



Chico Unified School District

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

Board Policy:

#0420

Section: 0000

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SCHOOL PLANS/SITE COUNCILS

When required by law or determined to be a useful tool to accomplish district and school goals, school site councils or other school advisory groups shall develop comprehensive school plans designed to enhance student achievement at individual school sites.

~~(cf. 0000—Vision)~~
~~(cf. 0200—Goals for the School District)~~
~~(cf. 0400—Comprehensive Plans)~~
~~(cf. 0420.1—School-Based Program Coordination)~~
~~(cf. 0420.5—School-Based Decision Making)~~
~~(cf. 0450—Comprehensive Safety Plan)~~
~~(cf. 0520—Intervention for Underperforming Schools)~~
~~(cf. 0520.1—High Priority Schools Grant Program)~~
~~(cf. 1220—Citizen Advisory Committees)~~
~~(cf. 1431—Waivers)~~
~~(cf. 6020—Parent Involvement)~~
~~(cf. 6142.91—Reading/Language Arts Instruction)~~
~~(cf. 6163.1—Library Media Centers)~~
~~(cf. 6171—Title I Programs)~~

Single Plan for Student Achievement

The Superintendent or designee shall assure that a single plan for student achievement has been prepared for each school participating in any of the state and/or federal categorical programs. (Education Code 41507, 41572, 64001)

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

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

Legal Reference:

EDUCATION CODE

52-53 Designation of schools
8240-8244 General child care and development programs
8750-8754 Conservation education
18100-18203 School libraries
41500-41573 Categorical education block grants
44500-44508 Peer Assistance and Review Program
44520-44534 New Careers Program
48400-48403 Compulsory continuation education
48430-48438 Continuation education
48660-48667 Community day schools
51745-51749.3 Independent study
51760-51769.5 Work experience education
51870-51874 Educational technology
52053-52055.51 Immediate Intervention/Underperforming Schools Program
52055.600-52055.662 High Priority Schools Grant Program
52176 Advisory committees

Policy Adopted: July 18, 2007



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~~52200-52212 Gifted and Talented Education Program~~
~~52300-52346 Regional occupational centers~~
~~52500-52525 Adult education~~
~~52610-52616.24 Adult education~~
~~52800-52887 School-Based Program Coordination Act~~
~~54000-54041 Educationally Disadvantaged Youth Programs~~
~~54100-54145 Miller-Unruh Basic Reading Act~~
~~54425 Advisory committees (compensatory education)~~
~~54650-54659 Education Improvement Incentive Program~~
~~56000-56885 Special education~~
~~64000 Categorical programs included in consolidated application~~
~~64001 Single school plan for student achievement, consolidated application programs~~
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS
~~52012 Establishment of school site council~~
~~52014-52015 School plans~~
~~52890 Qualifications and duties of outreach consultants~~
MILITARY AND VETERANS CODE
~~500-520.1 California Cadet Corps~~
CODE OF REGULATIONS, TITLE 5
~~3930-3937 Compliance plans~~
UNITED STATES CODE, TITLE 20
~~6312-6319 Title I programs; plans~~
~~7114 Safe and Drug-Free Schools and Communities; district plan~~

Management Resources:

CDE PUBLICATIONS

Voluntary Template for the Single Plan for Student Achievement

WEB SITES

California Department of Education, Single Plan for Student Achievement: <http://www.cde.ca.gov/nclb/sr/le/singleplan.asp>

Center for Comprehensive School Reform and Improvement: <http://www.centerforsri.org>

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

The Governing Board believes that comprehensive planning at each district school is necessary in order to focus school improvement efforts on student academic achievement and facilitate the effective use of district resources. The Superintendent or designee shall ensure that school plans provide direction and identify strategies aligned with school and district goals.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 0400 - Comprehensive Plans)

For any school that participates in specified state and/or federal categorical programs, the school site council or other schoolwide advisory committee shall consolidate the plans required for those categorical programs into a single plan for student achievement (SPSA). (Education Code 52055.755, 64001)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0520.2 - Title I Program Improvement Schools)

(cf. 0520.4 - Quality Education Investment Schools)

(cf. 1220 - Citizen Advisory Committees)

(cf. 1431 - Waivers)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 4131 - Staff Development)

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(cf. 5147 - Dropout Prevention)
(cf. 6020 - Parent Involvement)
(cf. 6142.91 - Reading/Language Arts Instruction)
(cf. 6151 - Class Size)
(cf. 6164.2 - Counseling/Guidance Services)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6190 - Evaluation of the Instructional Program)

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

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

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

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

Legal Reference:

EDUCATION CODE

52-53 Designation of schools
33133 Information guide for school site councils
35147 Open meeting laws exceptions
41500-41573 Categorical education block grants
52055.700-52055.770 Quality Education Investment Act
52176 Advisory committees
52500-52617 Adult education
52800-52887 School-Based Program Coordination Act
52890 Qualifications and duties of outreach consultants
54000-54028 Educationally Disadvantaged Youth Programs
54100-54145 Miller-Unruh Basic Reading Act
54425 Advisory committees (compensatory education)
54650-54659 Education Improvement Incentive Program
56000-56867 Special education
64000 Categorical programs included in consolidated application
64001 Single school plan for student achievement, consolidated application programs
HEALTH AND SAFETY CODE
104420 Tobacco use prevention
CODE OF REGULATIONS, TITLE 5
3930-3937 Compliance plans
UNITED STATES CODE, TITLE 20
6311 Accountability, adequate yearly progress
6312-6319 Title I programs; plans
6421-6472 Programs for neglected, delinquent, and at-risk children and youth
6601-6651 Teacher and Principal Training and Recruitment program
6801-7014 Limited English proficient and immigrant students

Policy Adopted: July 18, 2007



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*7101-7165 Safe and Drug-Free Schools and Communities
7341-7355c Rural Education Initiative*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

A Guide for Developing the Single Plan for Student Achievement: A Resource for the School Site Council, February 2013

WEST ED PUBLICATIONS

California Healthy Kids Survey

California School Climate Survey

WEB SITES

California Department of Education, Single Plan for Student Achievement:

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

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

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



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Charter School Oversight

The Governing Board recognizes its ongoing responsibility to ensure that any charter school authorized by the Board is successfully fulfilling the terms of its charter and is providing a high-quality educational program for students enrolled in the charter school.

(cf. 0420.4 - Charter School Authorization)
(cf. 0500 - Accountability)

The Superintendent or designee shall identify at least one staff member to serve as a contact for each charter school. (Education Code 47604.32)

The Board and Superintendent or designee may inspect or observe any part of the charter school at any time. The Superintendent or designee shall visit each charter school at least annually. (Education Code 47604.32, 47607)

Provision of District Services

The district may charge for the actual costs of supervisory oversight of a charter school not to exceed one percent of the charter school's revenue. If the district is able to provide substantially rent-free facilities to the charter school, the district may charge actual costs up to three percent of the charter school's revenue for supervisory oversight. (Education Code 47613)

(cf. 7160 - Charter School Facilities)

The charter school may separately purchase administrative or other services from the district or any other source. (Education Code 47613)

At the request of a charter school, the Superintendent or designee shall create and submit any reports required by the State Teachers' Retirement System or Public Employees' Retirement System on behalf of the charter school. The charter school may be charged for the actual costs of the reporting services, but shall not be required to purchase payroll processing services from the district as a condition for creating and submitting these reports. (Education Code 47611.3)

Waivers

If the charter school wishes to request a general waiver of any state law or regulation, it shall request that the Superintendent or designee submit a general waiver request to the State Board of Education (SBE) on its behalf.

Material Revisions to Charter

Material revisions to a charter may be made only with Board approval. Material revisions shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605 and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed. (Education Code 47607)

If an approved charter school proposes to expand operations to one or more additional sites within the district's boundaries, the charter school shall request a material revision to its charter and shall notify the Board of those additional locations. The Board shall consider approval of the additional locations at an open meeting. (Education Code 47605)

The Board shall have the authority to determine whether a proposed change in charter school operations constitutes a material revision.

Policy Adopted: 06/20/12



Monitoring Charter School Performance

The Superintendent or designee shall regularly report to the Board on the charter school's performance, based on the academic and fiscal accountability measures specified in the approved charter.

In providing general oversight of a charter school, the Board and the Superintendent or designee shall determine whether the school complies with all legal requirements applicable to charter schools, including making all reports required of charter schools in accordance with Education Code 47604.32.

The Board shall monitor the fiscal condition of the charter school based on any financial information obtained from the charter school, including, but not limited to, ~~the charter school's preliminary budget, first and second interim financial reports, and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33)~~ **the charter school's preliminary budget; an annual update, aligned to the template adopted by the SBE, of school goals, actions, and related expenditures; first and second interim financial reports; and final unaudited report for the full prior year. (Education Code 47604.32, 47604.33, 47606.5)**

The Board shall monitor each charter school to determine whether it is achieving, both schoolwide and for all groups of students served by the school, the measurable student outcomes set forth in the charter. This determination shall be based on the measures specified in the approved charter and shall include, at a minimum, a consideration of whether the school is meeting its Academic Performance Index growth targets established pursuant to Education Code 52052 and is making "adequate yearly progress" (AYP) pursuant to 20 USC 6311, as applicable.

