistrict attendance; expulsion prohibiting appeal

48660-48666 Community day schools

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48915.2 Expelled student; enrollment during and after period of expulsion

48918 Rules governing expulsion procedures



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## **GRADES/EVALUATION OF STUDENT ACHIEVEMENT**

The Board of Education believes that grades serve a valuable instructional purpose by helping students and parents/guardians identify the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's achievement.

(cf. 5020 - Parent Rights and Responsibilities)

The teacher of each course shall determine the student's grade. The grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy and administrative regulation. (Education Code 49066)

(cf. 5125.3 - Challenging Student Records)

Teachers shall evaluate a student's work in relation to standards which apply to all students at his/her grade level. The Superintendent or designee shall establish and regularly evaluate a uniform grading system, and principals shall ensure that student grades conform to this system. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.

(cf. 5124 - Communication with Parents/Guardians)

(cf. 6011 - Academic Standards)

Grades should be based on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and objectives. Students shall have the opportunity to demonstrate this mastery through a variety of methods such as classroom participation, homework, tests and portfolios.

When reporting student grades to parents/guardians, teachers may add academic content standard attainments, narrative descriptions, observational notes and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

### **Unexcused Absences**

If a student misses class without an excuse **and does not** subsequently turn in homework, take a test or fulfill another class requirement which he/she missed, the student's grade may be lowered for nonperformance.

(cf. 6154 - Homework/Makeup Work)

### **Grade Point Average (GPA)**

The Superintendent or designee shall recommend to the Board the methodology to be used in calculating students' grade point averages. A 4.0 grade scale shall be used.

#### **Legal Reference:**

##### **EDUCATION CODE**

48070 Promotion and retention

48205 Excused absences

48431.6 Required systematic review

49066 Grades; finalization; physical education class

49067 Mandated regulations regarding student's achievement

49069.5 Students in foster care, grades and credits

##### **CODE OF REGULATIONS, TITLE 5**

10060 Criteria for reporting physical education achievement, high schools

Policy Adopted:



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### UNITED STATES CODE, TITLE 20

1232g Family Education Rights and Privacy Act (FERPA)

6101-6251 School-to-Work Opportunities Act of 1994

### COURT DECISIONS

Owasso Independent School District v. Falvo (2002) 122 S.Ct. 934

Las Virgenes Educators Association v. Las Virgenes Unified School District (2nd Appellate District 2001) 86 Cal.App.4th 1

Swany v. San Ramon Valley Unified School District (N.D.Cal. 1989) 720 F.Supp. 764

Johnson v. Santa Monica-Malibu Unified School District Board of Education (App. 2 Dist. 1986) 224 Cal. Rptr. 885, 179 C.A. 3d 593

### Management Resources:

#### CDE PUBLICATIONS

Elementary Makes the Grade!, 2001

#### WEB SITES

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

Advanced Placement Challenge Project: <http://www.apchallenge.net>





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## **PROMOTION/ACCELERATION/RETENTION**

The Board of Education expects students to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

Progress toward high school graduation shall be based on the student's ability to pass the subjects and electives necessary to earn the required number of credits. The student must also meet the minimum proficiency requirements set by the Board.

When high academic achievement is evident, the Superintendent or designee may recommend a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.

When academic achievement is below established standards, as early as possible in the school year and in students' school careers, the Superintendent or designee shall identify students who should be retained and who are at risk of being retained in accordance with law, Board policy, administrative regulation and the following criteria:

Students shall be identified on the basis of grades and multiple measures assessments (Including the state's Standardized Testing and Reporting Program).

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for remedial instruction to assist the student in overcoming his/her academic deficiencies. Such opportunities may include but are not limited to tutorial programs, after-school programs, summer school programs and/or the establishment of a student study team.

The Superintendent or designee shall convene a committee of parents, staff, secondary students, and community members to recommend additional criteria or refine the retention criteria prior to fully implementing this policy.

### **Legal Reference:**

#### **EDUCATION CODE**

37252-37253.5 Supplemental instruction

46300 Method of computing ADA

48011 Admission on completing kindergarten; grade placement of pupils coming from other districts

48070-48070.5 Promotion and retention

48431.6 Required systematic review of students and grading

56345 Elements of individualized education plan

60641-60648 Standardized Testing and Reporting Program

60850-60856 Exit examination

#### **CODE OF REGULATIONS, TITLE 5**

200-202 Admission and exclusion of students

### **Management Resources:**

#### **CDE MANAGEMENT ADVISORIES**

0900.90 Changes in Law Concerning Eligibility for Admission to Kindergarten 90-10

#### **LEGISLATIVE COUNSEL'S OPINION**

Promotion and Retention #21610

#### **CSBA POLICY ADVISORIES**

0901.99 Social Promotion/Retention Policy Briefing: Considerations for English Language Learners

1112.98 Student Promotion/Retention Advisory

#### **WEB SITES**

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

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



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## STUDENT RECORDS

The Board of Education recognizes the importance of keeping accurate, comprehensive student records as required by law. Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law.

The Superintendent or designee shall establish regulations governing the identification, description and security of student records, as well as timely access for authorized persons. These regulations shall ensure parental rights to review, inspect and copy student records and shall protect the student and the student's family from invasion of privacy.

(cf. 3580 - District Records)  
(cf. 4040 - Employee Use of Technology)  
(cf. 5125.1 - Release of Directory Information)  
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)  
(cf. 5125.3 - Challenging Student Records)

The Superintendent or designee shall designate a certificated employee to serve as custodian of records, with responsibility for student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled at that school. The custodian of records shall be responsible for implementing Board policy and administrative regulation regarding student records. (5 CCR 431)

### Legal Reference:

#### EDUCATION CODE

48201 Student records for transfer students who have been suspended/expelled  
48904-48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold  
48918 Rules governing expulsion procedures  
49060-49079 Pupil records  
49091.14 Parental review of curriculum

#### CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

#### FAMILY CODE

3025 Access to records by noncustodial parents

#### GOVERNMENT CODE

6252-6260 Inspection of public records

#### HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

#### WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

16010 Health and education records of a minor

#### CODE OF REGULATIONS, TITLE 5

430-438 Individual pupil records

16020-16027 Destruction of records of school districts

#### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

#### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

300.500 Definition of "personally identifiable"

300.501 Opportunity to examine records for parents of student with disability

300.573 Destruction of information

Policy Adopted:



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### COURT DECISIONS

Falvo v. Owasso Independent School District, 220 F.3d. 1200 (10th Cir. 2000)

### Management Resources:

#### WEB SITES

U.S. Department of Education, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpc/>

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## **RELEASE OF DIRECTORY INFORMATION**

The Board of Education recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law and Board policy.

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation.

(cf. 1112 - Media Relations)

The Superintendent or designee may limit or deny the release of specific directory information to any public or private nonprofit organization based on his/her determination of the best interest of the student. (Education Code 49073)

Employers and prospective employers, including military services representatives, shall have access to directory information. (20 USC 7908; 10 USC 503)

(cf. 6164.2 - Guidance/Counseling Services)

Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, and representatives of the news media. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled provided they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code 49073)

(cf. 1113 - District and School Web Sites)

### **Legal Reference:**

#### **EDUCATION CODE**

49061 Definitions

49063 Notification of parents of their rights

49073 Release of directory information

49073.5 Directory information; military representatives; telephone numbers

49603 Public high schools; military recruiting

#### **UNITED STATES CODE, TITLE 10**

503 Military recruiter access to directory information

#### **UNITED STATES CODE, TITLE 20**

1232g Family Educational Rights and Privacy Act

7908 Armed forces recruiter access to students and student recruiting information

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

99.1-99.67 Family Educational Rights and Privacy

### **Management Resources:**

#### **WEB SITES**

United States Department of Education: <http://www.ed.gov>

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### **GRADUATION CEREMONIES AND ACTIVITIES**

High school graduation ceremonies shall be held to recognize those students who have earned a diploma or certificate by successfully completing the required course of study, satisfying district standards, and passing any required assessments. The Board of Education believes that these students deserve a public celebration that recognizes the significance of their achievement and encourages them to continue the pursuit of learning throughout their lives.

(cf. 3260 - Fees and Charges)

(cf. 6011 - Academic Standards)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

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

The school or district shall not direct invocations, prayers or benedictions at graduation ceremonies.

(cf. 1330 - Use of School Facilities)

(cf. 5145.2 - Freedom of Speech/Expression)

#### **Disciplinary Considerations**

In order to encourage high standards of student conduct and behavior, the principal may deny a student the privilege of participating in graduation ceremonies and/or activities in accordance with school rules. School rules shall ensure that prior to denial of the privilege(s), the student, and where practicable his/her parent/guardian, is made aware of the grounds for such denial and that the student is given an opportunity to respond to the proposed denial.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5144 - Discipline)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

#### **Foreign Exchange Students**

Foreign exchange students may receive honorary diplomas during the graduation ceremony. (Education Code 51225.5)

(cf. 6145.6 - International Exchange)

#### **Legal Reference:**

##### EDUCATION CODE

38119 Lease of personal property; caps and gowns

48904 Liability of parent or guardian; withholding of grades, diplomas, transcripts

51225.5 Honorary diplomas; foreign exchange students

51400-51403 Elementary school diploma

51410-51412 Diplomas

##### COURT DECISIONS

Cole v. Oroville Union High School District, (2000, 9th Cir.) 228 F.3d 1092

Santa Fe Independent School District v. Doe, (2000) 530 U.S. 290

Lee v. Weisman, (1992) 112 S.Ct. 2649

Sands v. Morongo Unified School District, (1991) 53 Cal. 3d 863

Lemon v. Kurtzman, (1971) 403 U.S. 602

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**Management Resources:**

CDE PROGRAM ADVISORIES

0615.89 Granting credit for passing GED, SPB:88/89-11

WEB SITES

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

Policy Adopted:



## CONDUCT

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds and at school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards their teachers, other staff, students and volunteers.

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations.

Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Behavior that endangers staff and/or students

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5142 - Safety)

2. Behavior that disrupts the orderly classroom or school environment

(cf. 5131.4 - Campus Disturbances)

3. Harassment of students or staff, including bullying, intimidation, hazing, or initiation activity or any other verbal, written or physical conduct that causes or threatens to cause bodily harm or emotional suffering

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

4. Damage to or theft of property belonging to the district, staff or students

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

5. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Profane, vulgar or abusive language

(cf. 5145.2 - Freedom of Speech/Expression)

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7. Plagiarism or dishonesty in school work or on tests

(cf. 5131.9 - Academic Honesty)  
(cf. 6162.54 - Test Integrity/Test Preparation)  
(cf. 6162.6 - Use of Copyrighted Materials)  
(cf. 6163.4 - Student Use of Technology)

8. Inappropriate dress

(cf. 5132 - Dress and Grooming)

9. Tardiness and unexcused absence from school

(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 - Truancy)

10. Failure to remain on school premises in accordance with school rules

(cf. 5112.5 - Open/Closed Campus)

**Possession of Cellular Phones and Other Personal Electronic Signaling Devices**

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code 48901.5)

Students may possess or use personal electronic signaling devices, including but not limited to pagers, beepers and cellular/digital telephones.

Permitted devices shall:

1. Be turned off during class time and at any other time directed by a district employee
2. Not disrupt the educational program or school activity

If a disruption occurs, the employee shall direct the student to turn off the device and/or confiscate it. If a school employee finds it necessary to confiscate a device, he/she may either return it at the end of the class period or school day or keep it until the principal or designee has consulted with the student's parent/guardian.

A student who violates this policy may be prohibited from possessing a personal electronic signaling device at school or school-related events.

**Enforcement of Standards**

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or become aware of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs in accordance with Board policy and administrative regulation. In addition, when the conduct involves intimidation, harassment, or other endangerment of a student or

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employee, the Superintendent or designee shall provide appropriate assistance as necessary for the victim and the offender or make appropriate referrals for such assistance.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6020 - Parent Involvement)  
(cf. 6164.2 - Guidance/Counseling Services)  
(cf. 6182 - Opportunity School/Class/Program)  
(cf. 6184 - Continuation Education)  
(cf. 6185 - Community Day School)

### **Legal Reference:**

#### **EDUCATION CODE**

32050 Hazing  
35181 Governing board policy on responsibilities of students  
35291-35291.5 Rules  
44807 Duty concerning conduct of students  
48900-48925 Suspension or expulsion, especially:  
48908 Duties of students

#### **CIVIL CODE**

1714.1 Liability of parents and guardians for willful misconduct of minor

#### **PENAL CODE**

417.25-417.27 Laser scope

#### **CODE OF REGULATIONS, TITLE 5**

300-307 Duties of pupils

#### **UNITED STATES CODE, TITLE 42**

2000h-2000h6 Title IX, 1972 Education Act Amendments

### **Management Resources:**

#### **CSBA PUBLICATIONS**

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

#### **U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

Preventing Bullying: A Manual for Schools and Communities, 1998

#### **WEB SITES**

California Department of Education, Safe Schools and Violence Prevention Office:

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

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

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## BUS CONDUCT

Bus transportation is a privilege extended only to students who display good conduct while preparing to ride, riding or leaving the bus. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a student to be denied transportation.

The Superintendent or designee shall establish regulations related to bus conduct, bus driver authority, and the suspension of riding privileges. The Board of Education shall make these rules available to parents/guardians and students. (5 CCR 14103)

(cf. 3540 - Transportation)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 3543 - Transportation Safety and Emergencies)

Video cameras may be used on school buses to monitor student behavior while traveling to and from school and school activities. The Board believes that such monitoring will deter misconduct and help to ensure the safety of students and staff. Students found to be in violation of the district's bus conduct rules shall be subject to discipline in accordance with district policy and regulations.

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5144 - Discipline)

At the discretion of the Superintendent or designee, school bus video recordings also may be used to resolve complaints by students and/or parents/guardians and to help employees maintain discipline.

### Legal Reference:

#### EDUCATION CODE

35160 Authority of governing boards

39800 Transportation

44808 Duty to supervise conduct of students

48918 Expulsion procedures

49061 Definition of student records

49073-49079 Privacy of student records

#### GOVERNMENT CODE

6253-6253.4 Public records open to inspection

6254 Records exempt from disclosure

#### CODE OF REGULATIONS, TITLE 5

14103 Authority of the driver

#### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act



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## STUDENT DISTURBANCES

The Governing Board desires to provide orderly campuses that create a positive school environment and are conducive to learning. When students initiate or are involved in a campus disturbance that has the potential to threaten the safety of students or staff, the Superintendent or designee may request law enforcement assistance.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3516 - Emergencies and Disaster Preparedness Plan)  
(cf. 5131.5 - Vandalism, Theft and Graffiti)

Staff are encouraged to be alert to conditions at school that may lead to a disturbance, such as racial or cultural conflict, student protests, or gang intimidation and confrontations. Staff who believe that a disturbance is imminent, or who see a disturbance occurring, shall immediately contact the principal.

(cf. 4131 - Staff Development)  
(cf. 5136 - Gangs)  
(cf. 5145.2 - Freedom of Speech/Expression)  
(cf. 5145.9 - Hate-Motivated Behavior)

Students who participate in a campus disturbance shall be subject to disciplinary action in accordance with Board policy and administrative regulations.

(cf. 3515 - Campus Security)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion: Due Process (Students with Disabilities))

### Legal Reference:

#### EDUCATION CODE

32210 Willful disturbance of public school or meeting  
32211 Threatened disruption or interference with classes  
32280-32288 School safety plans  
35160 Authority of governing boards  
38000-38005 Security patrols  
44810 Willful interference with classroom conduct  
44811 Disruption of classwork or extracurricular activities  
48900 Grounds for suspension or expulsion  
48907 Student exercise of free expression  
51512 Prohibited use of electronic listening or recording device

#### PENAL CODE

243.5 Assault or battery on school property  
403-420 Crimes against the public peace, especially:  
415 Fighting; noise; offensive words  
415.5 Disturbance of peace of school  
416 Assembly to disturb peace; refusal to disperse  
626-626.10 Crimes on school grounds  
627-627.7 Access to school premises  
653g Loitering about schools or public places

### Management Resources:

#### CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

#### U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

#### WEB SITES

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

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ss/ss>

U.S. Department of Education, Emergency Planning: <http://www.ed.gov/admins/lead/safety/emergencyplan>

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## **VANDALISM, THEFT AND GRAFFITI**

The Board of Education considers vandalism a very serious matter. Vandalism includes the negligent, willful, or unlawful damaging or theft of any district-owned real or personal property, including the writing of graffiti.

(cf. 3515.4 - Recovery for Property Loss or Damage)

Any district student who commits an act of vandalism shall be subject to disciplinary action by the district and also may be prosecuted through other legal means. If reparation of damages is not made, the district also may withhold the student's grades, diploma and/or transcripts in accordance with law.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

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

### **Legal Reference:**

#### **EDUCATION CODE**

48900 Grounds for suspension or expulsion

48904 Willful misconduct, limit of liability of parent or guardian

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

#### **CIVIL CODE**

1714.1 Liability of parent or guardian for act of willful misconduct by a minor

#### **GOVERNMENT CODE**

53069.5 Reward for information concerning person causing death, injury, or property damage; liability for reward

#### **PENAL CODE**

594 Vandalism

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

#### **CODE OF REGULATIONS, TITLE 5**

305 Pupil responsible for care of property



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## ALCOHOL AND OTHER DRUGS

The Board of Education believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety and creating a disciplined environment conducive to learning.

The Superintendent or designee shall develop a comprehensive prevention and intervention program that includes instruction, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 4020 - Drug and Alcohol-Free Workplace)  
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

(cf. 1100 - Communication with the Public)  
(cf. 5131.61 - Drug Testing)  
(cf. 5131.62 - Tobacco)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)

The Board expects staff to conduct themselves in accordance with the district's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate.

(cf. 5137 - Positive School Climate)

The Board also encourages the establishment of site-level advisory groups to assist in promoting alcohol- and drug-free schools.

(cf. 1220 - Citizen Advisory Committees)

### Instruction

The district shall provide preventative instruction which helps students avoid the use of alcohol and other drugs. Comprehensive, age-appropriate K-12 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

Teachers shall be trained to answer students' questions related to alcohol and drugs and to help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and other drugs.

(cf. 4131 - Staff Development)

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(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6142.8 - Comprehensive Health Education)  
(cf. 6143 - Courses of Study)

### **Intervention, Referral and Recovering Student Support**

The Board recognizes that the use of alcohol and other drugs by students is detrimental to their health and educational development. The Board believes that alcohol and other drug use has critical social and emotional consequences which undermine a student's ability to reach his/her full potential and have serious legal ramifications.

In an effort to maintain a school environment conducive to the student's overall well-being, the Board intends to keep district schools free of alcohol and other drugs. All students are prohibited from the unlawful manufacture, distribution, dispensation, possession or use of alcohol or other drugs in any facility of the district, while going to or coming from school, while going to or coming from a school event, or at any district-sponsored event. All students will abide by this prohibition. Any student who violates this prohibition will be disciplined.

Consistent with the Board's desire to provide alcohol- and drug-free schools, a comprehensive K-12 drug, alcohol and tobacco education program will include prevention education; direct student intervention services; and community, parent and employee involvement.

Student discipline in regards to alcohol and other drug use will be consistent with current district student policy and procedures.

The Superintendent will develop, implement and monitor administrative procedures consistent with this policy.

The Board strongly encourages any student who is using alcohol or drugs to discuss the matter with his/her parent/guardian or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use.

### **Enforcement/Discipline**

The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board policy and administrative regulations.

(cf. 5145.11 - Questioning and Apprehension)  
(cf. 5145.12 - Search and Seizure)

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations. Such students also may be referred to an appropriate rehabilitation program.

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

**Legal Reference:**

**Policy Adopted:**



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### EDUCATION CODE

- 44049 Known or suspected alcohol or drug abuse by student
- 48900 Suspension or expulsion (grounds)
- 48900.5 Suspension, limitation on imposition; exception
- 48901 Smoking or use of tobacco prohibited
- 48901.5 Prohibition of electronic signaling devices
- 48902 Notification of law enforcement authorities; civil or criminal immunity
- 48909 Narcotics or other hallucinogenic drugs
- 48915 Expulsion; particular circumstances
- 49423 Administration of prescribed medication
- 49480 Notice to school by parent or guardian; consultation with physician
- 49602 Confidentiality of pupil information
- 51202 Instruction in personal and public health and safety
- 51203 Instruction on alcohol, narcotics and restricted dangerous drugs
- 51210 Areas of study
- 51220 Areas of study, grades 7 to 12
- 51260 Elementary and secondary school instruction in drug education by appropriately trained instructors
- 51262 Use of anabolic steroids; legislative finding and declaration
- 51264 CDE assistance for inservice training
- 51265 Gang violence and drug and alcohol abuse prevention inservice
- 51268 Collaboration to avoid duplication of effort

### BUSINESS AND PROFESSIONS CODE

- 25608 Alcohol on school property; use in connection with instruction

### HEALTH AND SAFETY CODE

- 11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions
- 11053-11058 Standards and schedules
- 11353.6 Juvenile Drug Trafficking and Schoolyard Act
- 11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds
- 11361.5 Destruction of arrest or conviction records
- 11372.7 Drug program fund; uses
- 11802 Joint school-community alcohol abuse primary education and prevention program
- 11965-11969 The School-Community Primary Prevention Program
- 11998-11998.3 Drug and Alcohol Abuse Master Plans
- 11999-11999.3 Alcohol and drug program funding; no unlawful use
- 124175-124200 Adolescent family life program (Department of Health Services)

### PENAL CODE

- 13864 Comprehensive alcohol and drug prevention education

### VEHICLE CODE

- 13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over; suspension, delay, or restriction of driving privileges

### WELFARE AND INSTITUTIONS CODE

- 828 Disclosure of information re minors
- 828.1 Disclosure of criminal records; protection of vulnerable staff & students

### UNITED STATES CODE, TITLE 20

- 5812 National education goals
- 7101-7184 Safe and Drug-Free Schools and Communities Act



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## TOBACCO

The Board of Education recognizes that tobacco use presents serious health risks and desires to provide support and assistance in the prevention and intervention of tobacco use among youth.

(cf. 5131.6 - Alcohol and Other Drugs)

Students shall not smoke or use tobacco, or any product containing tobacco or nicotine, while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees.  
(Education Code 48901)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 5144 - Discipline)

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

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

The district shall provide developmentally appropriate tobacco use prevention instruction for students in grades kindergarten through 12.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

Information about smoking cessation programs shall be made available and encouraged for students and staff.  
(Health and Safety Code 104420)

(cf. 4159/4259/4359 - Employee Assistance Programs)

### Legal Reference:

#### EDUCATION CODE

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

51202 Instruction in personal and public health and safety

#### HEALTH AND SAFETY CODE

104350-104495 Tobacco use prevention education

#### PENAL CODE

308 Minimum age for tobacco possession

#### UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug-Free Schools and Communities Act

### Management Resources:

#### CDE PUBLICATIONS

*Getting Results: Developing Safe and Healthy Kids, 1998-99*

#### CENTERS FOR DISEASE CONTROL PUBLICATIONS

*Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994*

#### NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

*Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000*

#### WEB SITES

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

California Department of Health Services: <http://www.dhs.ca.gov>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

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

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

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## **STERIODS**

The Governing Board recognizes that the use of steroids and other performance-enhancing supplements presents a serious health and safety hazard. As part of the district's drug prevention and intervention efforts, the Superintendent or designee and staff shall make every reasonable effort to prevent students from using steroids or other performance-enhancing supplements.

Students in grades 7-12 shall receive a lesson on the effects of steroids as part of their health, physical education, or drug education program.

(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 6142.8 - Comprehensive Health Education)

Students participating in interscholastic athletics are prohibited from using steroids and dietary supplements banned by the U.S. Anti-Doping Agency as well as the substance synephrine. (Education Code 49030)

(cf. 5131.61 - Drug Testing)  
(cf. 6145.2 - Athletic Competition)

Before participating in interscholastic athletics, a student athlete and his/her parent/guardian shall sign a statement that the student athlete pledges not to use androgenic/anabolic steroids and dietary supplements banned by the U.S. Anti-Doping Agency and the substance synephrine, unless the student has a written prescription from a licensed health care practitioner to treat a medical condition.

A student who is found to have violated the agreement or this policy shall be restricted from participating in athletics and shall be subject to disciplinary procedures including, but not limited to, suspension or expulsion in accordance with law, Board policy, and administrative regulation.

(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 6145 - Extracurricular and Cocurricular Activities)

Coaches shall educate students about the district's prohibition and the dangers of using steroids and other performance-enhancing supplements.

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

The Superintendent or designee shall ensure that district schools do not accept sponsorships or donations from supplement manufacturers that offer muscle-building supplements to students.

(cf. 1325 - Advertising and Promotion)

### **Legal Reference:**

#### **EDUCATION CODE**

49030-49034 Performance-enhancing supplements

51260-51269 Drug education, especially:

51262 Use of anabolic steroids; legislative finding and declaration

#### **CIVIL CODE**

1812.97 Warning statement; posting in athletic facilities

#### **HEALTH AND SAFETY CODE**

110423.2 Dietary supplements

### **Management Resources:**

**CALIFORNIA INTERSCHOLASTIC FEDERATION BYLAWS**

California Interscholastic Federation Constitution and Bylaws 2005-06

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### **WEB SITES**

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

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

California Interscholastic Federation: <http://www.cifstate.org>

National Center for Drug Free Sport: <http://www.drugfreesport.com>

National Institute on Drug Abuse: <http://www.nida.nih.gov>

U.S. Anti-Doping Agency: <http://www.usantidoping.org>

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## WEAPONS AND DANGEROUS INSTRUMENTS

The Board of Education desires students and staff to be free from the fear and danger presented by firearms and other weapons. The Board therefore prohibits any person other than authorized law enforcement or security personnel from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school.

(cf. 3515.3 - District Police/Security Department)

### Possession of Weapons

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized to confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 4158/4258/4358 - Employee Security)

Students possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to suspension and/or expulsion in accordance with law, Board policy and administrative regulations.

(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Individuals with Disabilities))

The principal or designee shall notify law enforcement authorities when any student possesses a weapon or commits any act of assault with a firearm or other weapon. (20 USC 7151; Education Code 48902; Penal Code 245, 626.9, 626.10)

The Board recognizes that students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, to prevent potential misuse that may harm students or staff, students are prohibited from carrying such items on campus or at school activities.

### Reporting of Injurious Objects

The Board encourages students to promptly report the presence of weapons, injurious objects or other suspicious activity to school authorities. The identity of a student who reports such activity shall remain confidential to the extent permitted by law.

(cf. 5138 - Conflict Resolution/Peer Mediation)

#### Legal Reference:

##### EDUCATION CODE

35291 Governing board to prescribe rules for discipline of the schools  
48900 Grounds for suspension/expulsion  
48902 Notification of law enforcement authorities  
48915 Required recommendation for expulsions  
48916 Readmission  
49330-49335 Injurious objects

##### PENAL CODE

245 Assault with deadly weapon  
417.2 Imitation firearms  
417.4 Imitation firearm; drawing or exhibiting  
626.9 Gun-Free School Zone Act of 1995

Policy Adopted:



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626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school or on school grounds; exception  
653k Soliciting a minor to commit certain felonies  
12001 Control of deadly weapons  
12020-12028.5 Unlawful carrying and possession of concealed weapons  
12403.7 Weapons approved for self defense  
12220 Unauthorized possession of a machinegun  
12401 Tear gas  
12402 Tear gas weapon  
12403.7 Weapons approved for self defense  
12403.8 Minors 16 or over; tear gas and tear gas weapons  
UNITED STATES CODE, TITLE 20  
6301-7941 No Child Left Behind Act; especially:  
7151 Gun-Free Schools Act

### **Management Resources:**

#### CDE COMMUNICATIONS

0401.01 Protecting Student Identification in Reporting Injurious Objects

#### WEB SITES

CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome>

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

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## ACADEMIC HONESTY

The Governing Board believes that academic honesty and personal integrity are fundamental components of a student's education and character development. The Board expects that students will not cheat, lie, plagiarize or commit other acts of academic dishonesty.

(cf. 5131 - Conduct)

(cf. 6162.6 - Use of Copyrighted Materials)

Students, parents/guardians, staff and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students found to have committed an act of academic dishonesty shall be subject to district and school-site discipline rules.

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

Legal Reference:

EDUCATION CODE

35291-35291.5 Rules

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## **DRESS AND GROOMING**

The Board of Education believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

(cf. 4119.22 - Dress and Grooming)  
(cf. 5145.2 - Freedom of Speech/Expression)

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

(cf. 5144 - Discipline)

### **Gang-Related Apparel**

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 5136 - Gangs)

### **Uniforms**

In order to promote student safety and discourage theft, peer rivalry and/or gang activity, the principal, staff and parents/guardians at a school may establish a reasonable dress code requiring students to wear uniforms. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

If a school's plan to require uniforms is adopted, the Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms.

#### **Legal Reference:**

##### **EDUCATION CODE**

32281 School safety plans  
35183 School dress codes; uniforms  
35183.5 Sun-protective clothing  
48907 Student exercise of free expression  
49066 Grades; effect of physical education class apparel  
**CODE OF REGULATIONS, TITLE 5**  
302 Pupils to be neat and clean on entering school

##### **COURT DECISIONS**

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993)

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827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hartzell v. Connell, (1984) 35 Cal. 3d 899

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## **GANGS**

### **Gang Related Conduct and Activities**

Gang-related conduct or activities on school campuses and during all school sponsored activities are a threat to the safety of others and are strictly prohibited. The Board of Education intends to maintain campuses which are safe in accordance with California Law.

Gang-related conduct/activities include, but are not necessarily limited to: producing graffiti, wearing of apparel, displaying "colors", symbols, conducting hazing such as rites of initiations, displaying hand signals, and clothing arrangements, producing, displaying, or advocating trademarks, accessory items, or any other symbols or actions which would denote membership/involvement in gangs as identified by the administration or by law enforcement.

The Board establishes that gang-related conduct or activities are a source of potential consequent violence.

The Board further establishes that such gang-related conduct or activities create a clear and present danger for the commission of unlawful acts on school premises, or the violation of lawful school regulations, or the substantial disruption of the orderly operations of the school. Students who engage in gang related activities shall be subject to disciplinary procedures outlined in Board Procedure, which may include suspension and/or expulsion from school.

Nothing in this Board Policy is intended to replace or supplant applicable state or federal laws.

Parents of students who engage in gang-related conduct or activities will be advised of same.

### **Gang-Related Dress and Behavior**

The district recognizes the importance of providing a school environment that will strongly discourage student gang-related dress and behavior. It is therefore a goal for the district and for each school to deter such dress and behavior.

The Board of Education finds the wearing of gang-related signs, symbols, insignia, distinctive modes of dress denoting gang affiliation, and gang-related behaviors by students constitute a substantial disruption of school and school related activities, and regulation of student dress is necessary for the health and safety of the school environment.

In conformance with the district's discipline policy and dress code, each school community will monitor school dress and behavior standards which will eliminate gang-related dress and behavior.

### **Gang Defined**

A "gang" as defined in this policy is any group of three or more persons whose purposes include the commission of illegal acts as outlined in the California Education and/or Penal Code.

### **Paraphernalia Defined**

"Paraphernalia" as defined in this policy includes personal belongings, articles, equipment, apparatus, or furnishings.

Legal Reference:

EDUCATION CODE

Policy Adopted:





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32281 School safety plans  
35183 Gang-related apparel  
48907 Student exercise of free expression  
51264 Educational inservice training; CDE guidelines  
51265 Gang violence and drug and alcohol abuse prevention inservice training  
51266-51266.5 Model gang and substance abuse prevention curriculum  
58730-58736 Gang Risk Intervention Programs  
PENAL CODE  
186.22 Participation in criminal street gang  
13826-13826.7 Gang violence suppression  
UNITED STATES CODE, TITLE 20  
7101-7184 Safe and Drug-Free Schools and Communities Act

**Management Resources:**

CDE PUBLICATIONS

On Alert: Gang Prevention in School and Inservice Guidelines, January 1994

CSBA PUBLICATIONS

Protecting Our Schools: Board of Education Strategies to Combat School Violence, 1995

Policy Adopted:



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## POSITIVE SCHOOL CLIMATE

The Board of Education desires to provide an orderly, caring and nondiscriminatory learning environment in which all students can feel comfortable and take pride in their school and their achievements.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5132 - Dress and Grooming)  
(cf. 5144 - Discipline)  
(cf. 5145.2 - Freedom of Speech/Expression)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

The Board encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ strategies that foster positive interactions in the classroom among students from diverse backgrounds. The district shall provide instruction and counseling designed to promote positive racial and ethnic identity, help students understand diverse cultures, teach them to think critically about racial bias and show them how to deal with discriminatory behavior in appropriate ways.

(cf. 6141 - Curriculum Development and Evaluation)  
(cf. 6141.6 - Multicultural Education)  
(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

### Legal Reference:

#### EDUCATION CODE

233.5 Duty concerning instruction of students  
32230-32239 School violence reduction program  
35160 Authority of governing boards  
35160.1 Broad authority of school districts

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## CONFLICT RESOLUTION/PEER MEDIATION

To promote student safety and contribute to the maintenance of a positive school climate, the Board of Education encourages the development of school-based conflict resolution programs designed to help students learn constructive ways of handling conflict. The Board believes that such programs can reduce violence and promote communication, personal responsibility and problem-solving skills among students.

Conflict resolution strategies shall be considered as part of each school's comprehensive safety plan and incorporated into other district discipline procedures as appropriate. Conflict resolution programs shall not supplant the authority of staff to take appropriate action as necessary to prevent violence, ensure student safety, maintain order in the school, and institute disciplinary measures.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

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

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

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Schoolwide programs may include curriculum in conflict resolution, including, but not limited to, instruction in effective communication and listening, critical thinking, problem-solving processes and the use of negotiation to find mutually acceptable solutions. In addition, the curriculum may address students' ethical and social development, respect for diversity, and interpersonal and behavioral skills.

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6141.6 - Multicultural Education)

Conflict resolution programs may incorporate peer mediation strategies in which selected students are specially trained to work with their peers in resolving conflicts.

Students' participation in any peer mediation program shall be voluntary and kept confidential by all parties involved.

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

(cf. 5125 - Student Records)

In developing a conflict resolution and/or peer mediation program, school-site teams shall address, as appropriate:

1. The grade levels and courses in which the conflict resolution curriculum shall be delivered

(cf. 6143 - Courses of Study)

2. The selection of peer mediators involving, to the extent possible, a cross-section of students in terms of grade, gender, race, ethnicity, and socioeconomic status, and including some students who exhibit negative leadership among peers
3. Training and support for peer mediators, including training in mediation processes and in the skills related to understanding conflict, communicating effectively and listening
4. The process for identifying and referring students to the peer mediation program
5. The types of conflicts suitable for peer mediation

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(cf. 5131 - Conduct)  
(cf. 5131.1 - Bus Conduct)  
(cf. 5131.4 - Campus Disturbances)  
(cf. 5136 - Gangs)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 5145.7 - Sexual Harassment)

6. Scheduling and location of peer mediation sessions
7. Methods of obtaining and recording agreement from all disputants
8. The appropriate involvement of parents/guardians, the community and staff, including counseling/guidance and security staff

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 3515.3 - District Police/Security Department)  
(cf. 6020 - Parent Involvement)  
(cf. 6164.2 - Guidance/Counseling Services)

9. Communications to students, parents/guardians and staff regarding the availability of the program

### Legal Reference:

#### EDUCATION CODE

32230-32239 School violence reduction programs  
32295.5 Teen court programs  
35291-35291.5 Rules  
35294-35294.9 School safety plans  
44807 Duty concerning conduct of students

#### CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to safe schools

### Management Resources:

#### CSBA PUBLICATIONS

Protecting Our Children: Board of Education Strategies to Combat School Violence, revised 1999

#### CDE PUBLICATIONS

Safe Schools: A Planning Guide for Action, 1995

#### USDE PUBLICATIONS

Creating Safe and Drug-Free Schools: An Action Guide, 1996

#### WEB SITES

U.S. Department of Education, Safe and Drug-Free Schools Program: <http://www.ed.gov/offices/OESE/SDFS/>  
California Department of Education, Safe Schools and Violence Prevention Office:  
<http://www.cde.ca.gov/spbranch/safety/>

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## HEALTH CARE AND EMERGENCIES

The Board of Education recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities. The Superintendent or designee shall require parents/guardians to provide emergency information in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

(cf. 5141.1 - Accidents)

### Resuscitation Orders

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

The Superintendent or designee shall ensure that all parents/guardians are informed of this policy.

### Legal Reference:

#### EDUCATION CODE

49407 Liability for treatment

49408 Information for use in emergencies

#### FAMILY CODE

6550-6552 Caregivers



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## **ACCIDENTS**

Although the district makes every reasonable effort to prevent student accidents and injuries, accidents occur. The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible and that parents/guardians are notified of accidents.

Universal precautions shall be observed whenever it is possible that students, employees or others may have contact with blood or body fluids as a result of the accident.

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

District staff shall appropriately report and document student accidents.

(cf. 3530 - Risk Management/Insurance)

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

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

### **Legal Reference:**

#### **EDUCATION CODE**

32040-32044 First aid equipment

49300-49307 School safety patrols

49408 Emergency information

49409 Athletic events; physicians and surgeons; emergency medical care; immunity

49470 Medical and hospital services for athletic program

49471 Medical and hospital services not provided or available

49472 Medical and hospital services for pupils

49474 Ambulance services

51202 Instruction in personal and public health and safety

#### **CODE OF REGULATIONS, TITLE 8**

5193 California Bloodborne Pathogens Standard

**Policy Adopted:**



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Section: 5000 Students

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## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Board of Education recognizes that some students may need to take medication prescribed by a health care provider during the school day in order to be able to attend school. The Superintendent or designee shall develop processes for the administration of medication to such students by school personnel.

(cf. 5141.24 - Specialized Health Care Services)  
(cf. 6159 - Individualized Education Plan)

When the Superintendent or designee has received written statements from a student's authorized health care provider and parent/guardian, prescribed medication may be administered by the school nurse or other designated school personnel. (Education Code 49423; 5 CCR 600)

(cf. 3530 - Risk Management/Insurance)

School staff who administer medication to students, including anaphylactic injections, shall receive training from qualified medical personnel on how such medication should be administered as well as training in the proper documentation and storage of the medication.

Staff authorized to administer the medication shall do so in accordance with administrative regulations and shall be afforded appropriate liability protection.

If the parent/guardian so chooses, he/she may administer the medication to his/her child. In addition, the parent/guardian may designate another individual who is not a school employee to administer the medication to the student.

Upon written request by the parent/guardian and with the approval of the student's health care provider, a student with a medical condition that requires frequent monitoring, testing or treatment may be allowed to self-administer, self-monitor, or self-test. The student shall observe universal precautions in the handling of blood and bodily fluids.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.23 - Infectious Disease Prevention)

### Legal Reference:

#### EDUCATION CODE

48980 Notification at beginning of term  
49407 Liability for treatment  
49408 Emergency information  
49414 Emergency epinephrine auto-injectors  
49414.5 Providing school personnel with voluntary emergency training  
49423 Administration of prescribed medication for student  
49423.5 Specialized health care services  
49426 School nurses  
49480 Continuing medication regimen; notice

#### BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:  
2726 Authority not conferred  
2727 Exceptions in general

#### CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

Policy Adopted:



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**Management Resources:**

**NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS**

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

**WEB SITES**

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

**Policy Adopted:**





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## INFECTIOUS DISEASES

The Governing Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students. The Board recognizes that prevention and education are the most effective means of limiting the spread of infectious diseases.

### Universal Precautions

Students and staff shall observe universal precautions in order to prevent exposure to bloodborne pathogens and to prevent the spread of infectious diseases.

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

### Students with Infectious Diseases

The Superintendent or designee shall exclude students only in accordance with law, Board policy, and administrative regulation. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus, and human immunodeficiency virus (HIV) are not casually transmitted, the presence of infectious conditions of this type is not, by itself, sufficient reason to exclude students from attending school.

(cf. 5112.2 - Exclusions from Attendance)  
(cf. 6164.6 - Identification and Education Under Section 504)

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
(cf. 5022 - Student and Family Privacy Rights)  
(cf. 5125 - Student Records)

#### Legal Reference:

##### EDUCATION CODE

48210-48216 Persons excluded

49073-49079 Privacy of pupil records

49403 Cooperation in control of communicable disease and immunization of pupils

49405 Smallpox control

49406 Examination for tuberculosis (employees)

49408 Information of use in emergencies

49602 Confidentiality of student information

51202 Instruction in personal and public health and safety

##### CALIFORNIA CONSTITUTION

Article 1, Section 1 Right to Privacy

##### CIVIL CODE

56-56.37 Confidentiality of Medical Information Act

1798-1798.76 Information Practices Act

##### HEALTH AND SAFETY CODE

120230 Exclusion for communicable disease

120325-120380 Immunization against communicable diseases

120875-120895 AIDS information

120975-121022 Mandated blood testing and confidentiality to protect public health

121475-121520 Tuberculosis tests for pupils

Policy Adopted:



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**CODE OF REGULATIONS, TITLE 8**

5193 California bloodborne pathogens standard

**CODE OF REGULATIONS, TITLE 17**

2500-2511 Communicable disease reporting requirements

**UNITED STATES CODE, TITLE 20**

1232g Family Educational and Privacy Rights Act

1400-1482 Individuals with Disabilities Education Act

**UNITED STATES CODE, TITLE 29**

794 Section 504 of the Rehabilitation Act of 1973

**CODE OF FEDERAL REGULATIONS, TITLE 45**

164.500-164.534 Health Insurance Portability and Accountability Act (HIPAA)

**COURT DECISIONS**

Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 376

Management Resources:

**CSBA PUBLICATIONS**

Saving Lives: AIDS Issues for California Schools 1994, rev. 2006

Avian Influenza, Governance and Policy Services Fact Sheet, April 2006

**WEB SITES**

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

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

California Department of Health Services: <http://www.dhs.ca.gov>

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

Contra Costa County Office of Education, Pandemic Flu Resources:

[http://www.cccoe.k12.ca.us/about/flu/resources\\_flu\\_action\\_kit](http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit)

U.S. Government Pandemic Flu Information: <http://www.pandemicflu.gov>



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## **SPECIALIZED HEALTH CARE SERVICES**

The Board of Education is aware that some district students may require specialized physical health care services during the school day in order to attend school. In accordance with the student's individualized education program or written accommodation plan, trained and qualified personnel shall perform these services under the supervision of a school nurse, public health nurse or licensed physician.