~~The Board shall monitor each charter school to determine whether it is achieving the outcomes for student learning set forth in the charter agreement. In addition, the Board shall determine whether the charter school makes "adequate yearly progress" as defined by the SBE and federal Title I accountability requirements. If a charter school fails to make adequate yearly progress for two or more consecutive years, the Board shall take action for program improvement in accordance with law, Board policy, and administrative regulations.~~

(cf. 0520.2 - Title I Program Improvement Schools)

Evaluation data for the charter school shall be considered in the Board's determination of the renewal or revocation of a charter.

(cf. 0420.42 - Charter School Renewal)

(cf. 0420.43 - Charter School Revocation)

Technical Assistance/Intervention

If a charter school receiving federal Title I funding fails to make AYP, as defined pursuant to 20 USC 6311, for two or more consecutive years, the school shall be identified for program improvement and shall implement improvement strategies in accordance with 20 USC 6316.

(cf. 0520.2 - Title I Program Improvement Schools)

If, in three out of four consecutive school years, a charter school fails to improve outcomes for three or more student subgroups identified in Education Code 52052, or for all of the student subgroups if the school has fewer than three, in regard to one or more state or school priorities identified in the charter, the district: (Education Code 47607.3)



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1. Shall provide technical assistance to the charter school using an evaluation rubric adopted by the SBE pursuant to Education Code 52064.5
2. May request that the Superintendent of Public Instruction (SPI), with SBE approval, assign the California Collaborative for Educational Excellence to provide advice and assistance to the charter school pursuant to Education Code 52074

In accordance with law, the Board may deny a charter's renewal petition or may revoke a charter based on the charter school's poor performance, especially with regards to the academic achievement of all numerically significant subgroups of students served by the charter school.

(cf. 0420.42 - Charter School Renewal)
(cf. 0420.43 - Charter School Revocation)

Complaints

Each charter school shall maintain processes to enable any person to file a complaint, in accordance with the uniform complaint procedures as specified in 5 CCR 4600-4687, alleging the school's noncompliance with Education Code 47606.5 or 47607.3. (Education Code 52075)

(cf. 1312.3 - Uniform Complaint Procedures)

A complainant who is not satisfied with the decision may appeal the decision to the SPI. (Education Code 52075)

If the charter school finds merit in the complaint or the SPI finds merit in an appeal, a remedy shall be provided to all affected students and parents/guardians. (Education Code 52075)

School Closure

In the event that the Board revokes or denies renewal of a charter or the school closes for any other reason, the Superintendent or designee shall provide assistance, when applicable in accordance with the charter and/or a memorandum of understanding, to facilitate the transfer of the charter school's former students and to finalize financial reporting and close-out.

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days, if the charter school will cease operation for any reason. Such notification shall include, but not be limited to, a description of the circumstances of the closure, the effective date of the closure, and the location of student and personnel records. (Education Code 47604.32; 5 CCR 11962.1)

Legal Reference:

EDUCATION CODE
220 Nondiscrimination
17280-17317 Field Act
17365-17374 Field Act, fitness for occupancy
35330 Field trips and excursions; student fees
38080-38086 School meals
42100 Annual statement of receipts and expenditures
44237 Criminal record summary
44830.1 Certificated employees, conviction of a violent or serious felony
45122.1 Classified employees, conviction of a violent or serious felony
46201 Instructional minutes

Policy Adopted: 06/20/12



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47600-47616.7 Charter Schools Act of 1992
47634.2 Nonclassroom-based instruction
47640-47647 Special education funding for charter schools
48000 Minimum age of admission for kindergarten; transitional kindergarten
48010-48011 Minimum age of admission (first grade)
48907 Students' exercise of free expression; rules and regulations
48950 Student speech and other communication
49061 Student records
49110 Authority of issue work permits
49475 Health and safety, concussions and head injuries
51745-51749.3 Independent study
52051.5-52052 Academic performance index, applicability to charter schools
52060-52077 Local control and accountability plans
52075 Uniform complaint procedures
56026 Special education
56145-56146 Special education services in charter schools
60600-60649 Assessment of academic achievement
60850-60859 High school exit examination
CORPORATIONS CODE
5110-6910 Nonprofit public benefit corporations
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act
54950-54963 The Ralph M. Brown Act
LABOR CODE
1198.5 Personnel records related to performance and grievance
PENAL CODE
667.5 Definition of violent felony
1192.7 Definition of serious felony
CALIFORNIA CONSTITUTION
Article 9, Section 5 Common school system
CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
11700.1-11705 Independent study
11960-11969 Charter schools
CODE OF REGULATIONS, TITLE 24
101 et seq. California Building Standards Code
UNITED STATES CODE, TITLE 20
6311 Adequate yearly progress
6319 Qualifications of teachers and paraprofessionals
7223-7225 Charter schools
CODE OF FEDERAL REGULATIONS, TITLE 34
200.1-200.78 Accountability
300.18 Highly qualified special education teachers
COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986
ATTORNEY GENERAL OPINIONS
89 Ops. Cal. Atty. Gen. 166 (2006)
80 Ops. Cal. Atty. Gen. 52 (1997)
78 Ops. Cal. Atty. Gen. 297 (1995)
CALIFORNIA OFFICE OF ADMINISTRATIVE HEARINGS DECISIONS
Student v. Horizon Instructional Systems Charter School, (2012) OAH Case No. 2011060763

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

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Charter Schools: A Manual for Governance Teams, rev. 2009

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

Sample Copy of a Memorandum of Understanding

Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 11-01, November 9, 2011

Special Education and Charter Schools: Questions and Answers, September 10, 2002

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Charter Schools Program: Title V, Part B of the ESEA, April 2011

The Impact of the New Title I Requirements on Charter Schools, July 2004

WEB SITES

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

California Charter Schools Association: <http://www.calcharters.org>

California Department of Education, Charter Schools: <http://www.cde.ca.gov/sp/cs>

National Association of Charter School Authorizers: <http://www.qualitycharters.org>

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



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Local Control And Accountability Plan

The Governing Board is committed to the most effective use of available state funding to improve outcomes for all students. Community input shall be used to recommend goals and actions aligned with state and local priorities.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)

The Board shall adopt a districtwide local control and accountability plan (LCAP), using the template provided by the State Board of Education, which addresses the state priorities specified in Education Code 52060. The LCAP shall be effective for three years and shall be updated on or before July 1 of each year. (Education Code 52060)

In addition, the LCAP shall address any local priorities adopted by the Board.

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" and other underperforming students.

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

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

To minimize duplication of effort and provide clear direction for program implementation, the LCAP and other district and school plans shall be aligned to the extent possible.

(cf. 0400 - Comprehensive Plans)
(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 5030 - Student Wellness)
(cf. 6171 - Title I Programs)
(cf. 7110 - Facilities Master Plan)

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

(cf. 0420 - School Plans/Site Councils)

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

(cf. 1312.3 - Uniform Complaint Procedures)



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Plan Development

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

Teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, students, and community members will be consulted with in developing the LCAP. (Education Code 52060)

(cf. 1220 - Citizen Advisory Committees)
(cf. 4140/4240/4340 - Bargaining Units)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish the following committee(s) to review and comment on the LCAP: (Education Code 52063)

1. A parent advisory committee including at least one parent/guardian of unduplicated students as defined above
2. An English learner parent advisory committee whenever district enrollment includes at least 15 percent English learners and at least 50 students who are English learners

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

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

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

(cf. 3100 - Budget)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9320 - Meetings and Notices)

Adoption of the Plan

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

Policy Adopted: **NEW**



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

Submission of Plan to County Superintendent of Schools

Not later than five days after adoption of the LCAP or the annual update to the LCAP, the Board shall file the LCAP or the annual update with the County Superintendent of Schools. (Education Code 52070)

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

Technical Assistance/Intervention

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

1. Assistance in the identification of district strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

Technical assistance requested by the Board from the County Superintendent shall be at the district's expense. In the event that the County Superintendent requires the district to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062. Technical assistance required by the County Superintendent shall be provided at no expense to the district.

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

1. Revision of the district's LCAP
2. Revision of the district's budget in accordance with changes in the LCAP
3. A determination to stay or rescind any district action that would prevent the district from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

Legal Reference:

Policy Adopted: NEW



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EDUCATION CODE

17002 State School Building Lease-Purchase Law, including definition of good repair
41020 Audits
42127 Public hearing on budget adoption
42238.01-42238.07 Local control funding formula
44258.9 County superintendent review of teacher assignment
48985 Parental notices in languages other than English
51210 Course of study for grades 1-6
51220 Course of study for grades 7-12
52052 Academic Performance Index; numerically significant student subgroups
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning pilot program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
60811.3 Assessment of language development
64001 Single plan for student achievement
99300-99301 Early Assessment Program
UNITED STATES CODE, TITLE 20
6312 Local educational agency plan
6826 Title III funds, local plans

Management Resources:

CSBA PUBLICATIONS

Impact of Local Control Funding Formula on Board Policies, November 2013
Local Control Funding Formula 2013, Governance Brief, August 2013
State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual

WEB SITES

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

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



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ACCOUNTABILITY

~~The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools.~~

~~(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 2140 - Evaluation of the Superintendent)
(cf. 3460 - Financial Accountability and Reports)
(cf. 4115 - Evaluation/Supervision)
(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9000 - Role of the Board)
(cf. 9005 - Governance Standards)
(cf. 9400 - Board Self-Evaluation)
(cf. 6020 - Parent Involvement)~~

~~The Board shall annually review indicators of district progress in improving student achievement, including, but not limited to, the Academic Performance Index (API) established by the state's accountability system and measures of "adequate yearly progress" (AYP) required under the federal accountability system.~~

~~(cf. 0520 - Intervention for Underperforming Schools)
(cf. 0520.1 - High Priority Schools Grant Program)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)~~

~~Following the annual publication of the API and school rankings by the Superintendent of Public Instruction, the Board shall, at a regularly scheduled meeting, review the results of each school's annual ranking. (Education Code 52056)~~

~~This discussion shall include an examination of scores from the Standardized Testing and Reporting (STAR) program, by school, grade, and student subgroup, including disaggregated data based on socioeconomic status, race/ethnicity, enrollment in special education, English proficiency, and gender.~~

~~(cf. 3553 - Free and Reduced Price Meals)~~

The Governing Board recognizes its responsibility to ensure accountability to the public for the performance of district schools. The Board shall regularly review the district's programs and fiscal operations, with a focus on the district's effectiveness in improving student achievement.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 2140 - Evaluation of the Superintendent)
(cf. 3460 - Financial Accountability and Reports)
(cf. 4115 - Evaluation/Supervision)

Policy Adopted: July 18, 2007



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(cf. 4215 - Evaluation/Supervision)
(cf. 4315 - Evaluation/Supervision)
(cf. 6011 - Academic Standards)
(cf. 6141 - Curriculum Development and Evaluation)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9400 - Board Self-Evaluation)

Indicators of district progress in improving student achievement shall include, but are not limited to, the state Academic Performance Index (API) and the measures of "adequate yearly progress" (AYP) required under the federal accountability system.

(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6162.52 - High School Exit Examination)

Alternative schools serving high-risk student populations, including continuation high schools, opportunity schools, and community day schools, shall be subject to an alternative accountability system established by the Superintendent of Public Instruction. (Education Code 52052)

The district and each district school shall demonstrate comparable improvement in academic achievement, as measured by the API, for all numerically significant student subgroups. Numerically significant subgroups include ethnic subgroups, socioeconomically disadvantaged students, English learners, students with disabilities, and foster youth, when the subgroup consists of at least 30 students with a valid test score or 15 foster youth. (Education Code 52052)

Evaluation results may be used as a basis for revising district or school goals, updating the LCAP or other comprehensive plans, identifying and developing strategies to address disparities in achievement among student subgroups, implementing programmatic changes, determining the need for additional support and assistance, awarding incentives or rewards, and establishing other performance-based consequences.

(cf. 0400 - Comprehensive Plans)
(cf. 0420 - School Plans/Site Councils)
(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 0520.3 - Title I Program Improvement Districts)
(cf. 0520.4 - Quality Education Investment Schools)
(cf. 4141/4241 - Collective Bargaining Agreement)

Legal Reference:

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability
33400-33407 California Department of Education evaluation of district programs
44660-44665 Evaluation of certificated employees
51041 Evaluation of the educational program
52052-52052.1 Academic Performance Index
52055.57-52055.59 Districts identified or at risk of identification for program improvement
52060-52077 Local control and accountability plan
CODE OF REGULATIONS, TITLE 5
1068-1074 Alternative schools accountability model, assessments
15440-15463 Standards and criteria for fiscal accountability
UNITED STATES CODE, TITLE 20



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6311 Accountability, adequate yearly progress
6312 Local educational agency plan
6316 School and district improvement
CODE OF FEDERAL REGULATIONS, TITLE 34
200.13-200.20 Adequate yearly progress
200.30-200.53 Program improvement

Management Resources:

WEB SITES

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

California Department of Education, Accountability: <http://www.cde.ca.gov/ta/ac>

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



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ADVERTISING AND PROMOTION

The Governing Board desires to promote positive relationships between schools and the community in order to enhance community support and involvement in district schools. The Superintendent or designee may approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings or other **items gatherings** of interest to students or parents/guardians

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

(cf. [5145.2](#) - Freedom of Speech/Expression)

(cf. [6145.5](#) - Student Organizations and Equal Access)

(cf. [6162.8](#) - Research)

2. Distribution of promotional materials of a commercial nature to students or parents/guardians

(cf. [1700](#) - Relations Between Private Industry and the Schools)

3. Paid advertisements on school property, including, but not limited to, advertisements on billboards **and scoreboards**

4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, **including web sites and social media**

(cf. [1113](#) - District and School Web Sites)

5. Products and materials donated by commercial enterprises **for educational use, including those that bear the name and/or logo of the donor**, ~~use in the classroom as long as they serve an educational purpose and do not~~ unduly promote **the donor or** any commercial activity or products. ~~Such materials may bear the name and/or logo of the donor.~~

(cf. [3290](#) - Gifts, Grants and Bequests)

(cf. [6161.11](#) - Supplementary Instructional Materials)

Prior to distribution, **posting, or publishing of any non-school group's promotional materials or advertisement**, ~~or publication~~, the Superintendent, principal or designee shall review **the materials or advertisement based on the criteria listed below**. ~~He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.~~ **and approve all advertising copy and promotional materials to ensure compliance with Board policy.** ~~The Superintendent, principal or designee may selectively approve or disapprove distribution of materials or publishing of copy based on the criteria listed below, but may not disapprove materials or copy in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that would otherwise be allowed.~~

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

The use of promotional materials or advertisements does not imply district endorsement of any identified products or services. Schools are encouraged to include a disclaimer in school publications and yearbooks stating that the school does not endorse any advertised products or services.

Criteria for Approval

The Superintendent, principal or designee shall not accept for distribution any materials or advertisements that:

1. Are **lewd**, obscene, libelous or slanderous (Education Code [48907](#))

Policy Adopted: 10/29/08; 09/01/10



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2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools (Education Code [48907](#))

3. Promote any particular political interest, candidate, party or ballot measure, unless ~~such materials are being distributed at a forum in which~~ the candidates or advocates from all sides are **provided the opportunity to** presenting their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

(cf. [1160](#) - Political Processes)

(cf. ~~1330~~ - Use of School Facilities)

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

4. **Proselytize or position the district on any side of a controversial issue**

(cf. [6144](#) - Controversial Issues)

5. Discriminate against, attack, or denigrate any group on account of any unlawful consideration

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

6. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, **non-nutritious foods and beverages**, and movies or products unsuitable for children

(cf. [5030](#) - Student Wellness)

(cf. [5131.6](#) - Alcohol and Other Drugs)

(cf. [5131.62](#) - Tobacco)

7. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

(cf. [1321](#) - Solicitation of Funds from and by Students)

8. Distribute unsolicited merchandise for which an ensuing payment is requested

9. Compete with or may negatively impact the District

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

(cf. [0000](#) - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as ~~Such criteria may limit advertisements to those that contain congratulatory or commemorative messages, curriculum related content, advertisements for products or services of interest to students, noncontroversial content, and/or other content~~ deemed appropriate by the school publication staff and adviser **Superintendent or designee** in accordance with law and Board policy.

Legal Reference:

CALIFORNIA CONSTITUTION
Article 1, Section 2 Free speech rights
EDUCATION CODE

Policy Adopted: 10/29/08; 09/01/10



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7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

COURT CASES

Hills v. Scottsdale Unified School District 48, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

CSBA PUBLICATIONS

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

WEB SITES

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



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USE OF SCHOOL FACILITIES

~~The Board of Education recognizes that district facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with educational use school activities.~~

~~(cf. 6145.5 - Student Organizations and Equal Access)~~

~~All school-related activities shall be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.~~

The Governing Board believes that school facilities and grounds are a community resource which should be used to foster community involvement. Therefore, the Board authorizes the use of school facilities by district residents and community groups for purposes specified in the Civic Center Act, to the extent that such use does not interfere with school activities or other school-related uses.

(cf. 6145.5 - Student Organizations and Equal Access)

School-related activities shall have priority in the use of school facilities and grounds. Other uses authorized under the Civic Center Act shall be on a first-come, first-served basis.

~~The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)~~

For the effective management and control of school facilities and grounds, the Superintendent or designee shall maintain procedures and regulations that: (Education Code 38133)

1. assist groups desiring to use school facilities for approved activities;
2. preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary; and

(cf. 0450 - Comprehensive School Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

3. ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work.

There shall be no advertising on school facilities and grounds except as allowed by district policy specified in BP 1325 - Advertising and Promotion.

(cf. 1325 - Advertising and Promotion)

Fees

~~The Board shall grant the use of school facilities or grounds without charge to Chico Unified School District Schools provided that those activities are scheduled on regular school days during hours not to exceed one hour before the start of school until one hour after school, or when district employees are normally working.~~

If Chico Unified School District Schools scheduled activities for times other than those stated above and/or admission fees are collected or donations solicited, the Chico Unified School District Schools shall be charged at least direct costs.