(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 6164.6 - Identification and Education under Section 504)

### **Legal Reference:**

#### **EDUCATION CODE**

49423.5 Specialized physical health care services

56000-56606 Special Education Programs

#### **CODE OF REGULATIONS, TITLE 5**

3051.12 Health and Nursing Services

#### **UNITED STATES CODE, TITLE 20**

1400-1487 Individuals with Disabilities Education Act

#### **UNITED STATES CODE, TITLE 29**

701-795a. Rehabilitation Act

794 Rehabilitation Act of 1973, Section 504

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

300.24 Related services

### **Management Resources:**

#### **CDE PUBLICATIONS**

Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils (The Green Book)

Policy Adopted:



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### **TUBERCULOSIS TESTING**

The Board of Education recognizes that tuberculosis poses a public health threat. Treatment of active cases of this disease is the most effective means of controlling its spread.

The number of tuberculosis cases in our county is on the rise. The County Public Health Officer therefore requires tuberculosis testing, and follow-up if appropriate, before students enter school.

The Superintendent or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the Superintendent or designee may require all students at the school to undergo tuberculosis skin tests.

Students known to have had a positive tuberculosis skin test shall be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.3 - Health Examinations)

#### **Legal Reference:**

##### **EDUCATION CODE**

48211 Habits and disease

49450 Rules to insure proper care and secrecy

49451 Parent's refusal to consent

##### **HEALTH AND SAFETY CODE**

120230 Exclusion of persons from school

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

121475-121520 Tuberculosis tests for pupils

Policy Adopted:



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## HEALTH EXAMINATIONS

The Board of Education recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the school program are necessary.

In addition to verifying that students have complied with legal requirements for health examinations and immunizations before enrolling in school, the district shall administer tests for vision, hearing and scoliosis as required by law.

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Child Health and Disability Prevention Program)

(cf. 5141.6 - Student Health and Social Services)

All students who participate as cheerleaders, song leaders, or athletes in organized competitive sports shall first undergo and file with the district a current medical examination. Upon sustaining an injury or serious illness, a student may be required to have another examination before participating further. This requirement does not apply to participants in occasional play day or field day activities.

(cf. 5143 - Insurance)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall ensure that staff employed to examine students exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be available only in accordance with law.

(cf. 5125 - Student Records)

### Legal Reference:

#### EDUCATION CODE

44871-44879 Employment qualifications

49400-49413 General powers-school boards (re pupil health)

49422 Supervision of health and physical development

49450-49457 Physical examinations (of pupils)

49460-49466 Development of standardized health assessments

#### HEALTH AND SAFETY CODE

120325-120380 Immunization against communicable diseases

121475-121520 Tuberculosis tests for pupils

#### CODE OF REGULATIONS, TITLE 5

590-596 Vision screening

3027 Hearing and vision screening for special education

3028 Audiological screening

Policy Adopted:



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### **IMMUNIZATIONS**

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Education desires to cooperate with state and local health agencies to encourage immunization of all district students against preventable diseases.

(cf. 1400 - Relations between Other Governmental Agencies and the Schools)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Infectious Disease Prevention)

Students entering a district school or transferring between school campuses, shall present an immunization record which shows at least the month and year of each immunization in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

A transfer student may be conditionally admitted for up to 30 school days while his/her immunization records are being transferred from the previous school. If these records do not arrive within 30 school days, the student shall present written documentation by a physician, nurse or clinic, showing that the required immunizations were received. If such documentation is not presented, the student shall be excluded from school until immunization requirements are met.

#### **Legal Reference:**

##### **EDUCATION CODE**

46010 Total days of attendance

48216 Immunization

48980 Required notification of rights

49403 Cooperation in control of communicable disease and immunizations

##### **HEALTH AND SAFETY CODE**

120325-120380 Immunization against communicable disease especially:

120335 Immunization requirement for admission

120440 Disclosure of immunization information

##### **CODE OF REGULATIONS, TITLE 17**

6000-6075 School attendance immunization requirements

#### **Management Resources:**

##### **DEPARTMENT OF HEALTH SERVICES**

Commonly Asked Questions About the New School Immunization Requirements, March 1999

##### **WEB SITES**

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

California Department of Health Services: <http://www.dhs.ca.gov>

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



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## **PROCEDURE FOR CONTROL OF HEAD LICE IN SCHOOLS**

It is necessary that efforts be made to effectively control head lice as soon as it becomes evident that a student may be infested. In order to keep a simple case of head lice (pediculosis) from turning into a widespread problem, there is a need for individuals to work together to eradicate the problem. School personnel and medical personnel must work cooperatively with students and parents to initiate the steps necessary to treat and eliminate head lice. Classroom teachers should report all suspected infestations to the health office. Control depends on prompt detection, proper administration, effective treatment and spread prevention.

The following procedures are to be followed when a student has been found to have head lice:

1. Parents are to be immediately contacted and the student excluded from school in order to receive proper treatment. Information shall be made available to the parents, including options for treatment with methods such as an anti-lice shampoo and other options for the student infested and the procedures to be followed to eliminate head lice in the home. If the child is unable to go home, the school will make reasonable efforts to minimize contact with other students for the remainder of the school day.
2. School age siblings of the student will be checked for head lice by school staff as soon as possible. If siblings attend another school in the district, that school's health office will be notified as soon as possible so that they can check the sibling.
3. An "awareness" letter will be sent home with all of the classmates of the identified student at the elementary school level. This letter will inform parents that a case of head lice was detected in their child's class and will provide general information about head lice and suggestions as to what parents can do to screen their own children for head lice. Such a letter will NOT provide the identity of the student found to have head lice. Such a letter will not be sent again if it had been sent within the previous 10 days.
4. Students will be readmitted to school ONLY after they have been checked by appropriate school staff and have found to be both free of head lice and free of nits. If either is present the student will NOT be readmitted to school. It is the parents' responsibility to contact the school to schedule an appointment for a readmit check. Parents should accompany their child to school for such a readmit check.
5. Approximately one week after being readmitted for having had head lice, the student will be rechecked for head lice by school staff. If nits or head lice are found, the process of exclusion will be initiated again.
6. In situations where the student has repeated cases of head lice, school personnel will contact the family to assist them in identifying means of effectively dealing with the issue and, where appropriate, make referrals to appropriate agencies.
7. Student attendance will be reviewed by the school administrator to determine if/when absences become excessive due to head lice. Excessive absences may be considered "unexcused" at the discretion of the school principal. Referrals may then be made to appropriate agencies regarding the student's attendance.



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## CHILD ABUSE PREVENTION AND REPORTING

The Board of Education recognizes that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 5141.41 - Child Abuse Prevention)  
(cf. 5142 - Safety)

Employees who are mandated reporters, as defined by law and district administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

Parents/guardians may contact the Superintendent or designee to obtain procedures for filing a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site.

(cf. 1312.1 - Complaints Concerning District Employees)

### Legal Reference:

#### EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints  
44690-44691 Staff development in the detection of child abuse and neglect  
48906 Notification when student released to peace officer  
48987 Dissemination of reporting guidelines to parents

#### PENAL CODE

152.3 Duty to report murder, rape or lewd or lascivious act  
273a Willful cruelty or unjustifiable punishment of child; endangering life or health  
288 Definition of lewd or lascivious act requiring reporting  
11164-11174.3 Child Abuse and Neglect Reporting Act

#### WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

#### CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

### Management Resources:

#### CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site

#### WEB SITES

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

School/Law Enforcement Partnership: <http://www.cde.ca.gov/spbranch/safety/partnership.html>

California Attorney General: <http://caag.state.ca.us>

California Department of Social Services: <http://www.dss.cahwnet.gov>

Governor's Office of Criminal Justice Planning: <http://www.ocjp.ca.gov>

Policy Adopted:





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## **STUDENT HEALTH AND SOCIAL SERVICES**

Because good physical and mental health is critical to a student's ability to learn, the Board of Education believes that all students should have access to comprehensive health and social services. The Board desires to collaborate with local and state health, mental health and social service providers in order to offer integrated services at or near district schools to provide necessary health care services to students with needs for such services.

The Board directs the Superintendent or designee to promote the participation by district students in affordable, comprehensive health coverage programs such as Healthy Families, Medi-Cal for Children and other health coverage programs to children of low to moderate income working families.

The district may provide preventive, diagnostic, therapeutic and/or rehabilitative health services on an outpatient basis at school sites. The district shall serve as a Medi-Cal provider to the extent feasible, shall comply with all related legal requirements and may be reimbursed to the extent allowed under the Medi-Cal billing option for local educational agencies.

- (cf. 5131.6 - Alcohol and Other Drugs)
- (cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
- (cf. 5141.22 - Infectious Diseases)
- (cf. 5141.24 - Specialized Health Care Services)
- (cf. 5141.26 - Tuberculosis Testing)
- (cf. 5141.3 - Health Examinations)
- (cf. 5141.31 - Immunizations)
- (cf. 5148 - Child Care and Development)
- (cf. 6159 - Individualized Education Program)
- (cf. 6164.6 - Identification and Education under Section 504)

### **Legal Reference:**

#### **EDUCATION CODE**

- 8800-8807 Healthy Start support services for children
- 49423.5 Specialized physical health care services
- 56340 Meetings to develop, review and revise individualized education programs

#### **GOVERNMENT CODE**

- 95020 Individualized family service plan

#### **WELFARE AND INSTITUTIONS CODE**

- 14132.06 Covered benefits; health services provided by local educational agencies

#### **CODE OF REGULATIONS, TITLE 10**

- 2699.6500-2699.6815 Healthy Families Program

#### **CODE OF REGULATIONS, TITLE 17**

- 2951 Testing standards

#### **CODE OF REGULATIONS, TITLE 22**

- 51051 Providers of services
- 51096 Speech pathology
- 51098 Audiological services
- 51190.1 Local educational agency eligible beneficiary
- 51190.2 Local educational agency provider
- 51190.3 Local educational agency practitioner
- 51190.4 Local educational agency services
- 51190.5 Managed care plan
- 51231.2 Wheelchair van requirements
- 51270 Local educational agency provider; conditions for participation
- 51309 Psychology
- 51323 Medical transportation services
- 51351 Targeted case management services

Policy Adopted:



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51360 Local educational agency; types of services  
51491 Local educational agency eligibility for payment  
51535.5 Reimbursement to local educational agency providers

### **Management Resources:**

#### **CDE PUBLICATIONS**

LEA Medi-Cal Billing Option, 4/25/94

#### **WEB SITES**

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

Healthy Families Program: <http://www.healthyfamilies.ca.gov>

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

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**IDENTIFICATION AND REPORTING OF MISSING CHILDREN**

District personnel, including but not limited to teachers, administrators, school aides, school playground workers and school bus drivers, are encouraged to report missing children to a law enforcement agency in a timely manner in order to provide those children a necessary level of protection.

*Legal Reference:*

**EDUCATION CODE**

32390 Voluntary program for fingerprinting students

38139 Posting of information about missing children

48980 Parental notification of district programs, rights and responsibilities

49068.5-49068.6 Missing children; transfers

49370 Legislative intent re: reporting of missing children

**CODE OF REGULATIONS, TITLE 5**

640-641 Student fingerprinting program

*Management Resources:*

**WEB SITES**

Department of Justice/Attorney General's Office: <http://www.caag.state.ca.us/app>

Policy Adopted:



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## DISCIPLINE

The Board of Education desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5137 - Positive School Climate)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 6020 - Parent Involvement)  
(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3515 - Campus Security)  
(cf. 3515.3 - District Police/Security Department)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 4158/4258/4358 - Employee Security)  
(cf. 5136 - Gangs)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))  
(cf. 6164.5 - Student Success Teams)  
(cf. 6159.4 - Behavioral Interventions for Special Education Students)  
(cf. 6182 - Opportunity School/Class/Program)  
(cf. 6184 - Continuation Education)  
(cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

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

### Legal Reference:

#### CIVIL CODE

1714.1 Parental liability for child's misconduct

#### EDUCATION CODE

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

35294-35294.9 School safety plans

37223 Weekend classes

44807.5 Restriction from recess

48630-48644.5 Opportunity schools

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

#### CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

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**Management Resources:**

**CSBA PUBLICATIONS**

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

**CDE PROGRAM ADVISORIES**

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

1223.88 Corporal Punishment, CIL: 88/9-5

**WEB SITES**

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

USDOE: <http://www.ed.gov>

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## **SUSPENSION AND EXPULSION/DUE PROCESS**

The Board of Education has established policies and standards of behavior in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to suspend or expel a student from regular classroom instruction.

(cf. 5144 - Discipline)

Suspended or expelled students shall be excluded from all school-related extracurricular activities during the period of suspension or expulsion.

(cf. 6145 - Extracurricular and Cocurricular Activities)

Except where suspension for a first offense is warranted in accordance with law, suspension shall be imposed only when other means of correction fail to bring about proper conduct. (Education Code 48900.5)

Expulsion is an action taken by the Board for severe or prolonged breaches of discipline by a student. Except for single acts of a grave nature, expulsion is used only when there is a history of misconduct, when other forms of discipline, including suspension, have failed to bring about proper conduct, or when the student's presence causes a continuing danger to him/herself or others. (Education Code 48915)

The grounds for suspension and expulsion and the procedures for considering, recommending and/or implementing suspension and expulsion shall be specified in administrative regulation.

### **Zero Tolerance**

The Board supports a zero tolerance approach to serious offenses. This approach makes the removal of potentially dangerous students from the classroom a top priority. It ensures fair and equal treatment of all students and requires that all offenders be punished to the fullest extent allowed by law. Staff shall immediately report to the Superintendent or designee any incidence of offenses specified in law, Board policy and administrative regulation as cause for suspension or expulsion.

The Superintendent or designee shall notify staff, students and parents/ guardians about the district's zero tolerance policy and the consequences which may result from student offenses. He/she shall also ensure strict enforcement of this policy.

### **Student Due Process**

The Board shall provide for the fair and equitable treatment of students facing suspension and expulsion by affording them their due process rights under the law. The

Superintendent or designee shall comply with procedures for notices and appeals as specified in administrative regulation and law. (Education Code 48911, 48915, 48915.5)

(cf. 5119 - Students Expelled from Other Districts)

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

### **On-Campus Suspension Program**

The Board recognizes that students who are suspended from school often have no supervision or guidance during the school hours when they are off campus and may fall behind in the coursework. The Board believes

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that, in many cases, it would be better to manage the student's behavior by keeping the student at school and providing him/her with supervision that is separated from the regular classroom.

The Superintendent or designee may establish a supervised in-house suspension program which meets the requirements of law for suspended students who pose no imminent danger or threat at school and for whom an expulsion action has not been initiated.

The Superintendent or designee shall examine alternatives to off-campus suspension and may establish a suspension program which involves progressive discipline during the school day on campus; use of conferences between staff, parents/guardians and students; detention; student study teams or other assessment-related teams; and/or referral to school support services staff. The use of such alternatives does not preclude off-campus suspensions.

#### **Required Parental Attendance**

The Board believes that parental involvement plays an important role in the resolution of classroom behavior problems. The Board expects that teachers will communicate with parents/guardians when behavior problems arise.

Whenever a student is removed from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the student was removed may provide that the student's parent/guardian attend a portion of a school day in that class. After completing the classroom visit and before leaving school premises, the parent/guardian also shall meet with the principal or designee. (Education Code 48900.1)

The Board encourages teachers, before requiring parental attendance, to make reasonable efforts to have the parent/guardian visit the class voluntarily. The teacher also may inform the parent/guardian about available resources and parent education opportunities.

Teachers should reserve the option of required parental attendance for cases in which they have determined that it is the best strategy to promote positive interaction between the student and the parent/guardian and to improve classroom behavior.

The teacher shall apply this policy uniformly to all students within the classroom. This policy shall apply only to a parent/guardian who lives with the student. (Education Code 48900.1)

Parental attendance may be requested on the day the student returns to class or within one week thereafter. The principal or designee shall contact any parents/guardians who do not respond to the request to attend school. The Board recognizes that parental compliance with this policy may be delayed, modified or prevented for reasons such as serious illness/injury/disability, absence from town, or inability to get release time from work.

District regulations and school-site rules for student discipline shall include procedures for implementing parental attendance requirements.

#### **Decision Not to Enforce Expulsion Order**

On a case-by-case basis, the enforcement of an expulsion order may be suspended by the Board pursuant to the requirements of law.

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**Legal Reference:**

EDUCATION CODE

212.5 Sexual harassment  
233 Hate violence reduction  
1981 Enrollment of students  
17292.5 Program for expelled students  
32050 Hazing  
35146 Closed sessions (re suspensions)  
35291 Rules (for government and discipline of schools)  
35291.5 Rules and procedures on school discipline  
48660-48666 Community day schools  
48900-48926 Suspension and expulsion  
48950 Speech and other communication  
49073-49079 Privacy of student records

CIVIL CODE

47 Privileged communication  
48.8 Defamation liability

CODE OF CIVIL PROCEDURE

1985-1997 Subpoenas; means of production

GOVERNMENT CODE

11455.20 Contempt  
54950-54963 Ralph M. Brown Act (re closed sessions)

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia  
11053-11058 Standards and schedules

LABOR CODE

230.7 Discharge or discrimination against employee for taking time off to appear in school on behalf of a child

PENAL CODE

31 Principal defined  
240 Assault defined  
241.2 Assault fines  
242 Battery defined  
243.2 Battery fines  
243.4 Sexual battery  
245 Assault with deadly weapon  
261 Rape defined  
266c Unlawful sexual intercourse  
286 Sodomy defined  
288 Lewd or lascivious acts with child under age 14  
288a Oral copulation  
289 Penetration of genital or anal openings  
626.2 Entry upon campus after written notice of suspension or dismissal without permission  
626.9 Gun-Free School Zone Act of 1995  
626.10 Dirks, daggers, knives, razors or stun guns  
868.5 Supporting person; attendance during testimony of witness

WELFARE AND INSTITUTIONS CODE

729.6 Counseling

UNITED STATES CODE, TITLE 18

921 Definitions

UNITED STATES CODE, TITLE 20

7151 Gun free schools

COURT DECISIONS

Board of Education of Sacramento City Unified School District v. Sacramento County Board of Education and Kenneth H., (2001) 85 Cal.App.4th 1321  
Garcia v. Los Angeles Board of Education (1991) 123 Cal.App.3d 807  
Fremont Union High School District v. Santa Clara County Board (1991) 235 Cal. App. 3d 1182  
John A. v. San Bernardino School District (1982) 33 Cal. 3d 301, 308

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Woodbury v. Dempsey (2003) 108 Cal. App. 4<sup>th</sup> 421

ATTORNEY GENERAL OPINIONS

84 Ops. Cal. Atty. Gen. 146 (2001)

80 Ops. Cal. Atty. Gen. 347 (1997)

80 Ops. Cal. Atty. Gen. 91 (1997)

80 Ops. Cal. Atty. Gen. 85 (1997)

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Educational Placements, SPB 95/96-04

WEB SITES

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

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

Policy Adopted:



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## QUESTIONING AND APPREHENSION

Law enforcement officers have the right to interview and question students on school premises. When such an interview is requested, the principal or designee shall ascertain the officer's identity, official capacity, and the authority under which he/she acts. If the officer needs to interview or question the student immediately, the principal or designee shall accommodate the process in a way that causes the least possible disruption to the school, gives the student appropriate privacy, and models exemplary cooperation with community law enforcement authorities.

At the law officer's discretion and with the student's approval, the principal or designee may be present during the interview.

If the law officer finds it necessary to remove the student from school, the principal or designee shall first ascertain the reason for such action. Upon releasing the student, the principal or designee shall immediately attempt to inform the student's parent/guardian.

Personnel responsible for releasing a student from school custody shall exercise extreme diligence to prevent such release to any unauthorized or unidentified person.

### Subpoenas

Although subpoenas may legally be served at school, the Board believes that serving officials should be strongly urged to serve subpoenas at the home of the student whenever possible. In these situations, steps should be taken to ensure a minimum of embarrassment or loss of class time for the student.

#### Legal Reference:

##### EDUCATION CODE

44807. Duty concerning conduct of pupils

48264 Arrest of truant

48265 Delivery of truant

48902 Notice to law authorities

48906 Release of minor pupil to peace officers; notice to parent, guardian or relative

48909 Narcotics and other hallucinogenic drugs (re arrest)

##### PENAL CODE

830-832.8 re peace officers

833-851.85 re arrests

1328 Service of subpoena

##### CODE OF REGULATIONS, TITLE 5

303 Duty to remain at school

##### COURT DECISIONS

*People v. Burton* (1971) 6 Cal. 3d 375

*In re Donaldson* (1969) 269 Cal. App. 2d 509

*Baines v. Brady* (1953) 122 Cal. App. 2d 957, 960

*In the matter of Paul P.*, 85 Daily Journal D.A.R. 2594

##### ATTORNEY GENERAL OPINIONS

54 Ops. Cal. Atty. Gen. 96 (1971)

34 Ops. Cal. Atty. Gen. 93 (1959)

32 Ops. Cal. Atty. Gen. 96 (1958)



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## SEARCH AND SEIZURE

### Safe School Environment Goals

The Board of Education recognizes the benefits to students and staff of a safe educational environment. The Board is committed to the goal of a safe, caring, nondiscriminatory school climate which is conducive to learning and enables students to feel safe and realize their full potential.

The Board supports both a proactive approach and early intervention to curb school violence, crime, drug and alcohol abuse, and other negative detractors to the school learning environment.

The Board shall authorize the superintendent or designees to develop a comprehensive district-wide school safety plan, with site level participation, in order to ensure compliance with law, Board policy and administrative procedure.

### Search and Seizure

To maintain order and discipline in the schools and to protect the safety and welfare of students and personnel, school authorities may physically search a student, as well as his/her effects including, but not limited to, student lockers, desks, cubby holes, clothing, backpacks, purses, book bags, brief cases and other such containers, or student automobiles based upon reasonable suspicion, meaning whether there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Such a search will be permissible in its scope when the measures adopted are reasonably related to the objectives of the search and not excessively intrusive in light of the age and sex of the student and the nature of the infraction. Because student lockers, desks, cubby holes and similar storage areas are the property of the district and because the control of such areas is joint as between the student and the district, these areas are subject to search at any time.

In general, immediately prior to undertaking a search, it will be appropriate for school authorities to question the student about the incident and/or object of the search. While consent is not necessary upon a reasonable suspicion to search, in general, a student will be provided with the opportunity to consent.

Reasonable suspicion searches may be conducted of a student while the student is on school grounds, under school or district supervision and/or while engaged in a school or district activity. The products of such a search may be turned over to the proper legal authorities, including, but not limited to, the Chico Police, Butte County Sheriff, and/or utilized by the district itself for ultimate disposition and/or use as evidence. Appropriate school disciplinary action will be implemented.

### Detection Devices

The Board believes that the presence of drugs, weapons, vandalism, theft and violence in the schools threatens the district's ability to provide an appropriate learning environment. The Board believes that the proper use of detection devices, such as, but not limited to, metal detectors, surveillance cameras, drug sniffing canines, and/or substance detectors may be necessary to further the goal of an appropriate school environment.

Such detection devices shall be utilized only under the direction of the Superintendent in consultation with legal counsel and site administration.

Parents/students will be notified annually regarding the use of detection and surveillance devices.



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### **High School Undercover Operations**

The Board believes that the use of narcotics officers working in undercover roles on high school campuses may be necessary under certain circumstances. Such officers shall be utilized only under the direction of the Superintendent in consultation with legal counsel and site administration. Such operations will be undertaken in a manner to ensure the safety of students.

#### **Legal Reference:**

##### **EDUCATION CODE**

35160 Authority of governing boards  
35160.1 Broad authority of school districts  
35294-35294.9 School safety plans  
49050-49051 Searches by school employees  
49330-49334 Injurious objects

##### **PENAL CODE**

626.9 Firearms  
626.10 Dirks, daggers, knives or razor; bringing into or possession of upon or within public school ground; exception

##### **COURT DECISIONS**

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260  
O'Connor v. Ortega, (1987) 107 S.Ct. 1492  
New Jersey v. T.L.O., (1985) 469 U.S. 325  
Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470  
Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

##### **ATTORNEY GENERAL OPINIONS**

83 Ops.Cal.Atty.Gen. 257 (2001)  
75 Ops.Cal.Atty.Gen. 155 (1992)

#### **Management Resources:**

##### **WEB SITES**

California Attorney General's Office: <http://caag.state.ca.us>  
CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety>



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### **FREEDOM OF SPEECH/EXPRESSION**

The Board of Education believes that free inquiry and exchange of ideas are essential parts of a democratic education. The Board respects students' rights to express ideas and opinions, take stands on issues, and support causes, even when such speech is controversial or unpopular.

(cf. 6144 - Controversial Issues)

#### **On-Campus Expression**

Students shall have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges and other insignia; and the right of expression in official publications. (Education Code 48907)

Students' freedom of expression shall be limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community.

Students are prohibited from making any expressions or distributing or posting any materials that are obscene, libelous or slanderous. Students also are prohibited from making any expressions that so incite students as to create a clear and present danger of the commission of unlawful acts on school premises, the violation of school rules, or substantial disruption of the school's orderly operation. (Education Code 48907)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

The use of "fighting words" or epithets is prohibited if the speech is abusive and insulting rather than a communication of ideas, and the speech is used in an abusive manner in a situation that presents an actual danger that it will cause a breach of the peace.

School officials shall not engage in prior restraint of material prepared for official school publications except insofar as the content of the material violates the law. (Education Code 48907)

The Superintendent or designee shall not discipline any high school student solely on the basis of speech or other communication that would be constitutionally protected when engaged in outside of school, but may impose discipline for harassment, threats or intimidation unless constitutionally protected. (Education Code 48950)

(cf. 5137 - Positive School Climate)

(cf. 5144 - Discipline)

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

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

#### **Off-Campus Expression**

Off-campus student expression, including but not limited to student expression on off-campus Internet web sites, is generally constitutionally protected but shall be subject to discipline when such expression poses a direct threat to the safety of students or school personnel.

Conduct by a student outside of class which for any reason materially disrupts classwork or involves substantial disorder or invasion of the rights of others is not protected by the constitutional guarantee of free speech.

Legal Reference:

EDUCATION CODE

Policy Adopted:



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48907 Exercise of free expression; rules and regulations

48950 Speech and other communication

51520 Prohibited solicitations on school premises

### **CALIFORNIA CONSTITUTION**

Article 1, Section 2 Freedom of speech and expression

### **U.S. CONSTITUTION**

Amendment 1 Freedom of speech and expression

### **COURT CASES**

Lavine v. Blaine School District, (2001) 257 F.3d 981

Emmett v. Kirkland School District No. 415, (2000) 92 F.Supp. 2d 1088

J.S. v. Bethlehem Area School District, (2000) 757 A.2d 412 (Pa. Commw. 2000)

Beussink v. Woodland R-IV School District, (1998) 30 F. Supp. 2d 1175 (E.D. Mo. 1998)

Muller v. Jefferson Lighthouse School, (1996) 98 F.3d 1530

Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562

Leeb v. DeLong, (1988) 198 Cal.App.3d 47

Perumal et al. v. Saddleback Valley Unified School District, (1988) 198 Cal.App.3d 64

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

Collin v. Smith, (1978) 447 F.Supp.676, affd. (1978) 578 F.2d 1197, cert. den. (1978) 439 U.S. 916

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

### **Management Resources:**

#### **CDE LEGAL ADVISORIES**

Limitations on Student Expression in School-Sponsored Publications, March 4, 1988

#### **NSBA PUBLICATIONS**

Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review 2001

Policy Adopted:



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### **NONDISCRIMINATION/HARASSMENT**

District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, gender, ethnic group identification, race, national origin, religion, color, physical or mental disability, age or sexual orientation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 6164.6 - Identification and Education under Section 504)

The Board of Education shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision. The district may provide male and female students with separate shower rooms and sexual health and HIV/AIDS prevention classes in order to protect student modesty.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

(cf. 5145.2 - Freedom of Speech/Expression)  
(cf. 5145.7 - Sexual Harassment)

Students who harass other students shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in harassment may be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5131 - Conduct)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Director of Testing  
1163 E. Seventh Street, Chico, CA 95928  
530-891-3000 x 170

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.3 - Uniform Complaint Procedures)

Any student who feels that he/she is being harassed should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.

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Employees who become aware of an act of harassment shall immediately report the incident to the Coordinator for Nondiscrimination. Upon receiving a complaint of discrimination or harassment, the Coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Coordinator shall also advise the victim of any other remedies that may be available. The Coordinator shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex, especially:  
221.5 Prohibited sex discrimination  
221.7 School-sponsored athletic programs; prohibited sex discrimination  
48900.3 Suspension or expulsion for act of hate violence  
48900.4 Suspension or expulsion for threats or harassment  
48904 Liability of parent/guardian for willful student misconduct  
48907 Student exercise of free expression  
48950 Freedom of speech  
49020-49023 Athletic programs  
51006-51007 Equitable access to technological education programs  
51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials

#### CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

#### CODE OF REGULATIONS, TITLE 5

4621 District policies and procedures  
4622 Notice requirements

#### PENAL CODE

422.6 Interference with constitutional right or privilege

#### UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI & VII Civil Rights Act of 1964 as amended  
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

#### CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
106.9 Notification of nondiscrimination on basis of sex

#### COURT DECISIONS

Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

### Management Resources:

#### OFFICE OF CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, January, 1999

Racial Incidents and Harassment Against Students at Educational Institutions; Investigative Guidance, 59 FR 47, March, 1994

#### WEB SITES

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

Policy Adopted:





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### PARENTAL NOTIFICATIONS

The Governing Board recognizes that notifications are essential to effective communication between the school and the home. The Superintendent or designee shall send students and parents/guardians all notifications required by law, including notifications about their legal rights, and any other notifications he/she believes will promote parental understanding and involvement.

(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 5022 - Student and Family Privacy Rights)  
(cf. 5124 - Communication with Parents/Guardians)  
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall ensure that notifications which must be sent at the beginning of each academic year include a request that the parent/guardian sign the notice and return it to the school. (Education Code 48981, 48982)

Notifications to parents/guardians shall be written both in English and in the family's primary language when so required by law. Whenever an employee learns that a student's parent/guardian is for any reason unable to understand the district's printed notifications, the principal or designee shall work with the parent/guardian to establish other appropriate means of communication.

(cf. 6174 - Education for English Language Learners)

#### Legal Reference:

#### EDUCATION CODE

221.5 Prohibited sex discrimination  
231.5 Sexual harassment policy  
262.3 Appeals; information re: availability of civil remedies  
310 Structured English Immersion Program  
17288 Pupils: school buildings  
17612 Notification of pesticide use  
32255-32255.6 Right to refuse harmful or destructive use of animals  
32390 Fingerprint program; contracts; funding; consent of parent/guardian  
35178.4 Notice of accreditation status  
35183 School dress codes; uniforms  
35186 Complaints concerning deficiencies in instructional materials and facilities  
35256 School accountability report card  
35291 Rules  
37616 Consultation  
39831.5 School bus rider rules and information  
44808.5 Permission to leave school grounds  
46010.1 Notice re: excuse to obtain confidential medical services  
46014 Regulations regarding absences for religious purposes  
46600-46611 Interdistrict attendance agreements especially:  
46601 Failure to approve interdistrict attendance  
48000 Minimum age of admission  
48070.5 Promotion or retention of students  
48205 Absence for personal reasons  
48206.3 Pupils with temporary disabilities; individual instruction; definitions  
48207 Pupils with temporary disabilities in hospitals outside of school district  
48208 Students with temporary disabilities in qualifying hospitals  
48216 Immunization  
48260.5 Notice to parent re truancy  
48263 Referral to SARB or probation department  
48432.5 Involuntary transfers of pupils

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- 48904 Liability of parent/guardian for willful pupil misconduct
- 48904.3 Withholding grades, diplomas, or transcripts
- 48906 Notification of release of pupil to peace officer
- 48911 Notification in case of suspension
- 48912 Closed sessions; consideration of suspension
- 48915.1 Expelled individuals: enrollment in another district
- 48916 Readmission procedures
- 48918 Rules governing expulsion procedures
- 48980 Required notification at beginning of term
- 48980.3 Notification of pesticide use
- 48981 Time and means of notification
- 48982 Signature; return to school; effect of signature
- 48983 Contents of notice
- 48984 Activities prohibited unless notice given
- 48985 Notices to parents in language other than English
- 48987 Child abuse information
- 49063 Notification of parents of their rights
- 49067 Regulations regarding pupil's achievement
- 49068 Transfer of permanent enrollment and scholarship record
- 49069 Absolute right to access
- 49070 Challenging content of records
- 49073 Release of directory information
- 49076 Access to student records
- 49077 Access to information concerning a student in compliance with court order
- 49091.14 Prospectus
- 49302 Parental consent
- 49332 Notifications of retention of object by school personnel; release
- 49403 Cooperation in control of communicable disease and immunization
- 49423 Administration of prescribed medication for pupil
- 49451 Physical examinations: parent's refusal to consent
- 49452.5 Screening for scoliosis
- 49456 Report to parent
- 49472 Medical and hospital services for pupils
- 49480 Continuing medication regimen for nonepisodic conditions
- 49510-49520 Duffy-Moscone Family Nutrition Education and Services Act of 1970
- 51513 Personal beliefs
- 51938 Right of parent/guardian notice HIV/AIDS and sexual health instruction
- 52164.1 Census-taking methods; determination of primary language; assessment of language skills
- 52164.3 Notice of reassessment of language skills
- 52173 Consultation with parents or guardians; notice to parents or guardians; withdrawal of pupil
- 52244 Advanced Placement Program
- 54444.2 Migrant education programs; parent involvement
- 56301 Child-find system; policies re: written notification rights
- 56321 Special education: proposed assessment plan
- 56329 Written notice of right to findings; independent assessment
- 56341 Individualized education program team
- 56341.5 Individualized education program team meetings
- 56343.5 IEP meetings
- 56346 Parental notice and consent to special education program
- 58501 Alternative schools: notice required prior to establishment
- 60641 Standardized Testing and Reporting Program
- 60850 High School Exit Examination
- HEALTH AND SAFETY CODE
- 1596.857 Right to enter child care facility
- 120365 Immunizations
- 120370 Immunizations
- 120375 Immunizations

Policy Adopted:



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120440 Sharing immunization information  
124085 Certificate of receipt; health screening and evaluation services; waiver by parent/guardian  
124100 School districts and private schools; information to parents  
PENAL CODE  
627.5 Hearing request following denial or revocation of registration  
WELFARE AND INSTITUTIONS CODE  
18976.5 Parental notice; right of refusal to participate  
CODE OF REGULATIONS, TITLE 5  
863 Standardized Testing and Reporting Program  
3052 Behavioral intervention  
3831 General standards (Gifted and Talented Program)  
4622 Notice requirements and recipients  
4631 Responsibilities of the local agency  
11303 Reclassification of English language learners  
11309 Parental exception waivers  
11523 Notice of proficiency examinations  
18066 Policies and procedures absences for child care  
UNITED STATES CODE, TITLE 20  
1232g Family Educational and Privacy Rights Act  
1415 Procedural safeguards  
1681-1688 Title IX, discrimination based on sex or blindness  
6311 State plans  
6312 Local education agency plans  
6316 Academic assessment and local education agency school improvement  
6318 Parental involvement  
7908 Armed forces recruiter access to students  
UNITED STATES CODE, TITLE 42  
2000d-2000d-7, Title VI, Civil Rights Act of 1964  
CODE OF FEDERAL REGULATIONS, TITLE 34  
99.7 Student records, annual notification  
99.34 Student records, disclosure to other educational agencies  
104.36 Procedural safeguards  
106.9 Dissemination of policy, nondiscrimination on basis of sex  
300.345 Parent participation  
300.502 Independent educational evaluation  
300.503 Prior written notice  
300.505 Parental consent  
300.507 Parent notice due process hearing  
300.523 Manifestation determination review  
CODE OF FEDERAL REGULATIONS, TITLE 40  
763.93 Management plans

Policy Adopted:



**Chico Unified School District**  
1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

Board Policy:

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Students

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## REFUSAL TO HARM OR DESTROY ANIMALS

The Board of Education supports the right of students to refrain from participating in instruction which involves dissecting or otherwise harming or destroying animals when they have a moral objection to such activities.

Students shall not be discriminated against because of a decision to exercise this right. (Education Code 32255.1)

(cf. 5145.2 - Freedom of Speech/Expression)

After notifying the teacher of his/her objection pursuant to law and administrative regulations, the student shall be excused from the project and may be provided an appropriate alternative project. The Board encourages staff, whenever possible, to provide an alternative project that teaches the same knowledge and skills as the original project. In any case, staff shall ensure the effective use of students' time by providing instructional activities relevant to the course of study.

### *Legal Reference:*

#### EDUCATION CODE

32255-32255.6 Student's right to refrain from harmful/destructive use of animals

48980 Parental notification at beginning of term

48981-48984 Method and content of notification; signature required

Policy Adopted:



**Chico Unified School District**  
1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

Board Policy:

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Students

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## **HATE-MOTIVATED BEHAVIOR**

The Board of Education affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5131.5 - Vandalism, Theft and Graffiti)  
(cf. 5136 - Gangs)  
(cf. 5137 - Positive School Climate)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 6141.6 - Multicultural Education)

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.3 - Uniform Complaint Procedures)

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

(cf. 3515.3 - District Police/Security Department)  
(cf. 4158/4258/4358 - Employee Security)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

### **Legal Reference:**

#### **EDUCATION CODE**

200-262 Prohibition of discrimination on the basis of sex

48900.3 Suspension for hate violence

#### **PENAL CODE**

186.21 Street terrorism; legislative findings and declarations

422.6-422.95 Civil Rights

628-628.1 School crime reporting

11410-11414 Terrorism

13023 Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

13519.6 Hate crimes, training courses and guidelines

#### **UNITED STATES CODE, TITLE 18**

245 Federally protected activities

### **Management Resources:**

#### **CSBA PUBLICATIONS**

Protecting Our Schools: Board of Education Strategies to Combat School Violence, 1995

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Policy Adopted:



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Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS  
GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

### WEB SITES

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

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>



## **Chico Unified School District**

1163 East Seventh Street, Chico, CA 95928-5999  
(530) 891-3000

Board Policy:

#5146

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Students

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### **MARRIED/PREGNANT/PARENTING STUDENTS**

The Board of Education recognizes that early marriage, pregnancy or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to provide instruction and services designed to assist in pregnancy prevention. The Board also desires to support male and female expectant and parenting students to attain strong academic and parenting skills and to promote the healthy development of their children.

(cf. 5147 - Dropout Prevention)  
(cf. 5149 - At-Risk Students)  
(cf. 6011 - Academic Standards)  
(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.11 - Alternative Credits Toward Graduation)  
(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

Married, expectant and parenting students shall have the same educational and extracurricular opportunities as all students. Participation in special programs or schools shall be voluntary.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5127 - Graduation Ceremonies and Activities)  
(cf. 6145 - Extracurricular and Cocurricular Activities)

For school-related purposes, married students under the age of 18 are emancipated minors and have all the rights and privileges of students who are 18, even if the marriage has been dissolved. (Family Code 7002)

#### **Expectant and Parenting Students**

The Board is committed to providing to expectant and parenting students and their children a comprehensive, continuous, community-linked program that reflects the cultural and linguistic diversity of the community.