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~~Activities oriented towards community youth that are sponsored by non-profit organizations that are directly affiliated with the school/district and other community activities sponsored by recognized non-profit organizations or public agencies for direct costs only if needed during that organization's use.~~

~~Activities and events that are sponsored by for-profit organizations will be charged fair rental value when using school facilities and grounds. The Board shall grant District staff the right to negotiate promotional contract terms and agreements as necessary.~~

~~The use of Chico Unified School District facilities and grounds are non-exclusive and open to the public. Regardless, the Board believes that use of school facilities or grounds should not result in costs to the district.~~

The Board believes that the use of school facilities or grounds should not result in costs to the district. The Superintendent or designee shall charge all groups granted the use of school facilities or grounds under the Civic Center Act an amount not exceeding direct costs determined in accordance with Education Code 38134. However, if the use of school facilities or grounds is for religious services, the group shall be charged an amount that equals or exceeds the direct costs.

In determining direct costs to be charged for community use of school facilities or grounds, including, but not limited to, playing or athletic fields, track and field venues, tennis courts, and outdoor basketball courts, the Superintendent or designee shall include a proportionate share of the costs of the following: (Education Code 38134)

1. Supplies, utilities, janitorial services, other services of district employees, and salaries of district employees directly associated with operation and maintenance of the school facilities or grounds involved
2. Maintenance, repair, restoration, and refurbishment of the school facilities or grounds

However, for classroom-based programs that operate after school hours, including, but not limited to, after-school, tutoring, and child care programs, direct costs to be charged shall not include the cost of maintenance, repair, restoration, or refurbishment of the school facilities or grounds. (Education Code 38134)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

Groups shall be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the district's students. (Education Code 38134)

Legal Reference:

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

MILITARY AND VETERANS CODE

1800 Definitions

UNITED STATES CODE, TITLE 20

7905 Equal access to public school facilities

COURT DECISIONS

Policy Adopted: 11/07/07; 10/29/08; 09/01/10; 11/16/11



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Good News Club v. Milford Central School, (2001) 533 U.S. 98
Lamb's Chapel v. Center Moriches Union Free School District, (1993) 508 U.S. 384
Cole v. Richardson, (1972) 405 U.S. 676
Connell v. Higgenbotham, (1971) 403 U.S. 207
ACLU v. Board of Education of Los Angeles, (1961) 55 Cal .2d 167
Ellis v. Board of Education, (1945) 27 Cal.2d 322
ATTORNEY GENERAL OPINIONS
82 Ops.Cal.Atty.Gen. 90 (1999)
79 Ops.Cal.Atty.Gen. 248 (1996)

Management Resources:

CSBA PUBLICATIONS

Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, February 2010
Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

WEB SITES

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

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



WAIVERS

~~The Governing Board may request that the State Board of Education waive certain provisions of the Education Code, Title 5 regulations, or the federal law when such provisions prevent the district from offering its students the best possible educational program. The Superintendent or designee, advisory committees, or site councils shall identify the need for the Board to submit waiver requests and shall provide the Board with the necessary information to analyze the need for the waiver.~~

~~The Board shall hold a properly noticed public hearing on all waiver requests. (Education Code 33050)~~

~~(cf. 9320 - Meetings and Notices)~~

~~The Board shall include the exclusive employee representative in the development of the waiver.~~

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

~~If the waiver affects a program that requires the existence of a school site council, the school site council shall first approve the request.~~

~~(cf. 0420 - School Plans/Site Councils)~~

~~(cf. 0420.1 - School-Based Program Coordination)~~

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

The Governing Board recognizes that strict compliance with the law may sometimes hinder the district's ability to provide its students with an effective, well-rounded educational program. When it is in the interest of district students, the Board may request that the State Board of Education (SBE) waive any provision of state or federal law or regulation which it has authority to waive pursuant to Education Code 33050.

Any waiver request to be submitted to the SBE shall first be approved by the Board. The Superintendent or designee shall ensure that each proposed waiver request includes the information necessary for the Board to analyze the need for the waiver and make an informed decision.

Prior to presenting the proposed request for Board approval, the Superintendent or designee shall consult with and obtain the approval of any advisory committee or site council when required by law.

(cf. 0420 - School Plans/Site Councils)

(cf. 0420.1 - School-Based Program Coordination)

(cf. 1220 - Citizen Advisory Committees)

In addition, the Superintendent or designee shall involve the exclusive representative of district employees in the development of the waiver request, and shall include in the request the exclusive representative's position regarding the waiver. (Education Code 33050)

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

To receive public testimony on each waiver request proposal, the Board shall hold a properly noticed public hearing during a Board meeting. (Education Code 33050)

The notice, which shall state the time, date, location, and subject of the public hearing, may be printed in a newspaper of general circulation or posted at each school and three public places in the district.

(cf. 9320 - Meetings and Notices)



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When the district has requested and received the same general waiver from the SBE for two consecutive years, the Board is not required to reapply annually if the information contained on the request remains current. However, the district shall apply annually for the renewal of any waiver regarding teacher credentialing. (Education Code 33051)

Legal Reference:

EDUCATION CODE

305-311 Structured English immersion program; parental exception waivers
5000-5033 Governing board elections
8750-8754 Grants for conservation education
10400-10407 Cooperative improvement programs
17047.5 Facilities used by special education students
17291 Portable school buildings
33050-33053 General waiver authority
37202 Equity length of time
41000-41360 School finance
41381 Minimum school day
41600-41854 Computation of allowances
41920-42842 Budget requirements; local taxation by school districts
44520-44534 New Careers Program
44666-44669 School-Based Management and Advanced Career Opportunities
44681-44689 Administrator Training and Evaluation
45108.7 Maximum number of senior management positions
48660-48666 Community day schools
48800 Attendance at community college
49550-49560 Meals for needy students
51224.5 Algebra instruction
51745.6 Charter school independent study ratio
51870-51874 Educational technology
52080-52090 Class size reduction grade 9
52122.6-52122.8 Class size reduction, impacted school sites
52160-52178 Bilingual-Bicultural Education Act of 1976
52180-52186 Bilingual teacher waiver
52200-52212 Gifted and Talented Pupils Program
52340-52346 Career Guidance Centers
52522 Plans for adult education
52850-52863 School-Based Program Coordination
54000-54028 Disadvantaged Youth Program
54100-54145 Miller-Unruh Basic Reading Program
54407 Waiver for compensatory education programs
56000-56867 Special education programs
58407 Waiver related to individualized instruction program
58900-58928 Restructuring demonstration programs
60119 Public hearing on sufficiency of instructional materials
60851 High school exit examination, waiver for student with disabilities
CODE OF REGULATIONS, TITLE 5
1032 Academic Performance Index
3100 Resource specialist caseload waivers
3945 Cooperative programs
9531 Instructional materials funding
11960 Charter school attendance
11963.4 Charter school percentage funding
13017 Waivers, compensatory education New Careers in Education Program
13044 Waivers, compensatory education Professional Development and Program Improvement Programs



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UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

7115 Safe and Drug Free Schools, authorized activities

Management Resources:

WEB SITES

California Department of Education, Waiver Office: <http://www.cde.ca.gov/re/lr/wr>

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



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BUDGET

The Governing Board recognizes its critical responsibility for adopting a sound budget for each fiscal year which is aligned with the district's vision, goals, and priorities, **and comprehensive plans**. The district budget shall guide administrative decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

(cf. 0000 - Vision)
(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 3000 - Concepts and Roles)
(cf. 3300 - Expenditures and Purchases)
(cf. 3460 - Financial Reports and Accountability)
(cf. 9000 - Role of the Board)

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year, together with a comparison of revenues and expenditures for the current fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

The Board shall adopt the budget only after a local control and accountability plan (LCAP) developed pursuant to Education Code 52060-52077 or an annual update to the LCAP is in place for the budget year. Expenditures necessary to implement the LCAP or the annual update during the subsequent fiscal year shall be included in the budget. (Education Code 42127)

(cf. 0460 - Local Control and Accountability Plan)

Budget Development and Adoption Process

The Superintendent or designee shall establish an annual budget development process and calendar in accordance with the single budget adoption process described in Education Code 42127(i). He/she shall annually notify the County Superintendent of Schools of the district's decision to use the single budget adoption process in the subsequent year. (Education Code 42127)

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board encourages public input in the budget development process and shall hold a public hearing **on the proposed budget** ~~and meetings~~ in accordance with Education Code 42103 and 42127.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323 - Meeting Conduct)

The budget that is formally adopted by the Board shall be in the format prescribed by the Superintendent of Public Instruction. The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.



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Budget Criteria and Standards

~~In developing the district budget, the Superintendent or designee shall analyze criteria and standards adopted by the State Board of Education (SBE) which address estimation of funded average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected revenue limit, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. The budget review shall also identify supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, and the status of labor agreements. (Education Code 33127, 33128, 33129; 5 CCR 15440-15451)~~

~~The Board may establish and maintain a general fund reserve for economic uncertainty that meets or exceeds the requirements of law. (Education Code 33128.3; 5 CCR 15450)~~

~~The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, categorical program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.~~

~~(cf. 2210 — Administrative Leeway in Absence of Board Policy)~~

~~The Superintendent or designee shall develop a district budget in accordance with criteria and standards adopted by the State Board of Education (SBE). (Education Code 33127, 33128, 33128.3, 33129; 5 CCR 15440-15451)~~

~~The budget shall provide that funding received through state supplemental and concentration grants pursuant to Education Code 42238.02 and 42238.03 shall be used in accordance with regulations adopted by the SBE for schoolwide or districtwide purposes to increase or improve services for students who are English learners, eligible for free or reduced-price meals, and/or foster youth at least in proportion to the increase to the district's revenue generated from such funds. (Education Code 42238.07)~~

~~(cf. 3553 - Free and Reduced Price Meals)~~

~~(cf. 6173.1 - Education for Foster Youth)~~

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

~~The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, categorical program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.~~

~~(cf. 2210 - Administrative Discretion Regarding Board Policy)~~

~~(cf. 3110 - Transfer of Funds)~~

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54 as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaid) or that are legally or contractually required to be maintained intact.
2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.