The Superintendent or designee shall collaborate with the County Superintendent of Schools and other community agencies and organizations to ensure that appropriate educational and related support services are available to meet the needs of expectant and parenting students their children.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

Expectant and parenting students retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual student and/or child. (Education Code 54745)

(cf. 6158 - Independent Study)  
(cf. 6182 - Opportunity School/Class/Program)  
(cf. 6183 - Home and Hospital Instruction)  
(cf. 6184 - Continuation Education)  
(cf. 6200 - Adult Education)

In addition to providing a quality education program for expectant and parenting students, the district's program shall provide parenting education and life skills instruction, special school nutrition supplements for pregnant and lactating students, and a child care and development program on or near the school site for the children of enrolled students. The district's program may provide other support services authorized by Education Code 54746 as necessary to meet the needs of students and their children. (Education Code 54745)

Policy Adopted:



## **Chico Unified School District**

1163 East Seventh Street, Chico, CA 95928-5999  
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(cf. 3550 - Food Service/Child Nutrition Program)  
(cf. 5141.6 - Student Health and Social Services)  
(cf. 5148 - Child Care and Development)  
(cf. 6164.2 - Guidance/Counseling Services)

### **Legal Reference:**

#### **EDUCATION CODE**

2551.3 Determination of state aid for pregnant minors program  
17293 School facilities for pregnant/parenting teen programs  
48220 Compulsory education requirement  
48410 Persons exempted from continuation classes  
49553 Nutrition supplements for pregnant/lactating students  
49558 Confidentiality of applications and records for free or reduced price meals  
51220.5 Parenting skills and education  
51745 Independent study  
52610.5 Enrollment of pregnant and parenting students in adult education  
54740-54749.5 California School Age Families Education Program (Cal-SAFE)

#### **FAMILY CODE**

7002 Description of emancipated minor  
7050 Purposes for which emancipated minor considered an adult

#### **HEALTH AND SAFETY CODE**

124175-124200 Adolescent and Family Life Act

#### **UNITED STATES CODE, TITLE 20**

1681-1688 Title IX, Education Act Amendments

#### **CODE OF FEDERAL REGULATIONS, TITLE 34**

106.40 Marital or parental status

### **Management Resources:**

#### **CDE PUBLICATIONS**

Pregnant and Parenting Students: A Report to the Legislature, April 1996

#### **SBE POLICIES**

Policy statement on adolescent pregnancy and parenting, July 9, 1993

#### **WEB SITES**

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

California Department of Health Services: <http://www.dhs.ca.gov>

Department of Social Services: <http://www.dss.ca.gov>

Policy Adopted:





**Chico Unified School District**  
1163 East Seventh Street, Chico, CA 95928-5999  
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Board Policy: #5148.2

Section: 5000

Students  
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### **BEFORE/AFTER SCHOOL PROGRAMS**

The Governing Board desires to provide before-school and/or after-school enrichment programs that support the regular education program and provide safe, constructive alternatives for students. In order to increase academic achievement of participating students, the content of such programs shall be aligned with the district's vision and goals for student learning, its curriculum, and district and state academic standards and shall be integrated with other learning support activities.

(cf. 0000 - Vision)  
(cf. 0200 - Goals for the School District)  
(cf. 5147 - Dropout Prevention)  
(cf. 5148 - Child Care and Development)  
(cf. 6011 - Academic Standards)  
(cf. 6162.52 - High School Exit Examination)  
(cf. 6176 - Weekend/Saturday Classes)  
(cf. 6177 - Summer School)  
(cf. 6179 - Supplemental Instruction)

The district's program shall be planned through a collaborative process that includes parents/guardians, students, representatives of participating schools, governmental agencies including city and county parks and recreation departments, local law enforcement, community organizations, and, if appropriate, the private sector. (Education Code 8422, 8482.5)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 1700 - Relations Between Private Industry and the Schools)

The establishment of any program shall be approved by the Board and the principal of each participating school. (Education Code 8421, 8482.3)

The program shall include academic and enrichment elements in accordance with law and administrative regulation. In addition, the program may include support services that reinforce the educational component and promote student health and well-being, including, but not limited to, drug and violence prevention programs, counseling/guidance services, character education, and programs that promote parent/guardian involvement and family literacy.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 6020 - Parent Involvement)  
(cf. 6142.3 - Civic Education)  
(cf. 6164.2 - Counseling/Guidance Services)

A fee may be charged to participating families based on the actual cost of services. The fee may be waived or subsidized based on economic disadvantage or other critical needs in accordance with Education Code 8263 and 8350.

(cf. 3260 - Fees and Charges)

The Board and the Superintendent or designee shall monitor student participation rates and shall identify measures that shall be used to determine program effectiveness, such as outcome-based data on academic performance, attendance, and positive behavioral changes.

(cf. 0500 - Accountability)

Policy Adopted:



**Chico Unified School District**  
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Board Policy: #5148.2

Section: 5000 Students

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**Legal Reference:**

**EDUCATION CODE**

8263 Eligibility and priorities for subsidized child development services  
8350-8359.1 Programs for CalWORKS recipients  
8420-8428 21st Century After-School Program for Teens  
8460-8480 School-age community child care services  
8482-8484.6 After School Education and Safety Program  
8484.7-8484.9 21st Century Community Learning Centers  
8488.5-8489.9 Six by Six Before- and After-school Program  
17264 New construction; accommodation of before- and after-school programs  
49430-49436 Nutrition standards  
49553 Free or reduced-price meals  
69530-69547.9 Cal Grant program  
**UNITED STATES CODE, TITLE 20**  
6314 Title I schoolwide programs  
6319 Program improvement  
7171-7176 21st Century community learning centers

**Management Resources:**

**CSBA ADVISORIES**

Proposition 49: New Funding for Before and After School Programs, July 2006

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

21st Century High School After School Safety and Enrichment for Teens (ASSETS) Program Evaluation Guidebook 2005-06, July 2006

**COUNCIL OF CHIEF STATE SCHOOL OFFICERS (CCSSO) PUBLICATIONS**

Using NCLB Funds to Support Extended Learning Time: Opportunities for Afterschool Programs, August 2005

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

Building and Sustaining After-School Programs: Successful Practices in School Board Leadership, 2005

**U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE**

21st Century Community Learning Centers, February 2003

**U.S. DEPARTMENT OF EDUCATION PUBLICATIONS**

After-School Programs: Keeping Children Safe and Smart, June 2000

**WEB SITES**

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

Academy for Educational Development, Promising Practices in Afterschool: <http://www.afterschool.org>

California Department of Education, After School Partnerships Office: <http://www.cde.ca.gov/ls/ba>

California School-Age Consortium: <http://calsac.org>

Children Now: <http://www.childrennow.org>

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

National School Boards Association, Extended-Day Learning Opportunities Program: <http://www.nsba.org/edl>

(3/06) 11/06

Policy Adopted:

Agenda Item #: \_\_\_\_\_  
(DO Use Only)

**PROPOSED AGENDA ITEM: Resolution # 982-07 / Elimination of Classified Services**

Prepared by: Bob Feaster, Assistant Superintendent, Human Resources

- ☐ Consent  
☐ Information Only  
☒ Discussion/Action

Board Date: February 21, 2007

**Background Information:**

For various reasons these three (3) classified services positions are not longer needed. After consultation with CSEA, Chapter #110 leadership it was agreed that these positions can and should be eliminated. All of these positions are currently vacant. Therefore no employees will be directly affected by this layoff.

**Educational Implications:**

None, given that the work associated with these positions no longer exists.

**Fiscal Implications:**

The District will save the cost of these positions.

**Recommendation:**

Approval of resolution #982-07



\_\_\_\_\_  
Bob Feaster  
Assistant Superintendent  
Human Resources

CHICO UNIFIED SCHOOL DISTRICT  
1163 East Seventh Street  
Chico, California 95928-5999  
(530) 891-3000

**RESOLUTION #982-07**  
**RESOLUTION OF THE GOVERNING BOARD**  
**OF THE CHICO UNIFIED SCHOOL DISTRICT**

**ELIMINATION OF CLASSIFIED SERVICES AND**  
**ORDERING LAYOFFS IN THE CLASSIFIED SERVICE**  
**FOR THE 2006-2007 SCHOOL YEAR**

WHEREAS Education Code section 45308 provides for the layoff and reemployment of classified employees due to a lack of work and/or lack of funds, and,

WHEREAS the Superintendent of the Chico Unified School District (District) has advised the District's Governing Board (Board) that there is a lack of work to maintain the following position(s) and that the Board should consider the elimination of the following position(s):

Classification	Full-Time Equivalent	Site/Program
Instructional Assistant-Special Education	.6875	Bidwell Jr/Special Ed
Impacted Language Liaison-Hmong/Lao	.3750	Chico High/SBCP
Sr Office Assistant	1.000	Education Service/GF

WHEREAS the District and the California School Employees Association, Chico Chapter 110 (CSEA) executed a Collective Bargaining Agreement (Agreement) effective July 1, 2004 through June 30, 2007. The CSEA's covered unit members, as defined in the Agreement, include those holding the positions described herein.

WHEREAS Article 1, Section 1.5.1 of the Agreement recognizes the authority of the District to make decisions to eliminate services and layoff therefrom.

WHEREAS Article 4 of the aforesaid Agreement covers layoff and reemployment and specifically provides that said Article includes all of the impact and effects of any layoff, demotion and/or reemployment for unit members and is thus a waiver to further bargain the effects of any specific decision to eliminate services and layoff therefrom, except as provided therein.

WHEREAS CSEA has been apprised of the contemplated elimination of services described herein in order to afford it the opportunity to exercise its rights under the Agreement.

NOW, therefore, be it resolved the Board has this date adopted the Superintendent's recommendations and ordered a reduction of classified services, and it appears to the Board that due to a lack of work it is necessary to eliminate certain classified position(s) and to layoff affected employee(s) hereinabove set forth.

BE IT FURTHER RESOLVED that the Board authorizes the District Superintendent to give notice to the affected classified employee(s) of the layoff in accordance with Education Code Sections 45117 and 45308 and pursuant to Article 4 of the current collective bargaining agreement and pursuant to Merit System rules, such notice to be given at least forty-five (45) working days prior to the effective date of each layoff as set forth above.

The Board authorizes and directs the Superintendent to carry forth all layoff proceedings resulting from the elimination of position(s) ordered herein above, including proceedings for layoff provided by the exercise of displacement rights and to service layoff notices to employees affected thereby. Where an employee displaces an employee holding a position in another class, the Superintendent is hereby authorized and directed to carry forth layoff proceedings resulting therefrom and to serve layoff notices to employees affected thereby. All such layoffs shall be as of the designated effective date, forty-five (45) working days from notices of layoff.

In the event that an employee affected by the layoff proceedings authorized by this resolution chooses to retire or resign from District service, or other appropriate resolution is made, the Superintendent is authorized to rescind the layoff.

PASSED AND ADOPTED at a meeting of the Governing Board of the Chico Unified School District of Butte County on 02/21/2007.

AYES:  
NOES:  
ABSTENTIONS:  
ABSENT:

DATED this 21<sup>st</sup> day of February, 2007.

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Clerk of the Governing Board of the  
Chico Unified School District

**TITLE: Approval of Variable Term Waiver Request for an Early Childhood Special Education Certificate for Certificated Special Education Employee Carla Feulner.**

Action: ☒  
Consent: ☐  
Information: ☐

Agenda Item:  
Februaury 21, 2007  
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Prepared by: Bob Feaster, Assistant Superintendent-Human Resources

**Background Information**

**Request approval of a Variable Term Waiver Request for an Early Childhood Special Education Certificate to cover the assignment of a Certificated employee (Carla Feulner) in the position of SDC-SH Preschool Teacher for the 2006/07 school year, beginning February 22, 2007.**

**Educational Implications**

**Approval of this Variable Term Waiver Request will allow Ms. Feulner to teach while completing requirements for the Certificate.**

**Fiscal Implications**

**None**

**Additional Information**

**Recommendation**

**It is recommended that the Board of Education approve the Variable Term Waiver Request for Carla Feulner.**



State of California  
COMMISSION ON TEACHER CREDENTIALING  
P.O. Box 1559  
Sacramento, CA 95812-1559

Telephone: (916) 323-7136  
E-Mail: [waivers@ctc.ca.gov](mailto:waivers@ctc.ca.gov)

### VARIABLE TERM WAIVER REQUEST

Requests must be prepared by the employing agency, not the applicant. All materials must be clear enough to photocopy.

1. EMPLOYING AGENCY (include mailing address)	County/District CDS Code	Contact Person
		Telephone #:
		FAX #:
		E-Mail:

☐ NPS/NPA (list county code \_\_\_\_\_)

### 2. APPLICANT FOR THE WAIVER

Social Security Number    -   -

If fingerprint clearance is not on file at CCTC, include an application (form 41-4) for a Certificate of Clearance.

If needed, a review by the Division of Professional Practices will be concluded before a waiver approval letter will be issued.

Full Legal Name Feulner, Carla B  
Last First Middle

Former Name(s) \_\_\_\_\_ Birth Date \_\_\_\_\_

Applicant's Mailing Address \_\_\_\_\_

Credential Needed for Waiver Education Specialist: Early Childhood Education  
(Specific title and subject area of the credential that authorizes the assignment. Note that the subject must be one that is available under current regulations.)

Assignment SDC-SH Preschool Autism Teacher  
Specific position and grade level (e.g. chemistry teacher, grades 11-12)

For bilingual assignment list LANGUAGE: \_\_\_\_\_

Is this a full time position? Yes ☒ No ☐

If not, indicate how many periods a day the individual will be teaching the waiver assignment(s) \_\_\_\_\_

Is this a subsequent Waiver? (See #9 for additional information) Yes ☐ No ☒

### 3. EDUCATION CODE OR TITLE 5 SECTION TO BE WAIVED

Specific section(s) covering the assignment: 44265

### 4. EFFECTIVE DATES

02 / 22 / 07 to 06 / 07 / 07

Waivers are dated effective the beginning date of service. Provide the ending date of your school term, track or year below. A justification MUST be included if the expiration date extends beyond the term, track or year.

Ending date of school term, track, or year: 06 / 07 / 07

**5. STATEWIDE HIGH INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE HIGH INCIDENCE AREA FOR THE ASSIGNMENT**

- ☒ Special Education
- ☐ Clinical or Rehabilitative Services
- ☐ Driver Education and Training
- ☐ 30-Day Substitute

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

No copies are necessary if this is a recognized high incidence area.

- ☐ Advertised in local/national newspapers
- ☐ Advertised in professional journals
- ☐ Attended job fairs in California
- ☐ Attended recruitment out-of-state
- ☐ Contacted IHE placement centers
- ☒ Distributed job announcements
- ☒ Internet
- ☐ Other \_\_\_\_\_

**c. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

Mrs. Feulner has completed the requirements leading to a Bachelors of Arts degree in Speech Communication and Drama. She holds a single subject teaching credential in English as well as a multiple subjects credential. She aligned her academic preparation with her professional experiences providing her background necessary to work with pre-school aged handicapped students (3-5 years). As part of the undergraduate and graduate requirements at California State University, Chico, Carla completed course work with components in early childhood development. Areas of concentration included: Childhood development, curriculum planning, behavioral management, speech and language development, assessment, assistive technology, motor development, motor planning, health and child psychology.

Carla has worked in a variety of professional settings. Teaching experiences range consist of pre-school, elementary, and Jr. High school settings. Recently she was assigned to teach a summer school classroom serving children with Autism 3-5 years. She has three years experience as an Instructional Paraprofessional in pre-school settings. She holds certificates in Best Practices "Autism Spectrum Disorders". Other training experiences include behavioral management, sign language, discrete trial, PECS and TEACH.

Her educational background and teaching experiences have provided the foundation of academic training and practicum experiences.



**6. NON STATEWIDE LOW INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE LOW INCIDENCE AREA FOR THE ASSIGNMENT**

- ☐ Administrative Services
- ☐ Single Subject Teaching (all subject areas)
- ☐ Designated Subjects – except driver education and training
- ☐ Library Media Services
- ☐ Multiple Subject Teaching
- ☐ Pupil Personnel Services: Counseling, Psychology, Social Work
- ☐ Reading Specialist/Certificate
- ☐ Teacher of English Learner Students

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

Copies of announcements, advertisements, web site registration, etc. must be attached.

The employer must verify all of the following:

- ☐ Distributed job announcements
- ☐ Contacted IHE placement centers
- ☐ Internet (www.edjoin.org)

Optional recruitment methods:

- ☐ Advertised in local/national newspaper
- ☐ Attended job fairs in California
- ☐ Attended recruitment out of state
- ☐ Advertised in professional journals
- ☐ Other \_\_\_\_\_

**c. PROVIDE DETAILED INFORMATION ABOUT THE RESULTS OF RECRUITMENT EFFORTS. BE SURE TO ANSWER EACH OF THE FOLLOWING QUESTIONS:**

How many individuals credentialed in the authorization of the waiver request applied for the position? \_\_\_\_\_

How many credentialed in the authorization of the waiver request were interviewed? \_\_\_\_\_

What were the results of those interviews? (Please indicate answers in numbers)

- \_\_\_\_\_ Applicant(s) withdrew
- \_\_\_\_\_ Candidate(s) declined job offer
- \_\_\_\_\_ Candidate(s) found unsuitable for the assignment

**d. PROVIDE THE SPECIFIC EMPLOYMENT CRITERIA FOR THE POSITION**

What special skills and knowledge are needed to successfully perform in this position? These should also be described in your recruitment advertisements and announcements.

**e. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

**7. REQUIREMENTS AND TARGET COMPLETION DATES FOR REACHING CREDENTIAL GOAL**

List the requirements that the applicant must complete to be eligible for the document named above as the credential goal and a target date by which he or she plans to complete those requirements

PROGRAM, COURSE, EXAMINATION, EXPERIENCE	TARGET COMPLETION DATE
Coursework in Early Childhood	Summer 2007

**8. LIST THE NAME AND POSITION OF THE PERSON ASSIGNED TO PROVIDE SUPPORT AND ASSISTANCE TO THE APPLICANT DURING THE TERM OF THIS WAIVER**

By assigning this individual, the employing agency makes a commitment to support and assist the applicant, as feasible, in completing the requirement(s) listed above.

Name Eric Snedeker Position Principal, Loma Vista

**9. SUBSEQUENT WAIVER REQUESTS**

Attached is a copy of a personnel evaluation that verifies the applicant served satisfactorily in the position authorized by the previous waiver.

**10. IS THIS EMPLOYING AGENCY GEOGRAPHICALLY ISOLATED?**

Would the applicant have to travel more than 1 1/2 hours one-way to attend an institution with an approved program to meet the credential goal?

☐ Yes ☒ No ☐ Not applicable (program completion is not a requirement)

(continued)

### 11. PUBLIC NOTICE – CHECK THE BOX THAT APPLIES

- ☐ Public School District: Attached is a copy of the agenda item presented to the governing board of the school district in a public meeting showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or his or her designee in item #13 below, the person signing verifies that the board acted upon the item favorably.

By submitting this waiver request the district is certifying that reasonable efforts to recruit a fully prepared teacher for the assignment(s) were made in the following order:


1. an individual who is scheduled to complete initial preparation requirements within six months
2. a candidate who is qualified to participate in an approved internship program in the region of the school district

- ☐ County Office of Education, State Agency, or Nonpublic, Nonsectarian School or Agency: Attached is a dated copy of the notice that was posted at least 72 hours before the position was filled showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or administrator or his or her designee in item #13 below, the person signing verifies that there were no objections to this waiver request.

### 12. APPLICANT'S CERTIFICATION

I understand that in order to receive a subsequent waiver for this assignment I must pursue the completion of requirements to obtain full certification in the subject or area covered by this waiver request as specified in #7 above.

I understand that if my case is heard in a public meeting, all materials submitted to the Commission regarding my suitability, including grades and test scores, may be published in a Commission agenda and discussed in an open meeting.

  
Signature of Applicant  
(Sign full legal name as listed in #2 above)

2-21-07  
Date

### 13. EMPLOYING AGENCY CERTIFICATION

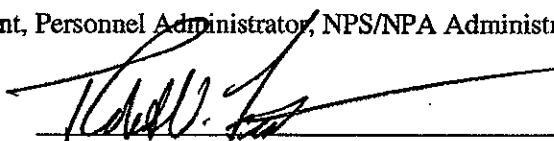
The person for whom this waiver is requested will not be employed until he or she has been cleared by the Department of Justice under the provisions of Education Code Section 44332.6 and Section 44830.1 (AB1612). The employer acknowledges that the Commission's final approval of this individual's waiver will be determined by a fitness review covering, in part, criminal activity, including certain in-state and/or out-of-state convictions.

If this waiver request is for service to special education children, the Special Education Local Planning Area (SELPA) has been notified of our intent to request this waiver.

I certify under penalty of perjury that the information provided in this report is accurate and complete.

District/County Superintendent, Personnel Administrator, NPS/NPA Administrator, or Designee:

Signature



Title

Assistant Superintendent-Human Resources

Date

February 21, 2007

Agenda Item # : \_\_\_\_\_  
(DO Use Only)

**PROPOSED AGENDA ITEM:**

Prepared by: Scott Jones, Director-Fiscal Services

\_\_\_\_\_ Consent

\_\_\_\_\_ Information Only

Board Date: 02/21/07

X Discussion / Action

**Background Information**

Heidi Coppin from the auditing firm Tittle and Company, LLP will review the results of the 2005/2006 independent audit.

**Educational Implications**

N/A

**Fiscal Implications**

N/A

**Additional Information**

**Recommendation**

Recommend approval of the 2005/2006 Independent Audit Report

Reviewed: 

Randy Meeker

Assistant Superintendent, Business Services

**TITLE:** Loma Vista Classroom Addition

Action \_\_\_\_\_  
Consent \_\_\_\_\_  
Information   X  

Agenda Item  
February 21, 2007  
Page 1 of 1

Prepared by: *Michael Weissenborn, Facilities Planner/Construction Manager*

**Background information**

Loma Vista has seen significant growth in its preschool program referrals and an additional classroom is needed. The site has a desire to keep these programs together. The class that houses the students with significant behavioral issues also has need for self-contained facilities. This class can be moved to the newly constructed classrooms, thus allowing for all the preschool classes to be together with sufficient room.

**Educational Implications**

The District's Strategic Plans states: "A safe, nurturing and inspiring environment is essential for individuals to thrive."

**Fiscal Implications**

This project is funded by Developer Fees. There is no impact on the General Fund.

**Additional Information**

The project was originally going to consist of the move of the triple-wide relocatable classrooms from the current Chico Country Day School campus to Loma Vista. Review of the site's needs identified that the relocatable classrooms would not work for this specific program. Further analysis indicated that the proposed building should house two classrooms and ancillary facilities to handle the growing needs within the District.

**Recommendation**

Reviewed: \_\_\_\_\_

  
Randy Meeker  
Assistant Superintendent, Business Services

**TITLE: 2007/2008 CUSD Student Housing Recommendations**

Action:   x    
Consent:         
Information:   x  

Agenda Item:  
February 21, 2007  
Page 1

Prepared by: Mary K. Leary, Director

**Background Information**

The Student Housing Committee meets on an annual basis to review student-housing alternatives and formulate recommendations to accommodate short-term needs for the upcoming school year.

**Educational Implications**

Provide a healthy learning environment for students.

**Fiscal Implications**

The proposed recommendations will be paid for by Developer Fees. There is no impact to the General Fund.

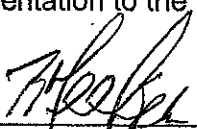
**Additional Information**

**Recommendation**

That the Board approves the 2007/08 Student Housing Committee recommendations and staff is directed to:

- Purchase and place restrooms on the Nord Country School campus.
- Construct restrooms adjacent to the gymnasium on the Chico Junior High School campus.
- Purchase a portable classroom to accommodate the expansion of the Grades K-8 Open Structure Program on the Hooker Oak Elementary School campus.
- Begin the planning for an additional special needs facility to be placed on the Loma Vista campus in 2008/09.
- Immediately analyze alternate housing methods for the 2008/09 school year for presentation to the Board in August 2007.

Reviewed: \_\_\_\_\_

  
**Randy Meeker**

**Assistant Superintendent, Business Services**



**Administrative Offices**  
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Chico, CA 95928-5999

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**Facilities Development**  
2455 Carmichael Dr.  
Chico, Ca. 95928

(530) 891-3140  
Fax: (530) 891-3190

February 14, 2007

**MEMORANDUM TO:** Dr. Chet Francisco, Superintendent

**MEMORANDUM FROM:** Alan Stephenson, Director, Curriculum and Testing  
Darci Bruggman, Construction Records Technician  
Dave Scott, Director, Pupil Personnel Services  
Diane Bird, Principal, John McManus Elementary School  
Janet Brinson, Director, Categorical Programs  
Jim Hanlon, Principal, Chico Senior High School  
Kelly Staley, Assistant Superintendent, Education Services  
Larry Spini, Principal, Shasta Elementary School  
Mary Leary, Director, Maintenance/Operations/Transportation  
Mike Rupp, Principal, Pleasant Valley High School  
Mike Weissenborn, Manager, Facilities Planning/Construction  
Rhys Severe, Principal, Marigold Elementary School  
Rob Williams, Principal, Hooker Oak Elementary School  
Sara Simmons, Director II, Innovative Education Programs  
Ted Sullivan, Principal, Chapman Elementary School

**SUBJECT:** 2007/08 Chico Unified School District Student Housing Recommendations

## OVERVIEW

Consistent with Chico Unified School District procedures, student housing alternatives have been studied and recommendations have been formulated for the 2007/08 school year. All housing options included in the Chico Unified School District "Twenty-Year Student Housing Master Plan" (i.e., inter- and intra- district student transfers; modification of school attendance boundaries; reutilization of existing facilities; modification of annual school schedules; modification of daily school schedules; moving existing facilities; and renting, leasing or constructing new facilities) were considered.

## SOME MAJOR STUDENT HOUSING FACTS/ASSUMPTIONS

1. Student housing recommendations will include both educational and cost effective considerations.
2. Students will be housed in Grades K-6, 7-8 and 9-12 schools for the 2007/08 school year with the exception of Hooker Oak Elementary School. Hooker Oak became a K-8 school effective July 1, 2005.

In 2000/01, Marsh Junior High School started a pilot program of integrating 6<sup>th</sup> grade students on to the junior high school campus. Bidwell and Chico Junior High Schools began offering the program in 2001/02.

Strategic Plan #4.5 ("Determine on district-wide basis the location of the 6<sup>th</sup> grade educational program.") and #4.6 ("Develop a district-wide common plan for middle schools that include where to house the 6<sup>th</sup> grade program and recommendations for optimal use of facilities.") addresses the future grade configuration options with some exceptions.

3. Students with exceptional needs (more severely handicapped) will be served in the least restrictive environments as determined by individual student needs.
4. Staff members have confirmed that several undersized special education classrooms being used in the District are simply too small for the services being provided. Those undersized classrooms will be re-utilized and/or reconstructed on a space-available and/or funding-available basis. New special education classroom facilities will be designed as follows:

Program	Classroom Size
Elementary Resource Specialist Program	600 sq. ft. minimum
Secondary Resource Specialist Program	720 sq. ft. minimum
Special Day Program	900 sq. ft. minimum

5. The District will continue to participate in the K-3 Class Size Reduction Program.
6. The location of existing elementary open enrollment, pull-out programs, i.e. GATE, Open Structure, will be reviewed. Strategic Plan #6.6 ("Relocate the GATE program to a site or sites that allow for program expansion.") addresses such a need.
7. Housing for secondary alternative programs will be considered (i.e., community day school, transition to and from alternative education programs, elementary school opportunity program, rehabilitation of existing facilities).
8. Methods to house elementary school students at impacted sites will be reviewed.
9. Specific requests from school sites will be considered.
10. Classroom space has been defined as all space that can be used for classroom instruction.

#### **SOME RELEVANT 2007/08 STUDENT HOUSING CONSIDERATIONS**

##### **1. Enrollment**

Chico Unified is in a period of declining enrollment. Due to the long-range nature of school facilities planning and construction, enrollment projections are revised on an annual basis. The District is currently using the services of JM King & Associates to project enrollment and Government Financial Strategies to analyze the collection of developer fees. This facilitates the District's ability to allow for adjustments in enrollment and plan cash flow.



2. **Interim High School Facilities**

The District is continuing to study whether or not there is a need for a new comprehensive high school. Current facilities are meeting the existing high school enrollment needs. However, the increased high school capacities has created a need for increased support services and facilities.

3. **Flexibility Factor**

Consistent with past years, the elementary student housing recommendations for 2007/08 will be based on less than 100% occupancy of the available school facilities. This projected vacancy rate ("flexibility factor") represents a percentage of the student stations that are expected to be vacant if the enrollment projection is accurate. This flexibility is needed to accommodate any unexpected increases in enrollment during the year; provide students with school continuity; minimize inter-school transportation; and, insofar as possible, enable elementary students to attend neighborhood elementary schools. As a result of Class Size Reduction, the 2007/08 Grades K-3 practical student capacity of the elementary schools will be based on 85% of the total Grades K-3 student capacity of each school. Optimally, the District desires to have the same flexibility at the Grades 4-6 level as it does at the Grades K-3 level; however, due to budgetary constraints, the 2007/08 Grades 4-6 practical student capacity of the elementary schools will be based on 97% of the total Grades 4-6 student capacity of each school.

Due to the design of secondary schools and the incompatibility of some specialized facilities to be used for regular classrooms, the practical student capacity of the junior high schools and high schools will be based on 85% of the total student capacity of each school. After closer analysis of the senior high school sites' usage of their classrooms and laboratories over a period of time, we show that the principals have accommodated the additional growth by loading their facilities in excess of the master planned capacities. We have worked with the principals to strike a balance to continue to maximize the utilization of their facilities when possible in order to limit the number of additional interim facilities required.

4. **Budgetary Matters**

Due to budgetary constraints, the District has chosen to no longer participate in the "Morgan Hart Class Size Reduction Act" and the State mathematics class size reduction program for Grade 9. These programs stipulated a 20/1 student to teacher ratio. As a result of this decision, school capacities have increased for the secondary schools that were involved in these programs.

5. **Projected Student Station Needs**

	2006/07 Enrollment (End of First School Month)	2007/08 Projected Enrollment	2007/08 Optimum* School Capacities	Housed/ (Unhoused) Students	2007/08 Practical School Capacities	Housed/ (Unhoused) Students
K	947					
1-3	2,785					
4-6	2,827					
<b>TOTAL ELEMENTARY</b>	<b>6,559</b>	<b>6,519</b>	<b>6,505</b>	<b>(14)</b>	<b>6,937</b>	<b>41</b>
7-8	2,080	2,039				
<b>TOTAL JUNIOR HIGH</b>	<b>2,080</b>	<b>2,039</b>	<b>3,091</b>	<b>1,052</b>	<b>3,146</b>	<b>1,107</b>
9-12	4,461	4,457				
<b>TOTAL SENIOR HIGH</b>	<b>4,461</b>	<b>4,457</b>	<b>4,736</b>	<b>279</b>	<b>4,807</b>	<b>350</b>
<b>Sub-Total</b>	<b>13,100</b>	<b>13,015</b>	<b>14,817</b>	<b>935</b>	<b>14,890</b>	<b>1,493</b>
Chico Country Day School Charter	357	383	395	12	394	11
Nord Country School Charter	81	91	106	15	98	7
<b>Sub-Total</b>	<b>438</b>	<b>449</b>	<b>485</b>	<b>36</b>	<b>492</b>	<b>43</b>
<b>GRAND TOTAL</b>	<b>13,538</b>	<b>13,489</b>	<b>14,817</b>	<b>1,344</b>	<b>15,382</b>	<b>1,893</b>

\*The District would like to load classrooms at the optimal capacity allowing for more flexible use of the classrooms. Due to budgetary constraints, this is not feasible; therefore, **the District currently is loading classrooms at the practical capacity.**

**2007/08 STUDENT HOUSING PLAN**

**ELEMENTARY SCHOOLS**

The Grades K-6 student housing needs will be met for the 2007/08 school year within the flexibility factor and/or attendance boundary modifications except for the need for additional restrooms at Nord Country School and a portable classroom at Hooker Oak Elementary School. The District is responsible to place restrooms at Nord Country School to bring the school into code compliance. The proposed relocatable classroom at Hooker Oak Elementary School is required for the agreed upon expansion of the Open Structure K-8 Program.

The Student Housing Committee will continue to study the availability of classrooms to house an opportunity class at the elementary level. An elementary opportunity class is intended to meet the instructional and emotional needs of students whose behavior impacts their ability to learn

The Committee will also continue to monitor the increasing enrollment at Marigold Elementary and its impact on housing the GATE program in 2007/08. As Marigold School neighborhood enrollment grows, the District must decide whether to add a portable classroom(s) or move the GATE program to a less impacted site, commencing with the incoming 3<sup>rd</sup> grade self-contained GATE students.

### **JUNIOR HIGH SCHOOLS**

The Grades 7-8 student housing needs will be met for the 2007/08 school year in existing facilities except for the need for an additional restroom at Chico Junior High School. Construction of the restrooms will take place during the second half of 2007.

### **HIGH SCHOOLS**

The Grades 9-12 student housing needs will be met for the 2007/08 school year in existing facilities. The comprehensive senior high campuses currently have adequate classroom capacity to house students in the foreseeable future; however, some of these classrooms are in poor condition or don't meet programmatic needs. Two additional science laboratories will need to be placed on the Chico High School campus in the near future to accommodate curriculum requirements. Additional support facilities are needed on both campuses. Existing support facilities need to be modernized and expanded.

### **SPECIAL NEEDS**

The needs of the special education program will be met for the 2007/08 school year in existing facilities. The autism program will be expanded by one classroom. The program will be housed at Chapman Elementary School in the PACE Center. For the 2007/08 school year, it is proposed that the autism classroom currently at Citrus Elementary School also be placed at the Chapman Elementary School PACE Center. The Special Day Class currently housed at Chapman Elementary School will be moved to the Citrus Elementary School campus.

The needs of the severely handicapped students will be met for the 2007/08 school year in existing facilities. However, due to the anticipated need to expand the autistic preschool program in 2008/09, an additional facility will be needed on the Loma Vista campus.

### **CONCLUSION**

The housing needs of Chico Unified School District elementary, junior high and high school students will be adequately met for the 2007/08 school year via the utilization of existing District facilities and the following recommendations:

- Purchase and place restrooms on the Nord Country School campus.
- Construct restrooms adjacent to the gymnasium on the Chico Junior High School campus.
- Purchase a portable classroom for the Hooker Oak Elementary campus to accommodate the expansion of the K-8 Open Structure Program.
- Begin the planning for the additional special needs facility to be placed on the Loma Vista campus in 2008/09.

The Student Housing Committee would also like the Board to consider looking at the following recommendations which could be implemented in 2008/09.

- Place a science facility on the Chico High School campus. The current science complex does not have enough specialized classrooms to accommodate the number of sections required to meet programmatic needs. This recommendation was made by the 2006/07 Student Housing Committee but has been put on hold pending decisions regarding other additional classroom facilities.
- Review elementary school facilities needs. Anticipated growth in north Chico will require additional facilities. Options may include:
  - modifying attendance boundaries,
  - reviewing previous decision to close Jay Partridge.
  - modifying the current grade configuration from Grades K-6, 7-8 to Grades K-5, 6-8 on selected campuses.

## RECOMMENDATION

That staff be directed to:

- Purchase and place restrooms on the Nord Country School campus.
- Construct restrooms adjacent to the gymnasium on the Chico Junior High School campus.
- Purchase a portable classroom to accommodate the expansion of the Grades K-8 Open Structure Program on the Hooker Oak Elementary School campus.
- Begin the planning for an additional special needs facility to be placed on the Loma Vista campus in 2008/09.
- Immediately begin to analyze alternate housing methods for the 2008/09 school year for presentation to the Board in August 2007.

**TITLE: Architectural Agreement-Pleasant Valley High School Performing Arts Classrooms**

Action   X    
Consent         
Information       

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February 21, 2007  
Page 1 of 1

Prepared by: *Michael Weissenborn, Facilities Planner/Construction Manager*

**Background information**

In 1991, the Board of Education adopted the Pleasant Valley Senior High School Education Specifications as a guideline to the completion of the PV campus. A key component of the master plan was housing for the Performing Arts Department. While the other master plan facilities on campus have been completed, the Performing Arts classrooms have yet to be developed.

This portion of the project includes the development of the construction documents and the contract administration services provided by the architectural firm, Nichols, Melburg & Rossetto, through the completion and occupancy of the facility.

**Educational Implications**

The District's Strategic Plan states: "A safe, nurturing and inspiring environment is essential for individuals to thrive." A key element of the performing arts program is performances. Currently, performances are held in facilities designed for other uses or in facilities located off campus.

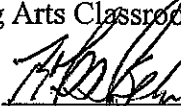
**Fiscal Implications**

This project is funded by Developer Fees. There is no impact on the General Fund.

**Additional Information**

**Recommendation**

It is requested that the Board of Education authorize the Superintendent or his designee to enter into a contract with Nichols, Melburg & Rossetto for the Pleasant Valley High School Performing Arts Classrooms.

Reviewed:   
Randy Meeker  
Assistant Superintendent-Business Services

**AGREEMENT  
FOR  
ARCHITECTURAL SERVICES  
FOR NEW PERFORMING ARTS BUILDING AT PLEASANT VALLEY HIGH SCHOOL**

Chico Unified School District  
1163 East 7th Street  
Chico, California 95928

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## AGREEMENT FOR ARCHITECTURAL SERVICES

This Agreement for Architectural Services ("Agreement") is made and entered into by and between the Chico Unified School District, a school district duly organized and existing under the laws of the State of California (the "District"), and (the "Architect"), with respect to the following recitals:

- A. District proposes to undertake the construction of a new Performing Arts Building at Pleasant Valley High School that requires the services of a duly qualified and licensed architect.
- B. Architect(s) represent(s) that Architect(s) is/are licensed to provide architectural/engineering services in the State of California and is/are specially qualified to provide the services required by the District, the design and construction administration of public school(s).
- C. The parties have negotiated the terms pursuant to which Architect will provide such services and reduced such terms to writing by this Agreement.

IN CONSIDERATION OF the covenants and conditions contained in this Agreement, the Parties agree as follows:

### 1. DEFINITIONS

- 1.1. Additional Services. "Additional Services" shall mean those services in addition to the Basic Services that are provided by Architect and authorized in writing by the District, and as further defined herein in Article 6.
- 1.2. Agreement. "Agreement" shall mean this Agreement for Architectural Services.
- 1.3. Architect. "Architect" shall mean Nichols, Melburg & Rossetto.
- 1.4. Basic Services. "Basic Services" shall mean the Architect's design services, including but not limited to, structural, mechanical, and electrical engineering services, normally required to complete the Project, and as further defined herein in Article 5.
- 1.5. CDE. "CDE" shall mean California Department of Education.
- 1.6. Construction Documents. "Construction Documents" shall mean those documents which are required for the actual construction of the Project, including but not limited to the Agreement between the District and Contractor, complete working drawings and specifications setting forth in detail sufficient for construction work to be done and the materials, workmanship, finishes and equipment required for the architectural, structural, mechanical, electrical system and utility-service-connected equipment and site work.



- 1.7. Contractor. "Contractor shall mean the General Contractor ultimately selected to perform work on the Project.
- 1.8. DSA. "DSA" shall mean Division of the State Architect.
- 1.9. District. "District" shall mean Chico Unified School District
- 1.10. Notice to Proceed. "Notice to Proceed" shall mean official notification to contractor by Architect identifying the date of commencement of the project, to be sent to the Contractor once the Agreement between the District and Contractor is executed.
- 1.11. OPSC. "OPSC" shall mean Office of Public School Construction.
- 1.12. Project. "Project" shall mean the work of improvement described in Article 3 and the construction thereof, including the Architect's services thereon, as described in this Agreement.

## 2. EMPLOYMENT OF ARCHITECT

District retains Architect to perform, and Architect agrees to provide to District, for the consideration and upon the terms and conditions set forth below, the architectural and engineering services specified in this Agreement and related incidental services. The Architect agrees to perform such services as expeditiously as is consistent with professional skill and care and the orderly progress of the Project. All services performed by the Architect under this Agreement shall be conducted in a manner consistent with the level of care and skill exercised by architects specially qualified to provide the services required by the District.

## 3. DESCRIPTION OF PROJECT

The Project concerning which such architectural services shall be provided is described as:

Architectural design services for construction of a new Performing Arts Center at Pleasant Valley High School for the Chico Unified School District, 1163 East Seventh Street, Chico, California 95928.

## 4. COMPENSATION

### 4.1. Basic Services.

- 4.1.1. For all "Basic Services" as defined in Articles 2 and 5 of this Agreement, compensation shall be calculated pursuant to Exhibit A-1, and shall be paid pursuant to the following schedule:

Upon Completion of:  
Schematic Design

10% of Total Basic Compensation

Design Development Phase	15% of Total Basic Compensation
Construction Documents Phase	45% of Total Basic Compensation
DSA Plan Check	5% of Total Basic Compensation
Bidding Phase	5% of Total Basic Compensation
Construction Phase	20% of Total Basic Compensation

TOTAL BASIC COMPENSATION

- 4.1.2 Fees for Architect services shall be billed monthly and in proportion to the work completed within each phase.
- 4.2. Additional services.
- 4.2.1. Under no circumstances shall Architect receive compensation for Additional Services absent prior, written District approval. For all "Additional Services," as defined in Articles 2 and 6 of this Agreement, compensation shall be a fee to be agreed upon by the parties in writing prior to performance of such services by Architect. Unless expressly stated in the written authorization to proceed with the additional services, the fee for such additional services shall be an amount computed by multiplying the hours worked by Architect's staff by their standard billing rates as attached in Exhibit "A-2," or as otherwise specifically approved in advance by District.
- 4.2.2. Architect shall keep complete records showing all hours worked and all costs and charges applicable to work not covered by the basic fee. Architect will be responsible for Architect's consultants keeping similar records. District shall be given reasonable access to those records for audit purposes.
- 4.3. Reimbursable Expenses.
- 4.3.1. Reimbursable Expenses are in addition to the Compensation for Basic and Additional Services and include actual expenditures made by the Architect and the Architect's employees and consultants in the interest of the Project for the expenses listed below. Expenses must be approved by the District in writing prior to incurring same.
- 4.3.1.1. Expense of transportation in connection with the Project; living expenses in connection with out-of-town travel; and long distance communications.
- 4.3.1.2. Expense of reproductions, postage and handling of drawings, specifications and other documents (excluding reproductions for the office use of the Architect and the Architect's consultants) shall be at the rates described in Exhibit A-2 "Architect's Schedule of Hourly Rates and Charges."
- 4.3.1.3. Expense of data processing and photographic production techniques when used in connection with Additional Services.