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3. Committed fund balance includes amount constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period of June 30, although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which the Board or its designee intends to use for a specific purpose.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent or designee and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the unassigned fund balance, and lastly from the unassigned fund balance.

It is the goal of the Board to establish and maintain a reserve level of 5%, which is 2% more than the State's requirement of 3%. (Education Code 33128.3; 5 CCR 15450)

If the unassigned fund balance falls below this level due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Long-Term Financial Obligations

The district's current-year budget and multi-year projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 7210 - Facilities Financing)

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of OPEBs, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)



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~~When the Superintendent or designee presents a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims, the Board shall disclose, as a separate agenda item at the same meeting, whether or not it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)~~

Budget Amendments

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when the state budget is adopted, collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools
33127-33131 Standards and criteria for local budgets and expenditures
35035 Powers and duties of superintendent
35161 Powers and duties, generally, of governing boards
42103 Public hearing on proposed budget; requirements for content of proposed budget
42122-42129 Budget requirements
42130-42134 Financial certifications
42140-42141 Disclosure of fiscal obligations
42238-42251 Apportionments to districts, especially:
42238.01-42238.07 Local control funding formula
42602 Use of unbudgeted funds
42605 Tier 3 categorical flexibility
42610 Appropriation of excess funds and limitation thereon
45253 Annual budget of personnel commission
45254 First year budget of personnel commission
52060-52077 Local control and accountability plan
GOVERNMENT CODE
7900-7914 Appropriations limit
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15440-15451 Criteria and standards for school district budgets

Management Resources:

CSBA PUBLICATIONS

Local Control Funding Formula 2013, Governance Brief, August 2013
State Priorities for Funding: The Need for Local Control and Accountability Plans, Fact Sheet, August 2013
School Finance CD-ROM, 2005

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California School Accounting Manual
New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011



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FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENT FINANCE OFFICERS ASSOCIATION

Best Practice: Appropriate Level of Unrestricted Fund Balance in the General Fund, 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

WEB SITES

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

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

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

California Department of Finance: <http://www.dof.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Government Finance Officers Association: <http://www.gfoa.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

Legislative Analyst's Office: <http://www.lao.ca.gov>

School Services of California, Inc.: <http://www.sscal.com>



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FEES AND CHARGES

~~The Board of Education desires to furnish books, materials and instructional equipment as needed for the educational program. Because the needs of the district must be met with limited available funds, the Board may charge fees when specifically authorized by law.~~

~~The district shall consider the student and parent/guardian's ability to pay when establishing fee schedules and granting exceptions.~~

~~(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3250 - Transportation Fees)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5143 - Insurance)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 9323.2 - Actions by the Board)~~

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for students' participation in the educational program are made available to them. No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

~~(cf. 1321 - Solicitation of Funds from and by Students)
(cf. 3100 - Budget)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 6145 - Extracurricular and Cocurricular Activities)~~

As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions.

~~(cf. 3250 - Transportation Fees)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5143 - Insurance)
(cf. 9323.2 - Actions by the Board)~~

Whenever a student or parent/guardian believes that an impermissible fee, deposit, or other charge is being required of the student for his/her participation in an educational activity, the student or his/her parent/guardian may file a complaint with the principal or designee using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

~~(cf. 1312.3 - Uniform Complaint Procedures)~~

The Superintendent or designee shall include information in the annual notification required by 5 CCR 4622 to be provided to all district students, parents/guardians, employees, and other interested parties about the requirements relating to the prohibition against districts requiring students to pay fees, deposits or other charges in order to participate in an educational activity, unless authorized by law, and the filing of complaints for alleged violations using the uniform complaint procedures. (Education Code 49013)



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(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

8239 Preschool and wraparound child care services
8263 Child care eligibility
8760-8773 Outdoor science and conservation programs
17551 Property fabricated by students
19910-19911 Offenses against libraries
32033 Eye protective devices
32221 Insurance for athletic team member
32390 Fingerprinting program
35330-35332 Excursions and field trips
35335 School camp programs
38080-38085 Cafeteria establishment and use
38120 Use of school band equipment on excursions to foreign countries
39807.5 Payment of transportation costs
39837 Transportation of students to places of summer employment
48050 Residents of adjoining states
48052 Tuition for foreign residents
48904 Liability of parent or guardian
49010-49013 Student fees
49065 Charge for copies
49066 Grades, effect of physical education class apparel
49091.14 Prospectus of school curriculum
51810-51815 Community service classes
52612 Tuition for adult classes
52613 Nonimmigrant aliens
60410 Students in classes for adults

GOVERNMENT CODE

6253 Request for copy; fee

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

4622 Notice

UNITED STATES CODE, TITLE 8

1184 Foreign students

COURT DECISIONS

Driving School Assn of CA v. San Mateo Union HSD (1993) 11 Cal. App. 4th 1513
Arcadia Unified School District v. State Department of Education (1992) 2 Cal 4th 251
Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Hartzell v. Connell (1984) 35 Cal. 3d 899
CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

1030.97 Fiscal Management Advisory 97-02: Fees, Deposits and Other Charges

WEB SITES

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

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



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TRAVEL EXPENSES

~~The Superintendent or designee shall authorize payment for actual and necessary expenses, including travel, incurred by any employee performing authorized services for the district.~~

~~The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.~~

~~(cf. 4131 - Staff Development)~~

~~(cf. 4131.5 - Professional Growth)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

Meal Reimbursement

~~When authorized by the district, personnel and/or students will be reimbursed for reasonable daily meal expenses (includes tax and tip). Reasonable meal expenses will be determined by designated management personnel.~~

Travel Reimbursement

~~When authorized by the district, personnel will be reimbursed for mileage when using a personal vehicle for district use. Appropriate mileage reports shall be submitted with requests for reimbursement. Reimbursement will be based on the standard mileage rate as authorized annually by the Internal Revenue Service. The effective date will coincide with the I.R.S. effective date.~~

Legal Reference:

EDUCATION CODE

~~44016 Travel expense~~

~~44032 Travel expense payment~~

~~44033 Automobile allowance~~

~~44802 Student teacher's travel expense~~

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

(cf. 9250 - Remuneration, Reimbursement and Other Benefits)

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the



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performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

(cf. 3100 - Budget)
(cf. 3110 - Transfer of Funds)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Superintendent or designee.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for district business begins and ends.

Any expense that exceeds the maximum rate of reimbursement established by the district shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any improper costs incurred.

Legal Reference:
EDUCATION CODE

Policy Adopted: 01/17/07



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*42634 Itemization of expenses
44016 Travel expense to employment interview
44032 Travel expenses
44033 Automobile allowance
44802 Student teacher's travel expense*

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

Per Diem Rates (For Travel Within the Continental United States), Publication 1542

WEB SITES

Internal Revenue Service: <http://www.irs.gov>

U.S. General Services Administration, Per Diem Rates: <http://www.gsa.gov/perdiem>



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FINANCIAL REPORTS AND ACCOUNTABILITY

The Governing Board is committed to ensuring public accountability and the fiscal health of the district and ~~providing public accountability~~. The Board shall adopt sound fiscal policies, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

(cf. 3100 - Budget)
(cf. 3110 - Transfer of Funds)
(cf. 3300 - Expenditures and Purchases)
(cf. 3430 - Investing)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 9000 - Role of the Board)

~~The Superintendent or designee shall provide the Board with financial reports throughout the year in accordance with law and as otherwise requested by the Board.~~

The Superintendent or designee shall ensure that all financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). He/she shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

(cf. 3400 - Management of District Assets/Accounts)

~~Based on financial reports provided by the Superintendent or designee and in accordance with law and administrative regulation, the Board shall:~~

- ~~1. Approve and file an annual statement of the district's receipts and expenditures for the preceding fiscal year (Education Code 42100)~~
- ~~2. Adopt a resolution identifying the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year (Education Code 42132; Government Code 7910)~~
- ~~3. Approve interim fiscal reports and certify whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and two subsequent fiscal years (Education Code 42130, 42131)~~
- ~~4. Provide for an annual audit, select an independent auditor, and review the audit report (Education Code 41020, 41020.3)~~

~~The independent auditor shall present the audit report to the Board at a public meeting and the Board shall have an opportunity to ask questions of the auditor and request further information about the audit findings.~~

The Board shall regularly communicate the district's financial position to the public and shall use financial reports to determine what actions and budget amendments, if any, are needed to ensure the district's financial stability.

(cf. 1340 - Access to District Records)

If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall act quickly to identify and resolve these conditions. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to advise the district on fiscal matters.



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Audit Committee

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

(cf. 1220 - Citizen Advisory Committees)
(cf. 9130 - Board Committees)
(cf. 9140 - Board Representatives)

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit
3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
6. Provide input on the effectiveness of the independent auditor
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

(cf. 9322 - Agenda/Meeting Materials)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

The Superintendent or designee shall submit two interim fiscal reports to the Board, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 60 days after the close of the period reported, the Board shall approve the interim report and certify, on the basis of the interim report and any additional financial information known by the Board, whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two



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subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

Audit Report

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

Legal Reference:

EDUCATION CODE

1240 Duties of county superintendent of schools
14500-14508 Financial and compliance audits
17150-17150.1 Public disclosure of non-voter-approved debt
17170-17199.5 California School Finance Authority
33127 Standards and criteria for local budgets and expenditures
33128 Standards and criteria; inclusions
33129 Standards and criteria; use by local agencies
35035 Powers and duties of superintendent
41010-41023 Accounting system
41326 Emergency apportionment
41344 Repayment of apportionment significant audit exceptions
41344.1 Appeals of audit findings
41455 Examination of financial problems of local districts
42100-42105 Requirement to prepare and file annual statement
42120-42129 Budget requirements
42130-42134 Financial reports and certifications
42140-42142 Public disclosure of fiscal obligations
42637 County superintendent review of district's financial and budgetary conditions
42652 Revocation or suspension of warrant authority
48300-48316 Student attendance alternatives

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment



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7900-7914 Appropriations limit
16429.1 Local agency investment fund
53646 Reports of investment policy and compliance
CODE OF REGULATIONS, TITLE 5
15060 Standardized account code structure
15070 Submission of reports using standardized account code structure
15440-15451 Criteria and standards for school district budgets
15453-15464 Criteria and standards for school district interim reports
19810-19816.1 Audits
UNITED STATES CODE, TITLE 31
7501- 7507 Single audits of federal program funds

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Fiscal Accountability, 2006

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007

Audit Resolution Process: Repayment Plans, December 8, 2000

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, September 2006

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, March 2009

GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENTS (continued)

Statement 45, Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions, June 2004

Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999

STATE CONTROLLER PUBLICATIONS

Standards and Procedures for Audits of California K-12 Local Educational Agencies (annual publication)

U.S. GOVERNMENT ACCOUNTABILITY OFFICE AND PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY (PCIE) PUBLICATIONS

Government Auditing Standards, 2011

Financial Audit Manual, revised 2008

U.S. OFFICE OF MANAGEMENT AND BUDGET CIRCULARS

A-133 Audits of States, Local Governments, and Non-Profit Organizations

WEB SITES

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

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

California County Superintendents Educational Services Association: <http://www.ccsesa.org>

California Department of Education, Finance and Grants: <http://www.cde.ca.gov/fg>

Education Audit Appeals Panel: <http://www.eaap.ca.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

Governmental Accounting Standards Board: <http://www.gasb.org>

School Services of California: <http://www.sscal.com>

State Controller's Office: <http://www.sco.ca.gov>

U.S. Government Accountability Office: <http://www.gao.gov>

U.S. Office of Management and Budget: <http://www.whitehouse.gov/omb>



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INTEGRATED WASTE MANAGEMENT

The Governing Board believes that the conservation of ~~water, energy and other~~ natural resources as well as ~~and~~ the protection of the environment is ~~are connected to the district's educational mission and are~~ essential to the health and well-being of the community. The Superintendent or designee shall develop ~~and/or implement a cost-effective,~~ an integrated waste management program to ~~reduce waste, conserve natural resources and protect the environment.~~ ~~that incorporates the principles of green school operations.~~

(cf. 0100 - Philosophy)

(cf. 3510 - Green School Operations)

(cf. 3511 - Energy and Water Management)

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

The ~~district's~~ program shall include ~~specific~~ strategies designed to help the district reduce ~~solid and hazardous~~ waste generation, ~~and improve efficiency in using natural resources, in all areas of its operations and minimize~~ the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

(cf. 3300 – Expenditures and Purchases)

(cf. 3517 – Facilities Inspection)

The Superintendent or designee may collaborate with city, county and state agencies ~~and other public or private agencies~~ in developing and implementing the district's integrated waste management program.

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

(cf. 7131 – Relations with Local Agencies)

The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program including applying for available grants or other cost-reducing incentives.

Legal Reference:

EDUCATION CODE

8700-8707 Environmental education

17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards

17072.35 New construction grants; use for designs and materials for high performance schools

32370-32376 Recycling paper

33541 Environmental education

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

40050-40063 Waste management; integrated waste management

41780 Waste diversion

42620-42622 Source reduction and recycling programs

42630-42647 School site source reduction and recycling

42649-42649.7 Recycling of commercial solid waste

CODE OF REGULATIONS, TITLE 14

17225.12 Commercial solid waste

Management Resources:

WEB SITES

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

California Department of Resources Recycling and Recovery: <http://www.calrecycle.ca.gov/ReduceWaste/Schools>

Policy Adopted: 12/17/08



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California Division of State Architect: <http://www.dgs.ca.gov/dsa>
California Energy Commission: <http://www.energy.ca.gov>
California Environmental Protection Agency: <http://www.calepa.ca.gov>
U.S. Environmental Protection Agency: <http://www.epa.gov>



Chico Unified School District

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DISTRICT RECORDS

~~District records shall be developed, maintained and disposed of in accordance with law and California Department of Education regulations.~~

~~(cf. 1340 - Access to District Records)
(cf. 3440 - Inventories)
(cf. 4040 - Employee Use of Technology)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)~~

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

~~(cf. 1340 - Access to District Records)
(cf. 3440 - Inventories)~~

~~The Superintendent or designee shall establish regulations that define records which are permanent, optional and disposable and specify how each type of record is to be maintained or destroyed. Any microfilm or electronic copies of original records shall be permanently retained.~~

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, or loss, or theft.

~~(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)~~

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians or employees when a substitute address is designated by the Secretary of State for victims of domestic violence or stalking, pursuant to the Safe at Home program. (Government Code 6206, 6207)

~~(cf. 5111.1 - District Residency)~~

Legal Reference:

EDUCATION CODE

35145 Public meetings
35163 Official actions, minutes and journal
35250-35255 Records and reports
44031 Personnel file contents and inspection
49065 Reasonable charge for transcripts
49069 Absolute right to access

CODE OF CIVIL PROCEDURE

1985.8 Electronic Discovery Act
2031.010-2031.060 Civil Discovery Act, scope of discovery demand
2031.210-2031.320 Civil Discovery Act, response to inspection demand

GOVERNMENT CODE

6205-6210 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

Policy Adopted: 01/17/07



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6252-6265 *Inspection of public records*
12946 *Retention of employment applications and records for two years*
PENAL CODE
11170 *Retention of child abuse reports*
CODE OF REGULATIONS, TITLE 5
430 *Individual student records; definition*
432 *Varieties of student records*
16020-16022 *Records, general provisions*
16023-16027 *Retention of records*
UNITED STATES CODE, TITLE 20
1232g *Family Educational Rights and Privacy Act*
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 *Family Educational Rights and Privacy Act*

Management Resources:

WEB SITES

California Secretary of State: <http://www.sos.ca.gov/safeathome>



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All Personnel

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS

~~The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program for all district drivers and other employees who hold a commercial driver's license which is necessary to perform duties related to their employment with the district. This program shall be designed to fulfill the requirements of state and federal law.~~

~~(cf. 3540 - Transportation)~~

~~(cf. 3543 - Transportation Safety and Emergencies)~~

~~The district's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306)~~

~~The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.~~

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

~~(cf. 4020 - Drug and Alcohol-Free Workplace)~~

~~No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician. (49 CFR 382.205, 382.207, 382.209; Vehicle Code 34520.3; 13 CCR 1213.1)~~

~~Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.~~

~~(cf. 4117.4 - Dismissal)~~

~~(cf. 4118 - Suspension/Disciplinary Action)~~

~~(cf. 4218 - Dismissal/Suspension/Disciplinary Action)~~

~~The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the district's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information. (49 CFR 382.601)~~

~~(cf. 4112.9 - Employee Notifications)~~

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to district employment.



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(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4020 - Drug and Alcohol-Free Workplace)

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

A driver shall not report for duty or remain on duty when he/she has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when he/she has used any drug listed in 21 CFR 1308.12-1308.15, unless he/she is using the drug under the direction of a physician who has advised him/her that the substance will not adversely affect the driver's ability to safely operate a bus. In addition, a driver shall not consume alcohol while on duty or for four hours prior to on-duty time. (49 CFR 382.201-382.209, 382.213)

The district's testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

The Superintendent or designee shall contract for testing services upon verifying that the personnel are appropriately qualified and/or certified and that testing procedures conform to federal regulations.

Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321)

Consequences Based on Test Results

Any driver who refuses to take a required drug or alcohol test, tests positive for drugs, or is found to have a blood alcohol concentration level that exceeds the levels specified in law shall be removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211.

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver. (49 CFR 40.21, 382.107, 382.119)

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Voluntary Self-Identification

Whenever a driver admits to alcohol or drug misuse under the district's voluntary self-identification program, the Superintendent or designee shall ensure all of the following: (49 CFR 382.121)

1. No adverse action shall be taken against the driver by the district.
2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish control over his/her drug or alcohol problem.