- 4.3.2. If authorized in advance by the District, expense of overtime work requiring higher than regular rates.
- 4.3.2.1. Expense of renderings, models or mock-ups requested by the District.
- 4.4. Payment for all Additional Services and for all Reimbursable Expenses incurred in connection with either Basic or Additional Services shall be made on monthly basis upon approval by the District of the Architect's statement of services rendered and expenses incurred. Invoices or other documentation to establish the validity of all reimbursable expenses shall be a prerequisite to District payment of such expenses. Reimbursements shall be paid in accordance with Exhibit A-2, "Architect's Schedule of Hourly Rates and Charges."
- 4.5. Each payment to Architect shall be made in the usual course of District business after presentation by Architect of a claim approved by District's authorized representative designating the services performed, the method of computation of the amount payable, and the amount payable. District shall pay approved invoices within forty-five (45) days after proper submission by Architect.
- 4.6. The Architect's compensation shall be paid at the time and in the amount noted notwithstanding a delay in completion of the project or reduction of final construction cost by reason of penalties, liquidated damages, or other amounts withheld from the Contractor.
- 4.7. Should District cancel the Project pursuant to Article 12 of this Agreement at any time during the performance of this Agreement, Architect shall, upon notice of such cancellation, immediately cease all work under this Agreement. In such event, Architect's total fee for all services performed shall be computed so as to cover services actually and satisfactorily performed to the date of such notice and shall include compensation only for services within the phase of performance at which Architect's work stopped, proportionate to the degree of completion of Architect's work on such phase.

## **5. BASIC SERVICES TO BE RENDERED BY ARCHITECT**

- 5.1. General.
- 5.1.1. The Architect's Basic Services consist of the architectural, mechanical, structural and electrical design services required to complete the Project.
- 5.1.2. The Architect shall provide statements of probable construction cost described more fully hereinafter at each phase of his services, also as defined hereinafter. If such statements are in excess of the project budget, the Architect shall modify the proposed type, or quality of construction to come within the budgeted limit in consultation with District.

- 5.1.3. Whenever the Architect's services include the presentation to the District of a Statement of Probable Construction Cost, the Architect shall not include any contingency for change orders caused by errors or omissions in the final construction documents.
- 5.1.4. At the District's request, the Architect and Architect's consultants shall cooperate with District and the District's consultants in verifying that Architect's plans, specifications, studies, drawings, estimates or other documents relating to the Project are constructible and otherwise comply with the Contract Documents.
- 5.1.5. The Architect shall assist the District and its consultants in applying for funding for the Project from the State Allocation Board. Architect shall be responsible for all submittals required of the Architect by DSA, OPSC and CDE in connection therewith.
- 5.1.6. The Architect shall prepare schematic design studies and site utilization plans leading to a recommended solution together with a general description of the project for approval by the District.
- 5.1.7. If the circumstances dictate, the preliminary and final working drawings and specifications shall be prepared so that portions of the work of the project may be performed under separate construction contracts, or so that the construction of certain buildings, facilities, or other portions of the project may be deferred.
- 5.1.8. The Architect will review the budgeted amount of the project with the District and establish a tentative project construction cost subject to later revision.
- 5.2. Consultants.
  - 5.2.1. Architect's Consultants. The Architect shall employ or retain at Architect's own expense, engineers and other consultants necessary to Architect's performances of this Agreement and licensed to practice in their respective professions in the State of California. Engineers and consultants employed by Architect for this Project shall be approved by District prior to their commencement of work. The Architect's consultants shall be employed to provide assistance during all aspects of the Project and will include, in addition to design services: review of schedules, shop drawings, samples, submittals, and requests for information. The Architect's consultants shall also make periodic reviews and evaluations of the site to determine general conformance with the Project design and specifications and shall participate in the final Project reviews and development of any "punch list" items.
  - 5.2.2. District's Consultants. The Architect and Architect's consultants shall confer and cooperate with consultants employed by District.
- 5.3. Schematic Design Phase.

- 5.3.1. The Architect shall review all information concerning the Project delivered or communicated by the District to the Architect to ascertain the requirements of the Project and shall arrive at a mutual understanding of such requirements with the District.
- 5.3.2. The Architect shall provide a preliminary evaluation of the District's Project, schedule and construction budget requirements, each in terms of the other.
- 5.3.3. The Architect shall review with the District alternative approaches to the design and construction of the Project, and shall include alternatives that may reduce the cost of the Project.
- 5.3.4. The Architect shall submit to the District a preliminary statement of probable costs based on current area, volume and other unit costs.
- 5.3.5. Based on a mutual understanding of the District's requirements, the Architect shall prepare for the District's approval, Schematic Design Documents, which include but are not limited to: schematic design studies; site utilization plans; a description of the Project showing, among other things, the scale and relationship of the components of the Project; preparation of a written statement of probable costs and a written time schedule for the performance of the work that itemize constraints and critical path issues. Architect shall revise the written statement of probable costs and written time schedule for the performance of work as necessary to address changed conditions or start dates.
- 5.3.6 The Architect shall prepare necessary documents for and oversee the processing of District's application for and obtaining of required approvals from CDE, DSA, OPSC (if applicable), the State Fire Marshall, and other agencies exercising jurisdiction over the Project. Architect shall also be responsible for the preparation and submission of any related applications, notices or certificates to public agencies. Architect shall provide a copy of all such documents to the District.
- 5.4. Design Development Phase.
- 5.4.1. Following District's approval of the Schematic Design Documents and statement of probable costs, Architect shall provide necessary architectural and engineering services required by this agreement to prepare Design Development Documents fixing and describing the size and character of the Project and shall include, but are not limited to: site and floor plans, elevations and other approved drawings and shall outline the specifications of the entire Project as to kind and quality of materials, categories of proposed work such as architectural, structural, mechanical and electrical systems, types of structures and all such other work as may be required.
- 5.4.2. The Architect shall prepare necessary documents for and oversee the processing of District's application for and obtaining of required approvals from CDE, DSA, OPSC (if applicable), the State Fire Marshall, and other agencies exercising jurisdiction over

the Project. Architect shall also be responsible for the preparation and submission of any related applications, notices or certificates to public agencies. Architect shall provide a copy of all such documents to the District.

- 5.4.3. The Architect shall advise the District of any adjustments to the preliminary statement of probable costs based on current area, volume and other unit costs.
- 5.4.4. Architect, assisted by District's consultants, shall identify areas of construction for which unit pricing shall be required as part of the contractor's bid.
- 5.4.5. Architect shall provide, at no expense to the District, five sets of preliminary plans for the review and approval of the District and one set for each public agency having approval authority over such plans. Said plans shall be provided in the appropriate electronic format as designated by District.

5.5. Construction Documents Phase.

- 5.5.1. Following the District's approval of the Design Development Documents and any adjustments of the construction budget, the Architect shall prepare for the approval of District, Construction Documents consisting of working drawings and specifications setting forth in detail sufficient for construction the work to be done and the materials, workmanship, finishes, colors, and equipment required for the architectural, structural, mechanical, electrical system and utility-service-connected equipment and site work.
- 5.5.2. The Architect shall prepare all bid documents during the Construction Documents Phase of the Project, and forward them to the District for approval prior to their use.
- 5.5.3. The Architect shall submit the Construction Documents to DSA for plan check, and make the necessary corrections to secure DSA approval.
- 5.5.4. The Architect shall give the District, at the time of DSA approval of the final form of the construction documents, Architect's final statement of probable costs based on the then current OPSC approved or OPSC recognized building cost index. The District shall review such documents and, unless this Agreement is terminated in accordance with the provisions of Article 12, below, set a date for the opening of bids.

5.6. Bidding and Negotiations Phase.

- 5.6.1. Following State and District's approval of Construction Documents and District's acceptance of the Architect's final statement of probable costs, Architect shall reproduce the Construction Documents in the number requested by the District and distribute the Construction Documents among interested contractors. Architect shall also direct the obtaining of bids, and shall assist the District in evaluating contract proposals or bids and substitutions proposed by contractors, and in awarding the Contract for Construction.

- 5.6.2. The Architect's statement of probable costs at the time of DSA approval of the construction documents shall be current as of that date. Should bids be received more than ninety (90) days after the date of that statement, the Architect's statement shall be escalated by the cost-of-construction in the then current OPSC approved or OPSC recognized building cost index.
- 5.6.3. Should the lowest bid received exceed Architect's final statement of probable costs (or amount adjusted according to the then current OPSC approved or OPSC recognized building cost index), as accepted by District by more than ten percent (10%), the Architect shall, on request by District and as part of the Architect's Basic Services, make such changes in the plans and specifications as shall be necessary to bring new bids within ten percent (10%) of such final statement of probable construction costs. Such changes in plans and specifications are Architect's only obligation in this regard. In making such changes, Architect will exercise the Architect's best judgment in determining the balance between the size of the Project, the type of construction, and the quality of the construction to achieve a satisfactory project within ten percent (10%) of Architect's statement of probable costs. The Architect may include in the construction documents one or more additive or deductive alternatives so that Architect and District may evaluate different means to achieve a satisfactory project within ten percent (10%) of the Architect's estimate.
- 5.6.4. The Architect shall review the qualifications of all bidders for the construction of the Project, and shall make recommendations to the District as to whether, in the Architect's professional opinion, a bidder meets the minimum professional requirements to allow the contractor to bid on the Project.
- 5.7. Construction Phase.
- 5.7.1. The construction phase shall begin on the date of the official Notice to Proceed and, solely for purposes of payment of the Architect, shall be deemed substantially complete upon District's approval of Architect's final certificate for payment to the contractor, provided that such certification and payment shall not constitute an admission that the Project has been completed in accordance with Contract Documents or in conformance with this Agreement by Architect. Except as provided elsewhere, Construction phase services provided by Architect after the Project completion date established in the Construction Contract, including any extensions of time granted the Contractor, are additional services provided the delays in completing the work are beyond the control of the Architect.
- 5.7.2. The Architect shall advise, consult with, and serve as the District's representative in the general administration of the Contract for Construction and in District's dealings with the Contractor; however, the Architect will have authority to act on behalf of the District only to the extent provided in the Contract Documents.
- 5.7.3. The Architect shall provide technical direction to a full time Project Inspector employed by and responsible to the District.

- 5.7.4 The Architect will endeavor to secure compliance by contractors with the contract requirements, but he does not guarantee the performance of their contracts.
- 5.7.5 The Architect, as part of his basic professional services, will provide advice to the District on apparent deficiencies in construction following the acceptance of the work and prior to the expiration of the one-year General Construction Contract guarantee period of the project.
- 5.7.6. Communication Procedures.
- 5.7.6.1. The Architect will serve as the District's representative continuously during construction and until final payment. The Architect shall be the District's designated representative regarding all design issues.
- 5.7.6.2. The Architect shall copy the District on all correspondence that it sends to the Contractor.
- 5.7.7. The Architect shall provide direction to District's Project Inspector as to the interpretation of Contract and Construction Documents.
- 5.7.9. The Architect shall require the Contractor to prepare an accurate set of drawings indicating dimensions and locations of buried utility lines (showing as-built dimensions) and any changes or deviations in the work described in the Construction Documents, which shall be forwarded to the District upon completion of the Project. While Architect cannot guarantee precise accuracy of such drawings, Architect shall exercise reasonable care in reviewing such drawings to determine their general compliance with the contract documents. In the event that the Architect, consistent with standards of due care, becomes aware of non-conformity with field conditions, Architect shall have a duty to notify the District immediately in writing.
- 5.7.10. The Architect shall require the contractor to prepare and submit any notifications regarding excavation in areas which are known or suspected to contain subsurface installations pursuant to Government Code section 4216, *et seq.* and provide a copy of all such notifications to the District.
- 5.7.11. The Architect shall, at all times, have access to the Project wherever it is in preparation and progress. The Contractor shall provide facilities for such access so that the Architect may perform its functions under the Contract Documents.
- 5.7.12. In the discharge of its duties of observation and interpretation, the Architect shall advise the Contractor of its contractual obligation to comply with the Construction Documents, and shall endeavor to guard the District against defects and deficiencies in the work of the Contractor. The Architect shall advise and consult with the District concerning the Contractor's compliance with the Construction Documents and shall assist the District in securing the Contractor's compliance. The Architect shall visit



- the site, both as the Architect deems necessary and as requested by the District, to maintain familiarity with the quality and progress of the Project, to determine that the Contractor's work substantially complies with all documents, drawings, plans and specifications and that the Project is progressing in substantial accordance with the Construction Documents. Such observations are to be distinguished from the continuous inspection provided by the Project Inspector.
- 5.7.13. The Architect shall notify the District promptly of any discovered significant defects in materials, equipment or workmanship, and of any discovered default by any Contractor in the orderly and timely prosecution of the Project of which it becomes aware during the Construction Phase.
- 5.7.14. The Architect shall review and take other appropriate action upon all schedules, shop drawings, samples and other submissions of the Contractor to determine general conformance with the Project design and specifications as set forth in the Construction Documents. The Architect will have the authority to reject work and materials which do not conform to the Construction Documents. The Architect's approval of a specific item shall not be an approval of an assembly of which the item is a component. Whenever, in the Architect's reasonable judgment, it is considered necessary or advisable for the implementation of the intent of the Construction Documents, the Architect will have authority to require special inspection or testing of the work or materials in accordance with the Construction Documents whether or not such work or materials be then fabricated, installed or completed. The Architect will also have authority to approve substitution of materials or equipment when, in the Architect's reasonable judgment, such action is necessary to the accomplishment of the intent and purpose of the Construction Documents. Such actions as are described in this paragraph shall be taken with reasonable promptness so as to cause no delay, and in no case longer than fourteen (14) days.
- 5.7.15. The Architect shall require any Contractor to provide assistance in the utilization of any equipment or system such as initial start-up or testing, adjusting and balancing, preparation of operation and maintenance manuals, training personnel for operation and maintenance, and consultation during operation by appropriate language to be included in the bid documents, as agreed upon by Architect and the District.
- 5.7.16. The Architect shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions or programs in connection with the work. The Architect shall not be responsible for acts or omissions of the Contractor, subcontractors, or their agents or employees or of any other persons performing portions of the Project not employed or hired by the Architect, unless due to the Architect's failure to direct appropriate action, the Architect's failure to exercise due care, or the Architect's failure to follow the terms and conditions of this agreement.
- 5.7.17. The Architect shall prepare written monthly reports to the District regarding the progress of work during all pre-construction phases. During the Construction Phase, the Architect shall prepare written reports for each regularly scheduled meeting of the

Governing Board and shall give oral reports to District staff before or after each site meeting. The Architect shall also make such regular reports as shall be required by agencies having jurisdiction over the Project.

- 5.7.18. The Architect will, consistent with standards of due care, make reasonable professional efforts to exclude asbestos, lead paint and other hazardous materials from new construction. In the event the District or Architect is or becomes aware of the presence of, or exposure of persons to, asbestos, polychlorinated biphenyl (PCB) or any other toxic or hazardous contaminants, materials, air pollutants or water pollutants at the Project site ("Hazardous Substances"), or the substantial risk thereof, each shall have a duty immediately to notify the other in writing.
- 5.7.19. The parties recognize, however, that Architect is not trained or licensed in the recognition or remediation of Hazardous Substances. With respect to asbestos and asbestos containing materials, the parties acknowledge that the Architect has recommended and the District has agreed to retain a qualified consultant to evaluate the presence of such materials at certain District facilities which are included in the scope of this Agreement. In the event that said consultant recommends a procedure to deal with such materials, said consultant shall have the responsibility to draft specification language for the removal or other remediation of such materials, and subsequently may be required to certify that they have been properly removed or other-wise remediated. Architect shall include consultant's recommendations and specifications in the appropriate design documents for modernization and shall, as part of its Basic Services, provide designs and other bid documents consistent therewith. When construction is properly completed, Architect shall provide such certification as to Hazardous Substances as is required of architects in such projects by the OPSC.
- 5.7.20. Based on the Architect's observations and an evaluation of each Project Application for Payment, the Architect will determine the amount owing to the Contractor and will issue Project Certificates for Payment incorporating such amount in accordance with the Construction Documents. The issuance of a Project Certificate for Payment shall constitute a representation by the Architect to the District that the quality of the Project is in accordance with the Construction Documents based upon Architect's periodic observations and that the Contractor is entitled to payment in the amount certified.
- 5.7.21. Notwithstanding anything else in this Agreement, as a part of its Basic Services, the Architect shall assist the District in evaluating claims, disputes and other matters in question between the Contractor and the District, including, but not limited to, claims made against the District as a result of Architect or Architect's consultants' errors and omissions, and shall in all instances provide such truthful testimonial assistance as may be required by the District at no cost to the District. The Architect shall render written opinions to the District within a reasonable time on all such claims, disputes and other matters.

- 5.7.22. The Architect will provide construction advice to the District on apparent deficiencies in construction, both during construction and after acceptance of the Project.
- 5.7.23. The Architect shall recommend, prepare and process the necessary change orders. Payment of fees to the Architect as a result of change orders shall be handled as follows.
- 5.7.24.1. District initiated changes. If a change order is requested by the District, the Architect's fee for such change order shall be calculated on a percentage or hourly basis as agreed in writing by the District and the Architect prior to commencement of work on the change order. If a change order is solicited by the District from the Contractor but not subsequently authorized by the District, the Architect shall be paid for time spent on the proposed change order as an Additional Service.
- 5.7.24.2. Change orders due to Architect negligence. When a change order is necessitated as a result of negligence in the exercise of Architect's professional duties, the Architect's fees shall not be calculated by reference to the cost of any change order work which would not have been necessitated had the work been included in the bid documents.
- 5.7.24.3. Change orders beyond District or Architect control. If a change order is necessitated as a result of changes in law, in-field changes required by governing agencies after document approval, unknown, unforeseeable or hidden conditions, or actual conditions inconsistent with available drawings of existing conditions, such change orders shall be handled in the same manner as District-initiated change orders.
- 5.7.25. If a change order is necessitated as a result of the negligence in the exercise of the Architect's professional duties, the Architect shall not receive any fee with respect to such change order. Also, the Architect shall be responsible for the cost of the following:
1. the reasonable excess cost to construct the work described in the change order, as compared with the cost to construct the work had it been included in the bid documents; and
  2. any delay charges which the District incurs as a result of the negligence.
- 5.7.26. The District may back charge the Architect for these costs and expenses, and may seek reimbursement for any amount which exceeds any retention of the contract amount at the time of collections.
- 5.7.27. The Architect shall determine the dates of substantial and final completion and make a final detailed on-site review of the job with representatives of the District and the Contractor.
- 5.7.28. The Architect shall issue the certificate of substantial completion and final certificate for payment to the Contractor and any other documents required to be recorded by law

or generally accepted architectural or construction contract practice upon compliance with the requirements of the Construction Documents, provided that such certification shall not constitute an admission that the Project has been completed in accordance with Contract Documents or in conformance with this Agreement.

- 5.7.29. The Architect shall assemble and deliver to District all written guarantees, instruction books, computer software programs, diagrams and charts required of Contractors and provide the District with one set of reproducible drawings, Record Drawings described in Paragraph 5.7.9 upon issuance of the Architect's certificate of completion.
- 5.7.30. The Architect shall be responsible to the District for the utility, economy, durability and aesthetics of the Project within the budget established by the District.
- 5.7.31. Architect shall make reasonable professional efforts so that the finished project complies with all standards imposed by the Americans with Disabilities Act and with handicapped access requirements of the California Building Code, all as determined and enforced by the Division of the State Architect, in reviewing Architect's plans and specifications for this Project. The Architect shall not be responsible for acts or omissions of the Contractor or of any other persons performing portions of the Project not employed or hired by Architect, nor shall Architect be responsible for any subsequent changes in the law or any regulation applicable to handicapped access or any subsequent differing interpretation of the laws or regulations applicable at the time Architect's design is reviewed by DSA. In the event that the Architect is or becomes aware of possible non-compliance with the foregoing standards, Architect shall have a duty to notify the District immediately in writing of the possible non-compliance.
- 5.7.32. Project construction cost as used in this agreement means the total cost to the District of all work designed or specified by the Architect, including work covered by approved change orders and/or alternates, but excluding the following: any payments to Architect or consultants, for costs of inspections, surveys, tests, and site landscaping not included in project.
- 5.7.33. When labor or material is furnished by the District below its market costs, the project construction cost shall be based upon current market cost of labor and new material.
- 5.7.34. The project construction cost shall be the acceptable statement of construction costs to the District as submitted by the Architect until such time as bids have been received, whereupon it shall be the initial construction contract amount.
- 5.7.35. Statements of Construction Cost shall be prepared on a square foot/unit cost basis, or more detailed computation if deemed necessary by the Architect, considering prevailing construction costs and including all work for which bids will be received. It is understood that the project construction cost is affected by the labor and/or material market as well as other conditions beyond the control of the Architect or District.

**6. ADDITIONAL SERVICES TO BE RENDERED BY ARCHITECT**

- 6.1. The services described in this Article 6 are not included in Basic Services, and they shall be paid for by the District as provided in this Agreement, in addition to the compensation for Basic Services. If services described under the following subparagraphs are required due to circumstances beyond the Architect's control, the Architect shall notify the District prior to commencing such services. If the District deems that such services described under the following subparagraphs are not required, the District shall give prompt written notice to the Architect. If the District indicates in writing that all or part of such Additional Services are not required, the Architect shall have no obligation to provide those services. In no instance shall the fee for additional services be higher than the fee would be for the same scope of work had the work been performed under the Basic Service section.
- 6.2. The following list of services are not included in the Basic Services to be provided under this Agreement, and they will be performed only in accordance with 6.1, above:
1. providing services required because of significant changes in the Project including, but not limited to, size, quality, complexity, the District's schedule, or the method of bidding or negotiating and contracting for construction, except for services required under Article 5.
  2. providing services relative to future facilities, systems and equipment which are not intended to be constructed during the Construction Phase;
  3. providing coordination of Projects performed by separate contractors or by the District's own forces;
  4. providing services in connection with an arbitration proceeding or legal proceeding except where the Architect is party thereto;
  5. making revisions in Drawings, Specifications or other documents when such revisions are:
    - a. inconsistent with approvals or instructions previously given by the District, including revisions made necessary by adjustments in the District's program or Project budget;
    - b. required by the enactment or revision of codes, laws or regulations subsequent to the preparation of such documents.
  6. providing consultation concerning replacement of any work damaged by fire or other cause during construction of the Project, and furnishing services as may be required in connection with the replacement of such work;

7. providing services made necessary by the default of the Contractor, by major defects or deficiencies in the work of the Contractor, or by failure of performance of either the District or Contractor under the Contract for Construction;
8. providing services after issuance to the District of the final Certificate for Payment;
9. at the District's request, selecting moveable furniture, equipment or articles which are not included in the Construction Documents; and
10. if directed by the District, the employment of special consultants including but not limited to theatrical consultants, acoustical engineers and audio-visual system designers, the preparation of special delineations and models, and overtime work by the Architect's employees to accomplish anything that is not part of the base agreement.

#### **7. RESPONSIBILITIES OF DISTRICT**

It shall be the duty of District to:

1. provide full information as to the requirements and educational program of the project, including realistic budget limitations and scheduling;
2. pay all fees required by any reviewing or licensing agency;
3. designate a representative authorized to act as a liaison between the Architect and the District in the administration of this Agreement and the Construction Documents. The District shall promptly render decisions pertaining thereto to avoid unreasonable delay in the progress of the project.
4. furnish, at the District's expense, the services of a Project Inspector;
5. review all documents submitted by the Architect and advise the Architect of decisions thereon within a reasonable time after submission;
6. issue appropriate orders to Contractors through the Architect;
7. furnish existing soil investigation or geological hazard reports which the District shall own and, upon termination of this Agreement or completion of the Project, shall have returned to it by Architect;
8. provide information regarding programmatic needs and specific equipment selection data;

9. furnish structural, mechanical, chemical and other laboratory tests, inspections and reports as required by law or the Contract and Construction Documents, which the District shall own and, upon termination of this Agreement or completion of the Project, shall have returned to it by the Architect;
10. furnish prompt notice of any fault or defects in the Project or non-conformance with the Construction Documents of which the District becomes aware;
11. furnish all legal advice and related services required for the project; and
12. notify the Architect in writing of apparent deficiencies in materials or workmanship during the Contractor's one year guarantee period.
13. the District shall procure a certified survey of the site, including grades and lines of streets, alleys, pavements, adjoining properties and structures; adjacent drainage; rights-of-way, restrictions, easements, encroachments, zoning, deed restrictions, boundaries and contours of the building site, locations, improvements and trees; and full information as to available utility services and lines, both public and private above and below grade, including inverts and depths. All the information on the survey shall be referenced to a project benchmark. The cost of any such survey shall be borne by the District, and the District shall own and, upon termination of this Agreement or completion of the Project, shall have returned to it by Architect any designs, plans, specifications, studies, drawings, estimates or other documents prepared as part of the survey.
14. the District shall procure chemical, mechanical or other tests required for proper design, tests for hazardous materials and borings or test pits necessary for determining subsoil conditions. The cost of any such tests shall be borne by the District, and the District shall own and, upon termination of this Agreement or completion of the Project, shall have returned to it by Architect any designs, plans, specifications, studies, drawings, estimates or other documents prepared as part of the testing.

## **8. PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE**

- 8.1. Prior to the commencement of services under this Agreement, the Architect shall furnish to the District a Certificate of Insurance for the period covered by this Agreement, for public liability and property damage with an insurance carrier satisfactory to the District, under forms satisfactory to the District, to protect the Architect and District against loss from liability imposed for damages (1) on account of bodily or personal injuries, including death, accidentally suffered or alleged to have been suffered by any person or persons that may be caused directly or indirectly by the performance of this Agreement, and (2) on account or injury to or destruction of property, including the resultant loss of use of the Project or other District facilities or equipment, resulting from acts of commission or omission by the Architect, or otherwise resulting directly or indirectly from the Architect's operations in the

performance of this Agreement. The District shall be named as an additional insured on all such policies.

- 8.2. The following insurance shall be maintained by the Architect in full force and effect during the entire period of performance of this Agreement, including any extensions, and shall be written on an "occurrence" basis: Commercial general liability insurance, excluding coverage for motor vehicles, shall be in amounts not less than Two Million Dollars (\$2,000,000) general aggregate, One Million Dollars (\$1,000,000) personal and advertising injury aggregate, with a per occurrence limit of One Million Dollars (\$1,000,000); Automobile liability insurance covering motor vehicles shall be in an amount not less than One Million Dollars (\$1,000,000) combined single limit.
- 8.3. The Architect's insurance policies shall contain a provision for thirty (30) days written notice to the District of cancellation or reduction of coverage.
- 8.4. At the time of making application for any extension of time, the Architect shall submit evidence that insurance policies will be in effect during the requested additional period of time.
- 8.5. If the Architect fails to maintain such insurance, the District may, but shall not be required to, take out such insurance to cover any damages of the above-mentioned classes for which the District might be held liable on account of the Architect's failure to pay such damages, and deduct and retain the amount of the premiums from any sums due the Architect under this Agreement.
- 8.6. Nothing contained in this Agreement shall be construed as limiting, in any way, the extent to which the Architect may be held responsible for the payment of damages resulting from the Architect's operations.
- 8.7. Each of the Architect's consultants shall comply with this Article, and the Architect shall include such provisions in its contracts with them.

## **9. WORKERS COMPENSATION INSURANCE**

Prior to the commencement of services under this Agreement, the Architect shall furnish to the District satisfactory proof that the Architect and all engineers, experts, consultants and subcontractors the Architect intends to employ have taken out, for the period covered by this Agreement, workers' compensation insurance with an insurance carrier satisfactory to the District for all persons whom they may employ in carrying out the work contemplated under this Agreement in accordance with the Workers' Compensation Laws of the State of California. If the Architect employs any engineer, expert, consultant or subcontractor which it did not intend to employ prior to commencement of services, it must furnish such proof of workers' compensation insurance to the District immediately upon employment. Such insurance shall be maintained in full force and effect during the period covered by this Agreement including any extensions of time. If the Architect is self-insured, the Architect shall



furnish a Certificate of Permission to Self-Insure and a Certificate of Self- Insurance satisfactory to the District.

#### **10. ERRORS AND OMISSIONS INSURANCE**

Professional Liability Insurance covers errors and omissions and wrongful acts by Architect in the performance of the work. For Architect, such insurance shall bear a combined single limit per occurrence of not less than \$500,000 or the constructed value of the project, whichever is greater; or not less than \$1,000,000 if the constructed value is greater than \$1,000,000. For Consultant retained by Architect, such insurance shall bear a combined single limit per occurrence of not less than \$500,000 or the amount of Consultant's Subcontract, whichever is greater. Professional Liability Insurance is not required for conceptual or preliminary type of work or for interior design of the work. Such insurance shall remain in full force and effect for the same period as the Commercial General Liability Insurance.

#### **11. COMPLIANCE WITH LAWS**

Architect shall be familiar with and shall exercise due and professional care to comply with all State and Federal laws and regulations applicable to the Project or lawfully imposed upon the Project by agencies having jurisdiction over the Project.

#### **12. TERMINATION OF AGREEMENT**

- 12.1. Termination by District. This Agreement may be terminated or the Project may be cancelled by the District at any time for any or no reason immediately upon written notice to the Architect. In such event, the Architect shall be compensated for the services completed to the date of termination, together with compensation for such Additional Services performed after termination which are authorized by the District to wind up the work performed to the date of termination. Upon the District's request and authorization, Architect shall perform any and all Additional Services necessary to wind up the work performed to the date of termination.
- 12.2. Termination by Architect. This Agreement may be terminated by the Architect upon written notice to the District only when the District has substantially failed to perform its obligations under this Agreement. The written notice shall include a description of the District's substantial failure to perform, status of work completed as of the date of termination together with a description, and a cost estimate of the effort necessary to complete work in progress. In such event, the Architect shall be compensated for services completed to the date of termination, together with compensation for such Additional Services performed after termination which are authorized by the District to wind up the work performed to the date of termination. Upon the District's request and authorization, Architect shall perform any and all Additional Services necessary to wind up the work performed to the date of termination.
- 12.3. Termination - Miscellaneous.

- 12.3.1. Following the termination of this Agreement for any reason whatsoever, the District shall have the right to utilize any designs, plans, specifications, studies, drawings, estimates or other documents, or any other works of authorship fixed in any tangible medium or expression, including, but not limited to, physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared under this Agreement by the Architect. Architect shall promptly make any such documents or materials available to the District upon request without additional compensation.
- 12.3.2. In the event of the termination of this Agreement for any or no reason whatsoever, all designs, plans, specifications, studies, drawings, estimates or other documents, or any other works of authorship fixed in any tangible medium or expression including, but not limited to, physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared by the Architect or any of its agents pursuant to the Agreement shall immediately, upon request by the District, be delivered to the District. Architect may not refuse to provide such writings or materials for any reason whatsoever including, but not limited to, a possessory interest lien for any claim the Architect may have against the District or a claim by the Architect to an ownership interest in the intellectual property embodied in the documents or materials.

### **13. ARCHITECT AN INDEPENDENT CONTRACTOR**

It is specifically agreed that in the making and performance of this Agreement, the Architect is an independent contractor and is not and shall not be construed to be an officer or employee of the District.

### **14. STANDARDIZED MANUFACTURED ITEMS**

The Architect shall consult and cooperate with the District in the use and selection of manufactured items to be used in the Project. Manufactured items including, but not limited to, paint, finish, hardware, plumbing fixtures and fittings, mechanical equipment, electrical fixtures and equipment, roofing materials, and floor coverings, shall be standardized to the District's criteria so long as the same does not interfere seriously with the building design or cost.

### **15. OWNERSHIP OF DOCUMENTS**

- 15.1. All designs, plans, specifications, studies, drawings, estimates and other documents or any other works of authorship fixed in any tangible medium of expression including, but not limited to, physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared by the Architect pursuant to this Agreement are instruments of service but shall remain the property of the District pursuant to Education Code §17316.

- 15.2. The Architect will provide the District with a complete set of reproducible designs, plans, specifications, studies, drawings, estimates and other documents or any other works of authorship fixed in any tangible medium of expression, including but not limited to physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared by the Architect pursuant to this Agreement, and will retain, on the District's behalf, the original documents or reproducible copies of all such original documents, however stored, in the Architect's files for a period of no less than fifteen (15) years. Architect shall promptly make available to District any original documents it has retained pursuant to this Agreement upon request by the District.

## **16. LICENSING OF INTELLECTUAL PROPERTY**

- 16.1. This Agreement creates a non-exclusive perpetual license for the District to copy, use, modify, reuse or sub-license any and all copyrights, designs and other intellectual property embodied in plans, specifications, studies, drawings, estimates and other documents, or any other works of authorship fixed in any tangible medium of expression including, but not limited to, physical drawings, data magnetically or otherwise recorded on computer disks, or other writings prepared or caused to be prepared by the Architect pursuant to this Agreement. The Architect shall require any and all subcontractors and consultants to agree in writing that the District is granted a non-exclusive and perpetual license for the work of such subcontractors or consultants performed pursuant to this Agreement.
- 16.2. Architect represents and warrants that Architect has the legal right to license any and all copyrights, designs, and other intellectual property embodied in plans, specifications, studies, drawings, estimates or other documents that Architect prepared or causes to be prepared to this Agreement. Architect shall indemnify and hold the District harmless pursuant to Paragraph 18.1 of this Agreement for any breach of this Article. The Architect makes no such representation and warranty in regard to previously prepared designs, plans, specifications, studies, drawings, estimates or other documents or any other works of authorship fixed in any tangible medium of expression including, but not limited to, physical drawings, data magnetically or otherwise recorded on computer disks, or other writings, that were prepared by design professionals other than Architect and provided to Architect by the District.

## **17. ACCOUNTING RECORDS OF ARCHITECT**

The Architect's records of accounts regarding the Project shall be kept on a generally recognized accounting basis and shall be available to the District or its authorized representative at mutually convenient times.

## **18. INDEMNITY**

- 18.1. Architect Indemnification. The Architect shall defend, indemnify, and hold harmless the District, the Governing Board of the District, each member of the Board, and their

officers, agents and employees against the payment of any and all costs and expenses including, but not limited to, attorney's fees and litigation costs, claims, suits and liability resulting from, arising out of, or in any way connected with any negligent or wrongful acts or omissions of the Architect, the Architect's officers, employees, or consultants in performing or failing to perform any work, services, or functions provided for, referred to, or in any way connected with any work, services, or functions to be performed under this Agreement.

- 18.2. District Indemnification for Use of Third Party Materials. The District shall defend, indemnify, and hold harmless the Architect and its employees against any and all copyright infringement claims by any design professional formerly retained by the District arising out of Architect's completion, use or reuse of that former design professional's design or construction documents in performing this Agreement. Architect shall be entitled to such indemnification only if each of the following conditions are met: (a) Architect actually redraws or completes such other designs or construction documents; (b) Architect complies with the provisions of this Agreement regarding use of materials prepared by other design professionals; (c) District has supplied Architect with the previously prepared documents or materials; and (d) District expressly requests that the Architect utilize the designs or construction documents in question.
- 18.3. District Indemnification for Re-Use of Architect's Contractual Product. The District shall defend, indemnify and hold harmless the Architect and its employees against any and all claims arising out of reuse, by the District or any of its agents, of Architect's designs or construction documents as described in Paragraph 16.1 of this Agreement.

## 19. TIME SCHEDULE

- 19.1. Time for Completion. Time is of the essence of this Agreement. The Architect shall put forth the Architect's best efforts to complete the Project according to the schedule attached as Exhibit "B" to this Agreement.
- 19.2. Delays. The District recognizes that circumstances may occur beyond the control of either the District or the Architect and extensions for such delays may be made to the schedule if approved by the District. Any time during which the Architect is delayed in the Architect's work by acts of District or its employees or those in direct contractual relationship with District or by acts of nature or other occurrences which were not or could not have been reasonably foreseen and provided for, and which are not due to any fault or negligence on the part of the Architect or its consultants, shall be added to the time for completion of any obligations of the Architect. District shall not be liable for damages to the Architect on account of any such delay.

## 20. MISCELLANEOUS PROVISIONS

- 20.1. This Agreement shall be governed by and construed in accordance with the laws of the State of California. If any action is instituted to enforce or interpret this Agreement,

venue shall only be in the appropriate state or federal court having venue over matters arising in Butte County, California provided that nothing in this Agreement shall constitute a waiver of immunity to suit by the School District.

- 20.2. The Architect shall not assign or transfer any or all of its rights, burdens, duties or obligations under this Agreement excepting preparation of portions of the Construction Documents by duly licensed professional consultants without the prior written consent of the District.
- 20.3. If any action or proceeding arising out of or relating to this Agreement is commenced by either party to this Agreement, the prevailing party shall be entitled to receive from the other party, in addition to any other relief that may be granted, reasonable attorneys' fees, costs and expenses incurred in the action or proceeding.
- 20.4. All notices, certificates, or other communications hereunder shall be deemed given when: a) personally delivered; b) mailed by postage prepaid certified mail; or c) e-mail or facsimile, when accompanied by a proof of delivery and receipt, to the parties at the addresses set forth below:
- |            |  |
|------------|--|
| District:  | Chico Unified School District<br>1163 East Seventh Street<br>Chico, California 95928 |
| Architect: | Nichols, Melburg & Rossetto<br>555 Main Street, Suite 300<br>Chico, CA 95928         |
- 20.5. This Agreement shall inure to the benefit of and shall be binding upon the Architect and the District and their respective successors and assigns.
- 20.6. If any provision of this Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.
- 20.7. The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever except by written agreement signed by both parties.
- 20.8. Nothing contained in this Agreement shall create a contractual relationship with or cause of action in favor of a third party against either the District or the Architect.
- 20.9. This Agreement constitutes the entire agreement between the parties, and supersedes any prior agreement or understanding. There are no understandings, agreements, representations or warranties, expressed or implied, not specified in this Agreement. The Architect, by the execution of this Agreement, acknowledges that the Architect

has read this Agreement, understands it, and agrees to be bound by its terms and conditions.

- 20.10. The Architect shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Architect's professional materials. The Architect's materials shall not include the District's confidential or proprietary information if the District has previously advised the Architect in writing of the specific information considered by the District to be confidential or proprietary.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this  
day of \_\_\_\_\_, 2007

ARCHITECT:

NICHOLS, MELBURG & ROSSETTO

DISTRICT:

CHICO UNIFIED SCHOOL DISTRICT

By: \_\_\_\_\_  
Stephen A. Gonsalves, SE

By: \_\_\_\_\_  
Randy Meeker,  
Assistant Superintendent - Business Services

**EXHIBIT "A-1"**

**ARCHITECT'S FEE SCHEDULE**

The Architect's fee was determined as follows based on a preliminary opinion of construction cost of \$ 5,878,378:

<i>Contract Amount</i>		<i>% Rate</i>		<i>Fee</i>
first \$1,00,000	x	9%	=	\$ 90,000
next \$1,000,000	x	8.5%	=	\$ 85,000
next \$2,000,000	x	8%	=	\$ 160,000
<u>\$ 1,878,370</u>	x	7%	=	<u>\$ 131,486</u>
\$ 5,878,370				\$ 466,486

**EXHIBIT "A-2"**  
**ARCHITECT'S SCHEDULE OF HOURLY RATES AND CHARGES**

**HOURLY RATE SCHEDULE:**

Principal Architect/Structural Engineer.....	\$165.00/hour
Director.....	\$130.00/hour
Senior Associate Architect.....	\$125.00/hour
Structural Engineer.....	\$125.00/hour
Associate.....	\$105.00/hour
Senior Project Architect/Manager.....	\$100.00/hour
Project Architect/Manager/Engineer.....	\$95.00/hour
Architect.....	\$90.00/hour
Architect Intern.....	\$85.00/hour
Interior Design.....	\$85.00/hour
CAD Operator I.....	\$85.00/hour
CAD Operator II.....	\$75.00/hour
CAD Operator III.....	\$70.00/hour
Project Administrator.....	\$70.00/hour
Technical Assistant.....	\$55.00/hour
Clerical.....	\$45.00/hour

**REIMBURSABLE EXPENSE RATES:**

**I. REPROGRAPHICS**

Blueprints (24"x36") printed by NMR.....	\$2.50/ea.
Blueprints (24"x36") printed by NMR for Qty. > 100/per order.....	\$2.00/ea.
Blueprints (30"x42") printed by NMR.....	\$3.50/ea.
Blueprints (30"x42") printed by NMR for Qty. > 100/per order.....	\$3.00/ea.
Blueprints (24"x36" / 30"x42") printed by outside source (Available on <b>Construction Sets ONLY</b> ).....	Actual Expense + 10%
Copies (8-1/2x11).....	\$.10/ea.
Copies (8-1/2x14).....	\$.15/ea.
Copies (11x17).....	\$.20/ea.

**II. TRAVEL EXPENSES**

Mileage.....	Current IRS allowed amount
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**III. COMPUTER EXPENSES**

Comp. Plots (24"x36" Bond – black and white).....	\$4.00 per plot
1/2 size Plots.....	\$2.00 per plot
(30"x42" Bond – black and white).....	\$5.00 per plot
1/2 size Plots.....	\$2.50 per plot
(11"x17" / 8-1/2"x11" Bond – color).....	\$5.00 per plot
(24"x36" Bond – color).....	\$20.00 per plot
(30"x42" Bond – color).....	\$25.00 per plot
Electronic transfer of drawing files.....	\$50.00 per dwg
for other than NMR and sub-consultant use	

**IV. AGENCY FEES**

Approval and Plan Check Fees.....	Actual Expense + 10%
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- V. CONSULTANTS**  
Consultant Billings (for additional services) ..... Actual Expense + 10%  
Consultant Reimbursable Expenses..... Actual Expense + 10%
- VI. OTHER PROJECT RELATED ITEMS (including travel)..... Actual Expense + 10%**