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3. The driver shall be permitted to participate in safety-sensitive functions only after:
- Successfully completing an education or treatment program, as determined by a drug and alcohol abuse evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor
 - Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative result for drug use

A driver who admits to alcohol or drug misuse shall not be subject to federal requirements related to referral, evaluation, and treatment, provided that he/she does not self-identify in order to avoid drug or alcohol testing, makes the admission prior to performing a safety-sensitive function, and does not perform a safety-sensitive function until he/she has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

Legal Reference:

EDUCATION CODE
35160 Authority of governing boards
GOVERNMENT CODE
8355 Drug-free workplace; employee notification
VEHICLE CODE
13376 Driver certificates; revocation or suspension
34500-34520.5 Safety regulations
CODE OF REGULATIONS, TITLE 13
1200-1293 Motor carrier safety, especially:
1213.1 Placing drivers out-of-service
UNITED STATES CODE, TITLE 41
8101-8106 Drug-Free Workplace Act
UNITED STATES CODE, TITLE 49
31306 Alcohol and drug testing
CODE OF FEDERAL REGULATIONS, TITLE 21
1308.11-1308.15 Controlled substances
CODE OF FEDERAL REGULATIONS, TITLE 49
40.1-40.413 Procedures for transportation workplace drug and alcohol testing programs
382.101-382.605 Drug and alcohol use and testing; especially:
382.205 On-duty use
382.207 Pre-duty use
382.209 Use following an accident

Management Resources:

CALIFORNIA HIGHWAY PATROL PUBLICATIONS
Controlled Substances and Alcohol Testing Compliance Checklist, 2007
What is CSAT? Controlled Substances and Alcohol Testing, 2005
WEB SITES
California Highway Patrol: <http://www.chp.ca.gov>
Federal Motor Carrier Safety Administration: <http://www.fmcsa.dot.gov>
U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance: <http://www.dot.gov/ost/dapc>



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Board Policy: #5141.27

Section: 5000 Students

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Food Allergies/Special Dietary Needs

~~The Governing Board desires to prevent exposure of students to foods to which they are allergic and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.~~

~~Parents/guardians shall be responsible for notifying the Superintendent or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation. This information must be shared with SFA and noted in the district's point of sale system.~~

~~(cf. 5125 - Student Records)~~

~~Students with serious dietary needs that qualify as a disability under Section 504 of the federal Rehabilitation Act or the Individuals with Disabilities Education Act shall be provided reasonable accommodation or services, as appropriate, in accordance with his/her accommodation plan or individualized education program.~~

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

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

~~Students shall not be excluded from school activities based solely on their food allergy.~~

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

~~The Governing Board desires to prevent students' exposure to foods to which they are allergic or intolerant and to provide for prompt and appropriate treatment in the event that a severe allergic reaction occurs at school.~~

~~The Superintendent or designee shall develop guidelines for the care of food-allergic students. Such guidelines shall include, but are not limited to, strategies for identifying students at risk for allergic reactions, avoidance measures, education of staff regarding typical symptoms, and actions to be taken in the event of a severe allergic reaction.~~

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

~~(cf. 3552 - Summer Meal Program)~~

~~(cf. 3554 - Other Food Sales)~~

~~(cf. 4131 - Staff Development)~~

~~(cf. 4231 - Staff Development)~~

~~(cf. 4331 - Staff Development)~~

~~(cf. 5030 - Student Wellness)~~

~~(cf. 5141 - Health Care and Emergencies)~~

~~(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)~~

~~Parents/guardians shall be responsible for notifying the Superintendent or designee, in writing, regarding any food allergies or other special dietary needs of their child in accordance with administrative regulation.~~

~~(cf. 5125 - Student Records)~~

~~When a student's food allergy or food intolerance substantially limits one or more major life activities, his/her parents/guardians shall be informed of the district's obligation to evaluate the student to determine if he/she requires accommodations pursuant to Section 504 of the federal Rehabilitation Act. The student shall be evaluated in accordance with law and the procedures specified in AR 6164.6 - Identification and Education Under Section 504. If that process results in the development of a Section 504 plan, the district shall provide the accommodations and/or aids and services identified in the plan.~~

Policy Adopted: October 29, 2008



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(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6164.6 - Identification and Education Under Section 504)

If a student's diet restrictions and needed services are addressed in an individualized education program (IEP), the Superintendent or designee shall ensure compliance with the IEP including any necessary food substitutions.

(cf. 6159 - Individualized Education Program)

Students shall not be excluded from school activities nor otherwise discriminated against, harassed, intimidated, or bullied because of their food allergy.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)

Any complaint of alleged noncompliance with this policy shall be addressed through appropriate district complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 3555 - Nutrition Program Compliance)

The district's food services program may, but is not required to, accommodate individual student preferences or diets that are not supported by a statement from the student's health care provider.

Legal Reference:

EDUCATION CODE

234.1 Prohibition against discrimination, harassment, intimidation, and bullying

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49423 Administration of prescribed medication for student

CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

15562 Reimbursement for meals, substitutions

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

701-795a Rehabilitation Act, including:

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Program

1771-1791 Child nutrition, especially:

1773 School Breakfast Program

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

225.16 Meal programs, individual substitutions



CONTROVERSIAL ISSUES

The Board of Education believes that students should have opportunities to discuss controversial issues which have political, social or economic significance and which the students are mature enough to investigate and address. The study of a controversial issue should help students learn how to gather and organize pertinent facts, discriminate between fact and fiction, draw intelligent conclusions and respect the opinions of others.

The Board expects teachers to exercise caution and discretion when deciding whether or not a particular issue is suitable for study or discussion in any particular class. Teachers should not spend class time on any topic which they feel is not suitable for the class or related to the established course of study. **They shall consult with the school site Principal to determine the appropriateness of the subject matter, guest speakers, and/or related instructional materials or resources.**

The Board also expects teachers to ensure that all sides of a controversial issue are impartially presented, with adequate and appropriate factual information. Without promoting any partisan point of view, the teacher should help students separate fact from opinion and warn them against drawing conclusions from insufficient data. ~~The teacher shall not suppress any student's view on the issue as long as its expression is not malicious or abusive toward others.~~

Teachers sponsoring guest speakers shall either ask them not to use their position or influence on students to forward their own religious, political, economic or social views or shall take active steps to neutralize whatever bias has been presented.

When providing instruction related to a controversial issue, the following guidelines shall apply:

- 1. The topic shall be suitable to the age and maturity of the students.**
- 2. Instruction shall be presented in a balanced manner, addressing all sides of the issue without bias or prejudice and without promoting any particular point of view.**
- 3. The teacher may express a personal opinion provided he/she identifies it as a personal opinion and clarifies that he/she is not speaking on behalf of the school or district. The teacher shall not express an opinion for the purpose of persuading students to his/her point of view.**
- 4. No student's viewpoint shall be suppressed, provided such expression is not malicious or abusive toward others. Students shall be assured of their right to form and express an opinion without jeopardizing their relationship with the teacher or school.**

(cf. 5022 - Student and Family Privacy Rights)
(cf. 5145.2 - Freedom of Speech/Expression)
(cf. 6145.5 - Student Organizations and Equal Access)

- 5. Students shall be informed of conduct expected during such instruction and the importance of being courteous and respectful of the opinions of others.**

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)

- 6. Adequate factual information shall be provided to help students objectively analyze and evaluate the issue and draw their own conclusions.**



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7. The instruction shall not reflect adversely upon persons because of their race, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, religion, or any other basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)

8. The subject matter of the instruction shall not otherwise be prohibited by state or federal law.

When a guest speaker is invited to make a presentation, the Board requires that the guest speaker be notified of this policy and the expectations and goals regarding the instruction. If the guest speaker is presenting only one point of view on an issue, the teacher shall be responsible for ensuring that students also receive information on opposing viewpoints.

(cf. 6145.8 - Assemblies and Special Events)

When required by law parents/guardians shall be notified prior to instruction related to any controversial issue and parent/guardian consent shall be obtained for student participation. Students whose parents/guardians decline such instruction may be offered the option to participate in an alternative activity of similar value.

A student or parent/guardian with concerns regarding instruction about controversial issues shall be directed to appropriate district complaint procedures.

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 5145.2 - Freedom of Speech/Expression)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination
51500 Prohibited instruction or activity
51510 Prohibited study or supplemental materials
51511 Religious matters properly included in courses of study
51530 Prohibition and definition regarding advocating or teaching communism with intent to indoctrinate
51933 Sex education courses
51938 Right of parent/guardian to excuse child from sexual health instruction
60040 Portrayal of cultural and racial diversity
60044 Prohibited instructional materials
60045 Criteria for instructional materials



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Facilities

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GENERAL OBLIGATION BONDS

The Governing Board desires to provide adequate facilities in order to enhance curriculum and to help the district achieve its vision for educating district students. To that end, the Board may order an election on the question of whether bonds shall be issued for school facilities when in the Board's judgment it is advisable and in the best interest of district students.

The Governing Board recognizes that school facilities are an essential component of the educational program and that the Board has a responsibility to ensure that the district's facilities needs are met in the most cost-effective manner possible. When the Board determines that it is in the best interest of district students, it may order an election on the question of whether bonds shall be issued to pay for school facilities.

(cf. 1160 - Political Processes)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

The Board shall determine the appropriate size amount of the bonds in accordance with law.

Bonds Requiring 55% Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 55% majority of the voters pursuant to Article 13A, Section 1(b)(3) and Article 16, Section 18(b) of the California Constitution. If two-thirds of the Board agree to such an election, the Board shall vote to adopt a resolution to incur bonded indebtedness if approved by a 55% majority of the voters. (Education Code 15266)

(cf. 9323.2 – Actions by the Board)

The bond election may only be ordered at a primary or general election, a statewide special election, or a regularly scheduled local election at which all of the electors of the school district are entitled to vote. (Education Code 15266)

~~Bonded indebtedness incurred by the district shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities or the acquisition or lease of real property for school facilities. (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))~~

~~The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))~~

- ~~1. A requirement that proceeds from the sale of the bonds be used only for the purposes specified above and not for any other purposes including teacher and administrative salaries and other school operating expenses~~
- ~~2. A list of specific school facility projects to be funded and certification that the Board has evaluated safety, class size reduction and information technology needs in developing that list~~

~~(cf. 0440 – District Technology Plan)~~

~~(cf. 0450 – Comprehensive Safety Plan)~~

~~(cf. 6151 – Class Size)~~

- ~~3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed~~
- ~~4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects~~

Policy Adopted: 01/17/07



Bonded indebtedness incurred by the district shall be used only for the following purposes: (California Constitution Article 13A, Section 1(b)(3) and 1(b)(3)(A))

1. The construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities
2. The acquisition or lease of real property for school facilities

The proposition approved by the voters shall include the following accountability requirements: (California Constitution Article 13A, Section 1(b)(3))

1. A requirement that proceeds from the sale of the bonds be used only for the purposes specified in items #1-2 above, and not for any other purposes including teacher and administrative salaries and other school operating expenses
2. A list of specific school facility projects to be funded and certification that the Board has evaluated safety, class size reduction, and information technology needs in developing that list

(cf. 0440 - District Technology Plan)
(cf. 0450 - Comprehensive Safety Plan)
(cf. 6151 - Class Size)

3. A requirement that the Board conduct an annual, independent performance audit to ensure that the funds have been expended only on the specific projects listed
4. A requirement that the Board conduct an annual, independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the school facilities projects

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' advisory oversight committee. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

(cf. 1220 - Citizen Advisory Committees)
(cf. 9324 - Minutes and Recordings)

The Superintendent or designee shall ensure that the annual, independent performance and financial audits conducted pursuant to items #3 and #4 above are issued in accordance with the U.S. Comptroller General's Government Auditing Standards. He/she shall submit the audits to the citizens' oversight committee by March 31 of each year. (Education Code 15286)

Bonds Requiring 66.67% Approval by Local Voters

The Board may decide to pursue the authorization and issuance of bonds by approval of 66.67 percent majority of the voters pursuant to Education Code 15100 and Article 13A, Section 1(b)(2) of the California Constitution. If a majority of the Board agrees to such an election, or upon a petition of the majority of the qualified electors residing in the district, the Board shall adopt a resolution ordering an election on the question of whether to incur bonded indebtedness if approved by a 66.67 percent majority of the voters. (Education Code 15100)

The bond election may be ordered to occur on any Tuesday, except a Tuesday that is a state holiday or the day before or after a state holiday, is within 45 days before or after a statewide election unless conducted at the same time as the statewide election, or is an established election date pursuant to Elections Code 1000 or 1500.



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(Education Code 15101)

Bonds shall be sold to raise money for any of the following purposes: (Education Code 15100)

1. Purchasing school lots
2. Building or purchasing school buildings
3. Making alterations or additions to school building(s) other than as may be necessary for current maintenance, operation, or repairs
4. Repairing, restoring or rebuilding of any school building damaged, injured, or destroyed by fire or other public calamity
5. Supplying school buildings and grounds with furniture, equipment, or necessary apparatus of a permanent nature
6. Permanently improving school grounds
7. Refunding any outstanding valid indebtedness of the district, evidenced by bonds or state school building aid loans
8. Carrying out sewer or drain projects or purposes authorized in Education Code 17577
9. Purchasing school buses with a useful life of at least 20 years
10. Demolishing or razing any school building with the intent to replace it with another school building, whether in the same location or in any other location

Except for refunding any outstanding indebtedness, any of the purposes listed above may be united and voted upon as a single proposition by order of the Board and entered into the minutes. (Education Code 15100)

Certificate of Results

If the certificate of election results received by the Board shows that the appropriate majority of the voters is in favor of issuing the bonds, the Board shall record that fact in its minutes. The Board shall then certify to the County Board of Supervisors all proceedings it had in connection with the election results. (Education Code 15124, 15274)

Legal Reference:

EDUCATION CODE

7054 Use of district property, campaign purposes
15100-15254 Bonds for school districts and community college districts
15264-15288 Strict Accountability in Local School Construction Bonds Act of 2000
17577 Sewers and drains
17584.1 Deferred maintenance, reports
47614 Charter school facilities

ELECTIONS CODE

324 General election
328 Local election
341 Primary election
348 Regular election

Policy Adopted: 01/17/07



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356 Special election

357 Statewide election

1302 School district election

15372 Elections official certificate

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

1125-1129 Incompatible activities

8855 California Debt and Investment Advisory Commission

53506-53509.5 General obligation bonds

53580-53595.5 Bonds

54952 Definition of legislative body, Brown Act

CALIFORNIA CONSTITUTION

Article 13A, Section 1 Tax limitation

Article 16, Section 18 Debt limit

COURT DECISIONS

San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District
(2006) 139 Cal.App.4th 1356

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 46 (2005)

87 Ops.Cal.Atty.Gen. 157 (2004)

Management Resources:

CSBA PUBLICATIONS

Bond Sales - Questions and Considerations for Districts, Governance Brief, December 2012

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011

WEB SITES

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

California Debt and Investment Advisory Commission: <http://www.treasurer.ca.gov/cdiac>

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

California Office of Public School Construction: <http://www.opsc.dgs.ca.gov>



PUBLIC STATEMENTS

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

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

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

The Governing Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the district, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate the positions of the Board and to abide by established protocols.

When speaking for the district, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

(cf. 9005 - Governance Standards)

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

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

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

In addition, the Board encourages members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for district students and the community.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 1340 - Access to District Records)

(cf. 9012 - Board Member Electronic Communications)



Chico Unified School District

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

Board Bylaws:

#9010

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Legal Reference:

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

54963 Confidential information in closed session

Management Resources:

WEB SITES

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



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Board Bylaws:

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MEDICAL INSURANCE BENEFITS

Pursuant to Government Code Section 53201(a), current active Board of Education members may participate in the medical, dental, vision and life insurance benefits program provided for district employees. The district shall pay the cost of all premiums required for board members electing to participate in the district insurance benefits programs.

Health and welfare benefits for Board members shall be no greater than that received by district's non-safety employees with the most generous schedule of benefits. (Government Code 53208.5)

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

Legal Reference:

EDUCATION CODE

10900 Compensation for members and mileage allowance

33050-33053 General waiver authority

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

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation (services as member of governing board)

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

GOVERNMENT CODE

20322 Elective officers; election to become member

53200-53209 Group insurance

UNITED STATES CODE, TITLE 26

403(b) Tax-sheltered annuities

COURT DECISIONS

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

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

Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

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

Management Resources:

WEB SITES

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

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

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

(cf. 1160 - Political Processes)

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

(cf. 3513.1 - Cellular Phone Reimbursement)

Bylaw adopted: 11/16/05

CHICO UNIFIED SCHOOL DISTRICT
Chico, California



Chico Unified School District

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Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

(cf. 9240 - Board Development)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members' skills and knowledge; participation in regional, state, or national organizations whose activities affect the district's interests; attendance at district or community events; and meetings with state or federal officials on issues of community concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

Health and Welfare Benefits for Current Board Members

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

(cf. 4154/4254/4354 - Health and Welfare Benefits)

Health and welfare benefits for Board members shall be no greater than that received by the district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that it pays for district employees.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

Legal Reference:

EDUCATION CODE

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses for attendance at workshops

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation for services as member of governing board

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

8314 Use of public resources

20322 Elective officers; election to become member

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees

53200-53209 Group insurance

Bylaw adopted: 11/16/05

CHICO UNIFIED SCHOOL DISTRICT

Chico, California



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54952.3 Simultaneous or serial meetings; announcement of compensation

HEALTH AND SAFETY CODE

1373 Health services plan, coverage for dependent children

INSURANCE CODE

10277-10278 Group and individual health insurance, coverage for dependent children

UNITED STATES CODE, TITLE 26

403 Tax-sheltered annuities

UNITED STATES CODE, TITLE 42

18011 Right to maintain existing health coverage

CODE OF FEDERAL REGULATIONS, TITLE 26

1.403(b)-2 Tax-sheltered annuities, definition of employee

COURT DECISIONS

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

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

ATTORNEY GENERAL OPINIONS

91 Ops.Cal.Atty.Gen. 37 (2008)

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

Management Resources:

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Sample Expense and Use of Public Resources Policy Statement, January 2006

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. February 2013

WEB SITES

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

Institute for Local Government: <http://www.ca-ilg.org>

Internal Revenue Service: <http://www.irs.gov>

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