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

MEMBERS OF THE GOVERNING BOARD

Paul Carras - President
Brian Haley - Vice President
Ana Stevenson - Clerk
Terry Gage - Member
Paul Long - Member

DISTRICT ADMINISTRATION

Scott Leaman, Superintendent
Mary Boyle, Deputy Superintendent of Educational Services
Joyce Lopes, Assistant Superintendent of Business
Cathy Allen, Assistant Superintendent of Facilities and Maintenance Services

STUDENT ENROLLMENT

School	2009 CBEDS	09/01/10	10/05/10
Sheridan School (K-5)	88	88	84
First Street School (K-5)	411	451	449
Carlin C. Coppin Elementary (K-5)	446	418	420
Creekside Oaks Elementary (K-5)	624	618	622
Twelve Bridges Elementary (K-5)	708	722	717
Foskett Ranch Elementary (K-5)	542	546	543
Lincoln Crossing Elementary (K-5)	608	616	612
Glen Edwards Middle (6-8)	632	693	697
Twelve Bridges Middle School (6-8)	837	844	830
Lincoln High School (9-12)	1,471	1,521	1,496
Phoenix High School (10-12)	80	87	82
PCOE Home School	0	0	0
TOTAL:	**6,447**	**6,609**	**6,552**

Preschool/Head Start

First & J Street	24
Carlin Coppin	23 - A.M. /20 - P.M.
Sheridan	20

Pre-K/Special Ed

Foskett	15
FSS PPPIP	40
Carlin Coppin	6

Adult Education 122

First-5 Program
First Street 20-A.M. / 20-P.M.

GLOBAL DISTRICT GOALS

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

Western Placer Unified School District
Regular Meeting of the Board of Trustees
October 19, 2010, 7:00 P.M.
TWELVE BRIDGES MIDDLE SCHOOL – Multi Purpose Room
770 Westview Drive, Lincoln, CA 95648

AGENDA

2010-2011 Goals & Objectives (G & 0) for the Management Team: Component I: Quality Student Performance; **Component II:** Curriculum Themes; **Component III:** Special Student Services; **Component IV:** Staff & Community Relations; **Component V:** Facilities/Administration/Budget.

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

6:10 P.M. START

1. **CALL TO ORDER** – Twelve Bridges Middle School – Multi Purpose Room

6:15 P.M.

2. **CLOSED SESSION** – Twelve Bridges Middle School - Office Conference Room

   2.1 CONFERENCE WITH LABOR NEGOTIATOR
   Bargaining groups: WPTA & CSEA Negotiations
   Agency Negotiators: Scott Leaman, Superintendent, Mary Boyle, Deputy Superintendent, Ryan Davis, Director of Human Services

   2.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   1 Case

   2.3 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

7:00 P.M.

3. **ADJOURN TO OPEN SESSION/PLEDGE OF ALLEGIANCE** – Twelve Bridges Middle School – Multi Purpose Room

   3.1 CONFERENCE WITH LABOR NEGOTIATOR
   Bargaining groups: WPTA & CSEA Negotiations
   Agency Negotiators: Scott Leaman, Superintendent, Mary Boyle, Deputy Superintendent, Ryan Davis, Director of Human Services

   3.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   1 Case

   3.3 PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

4. SPECIAL ORDER OF BUSINESS

Featuring School: Twelve Bridges Middle School.

5. CONSENT AGENDA

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

5.1 Approve Student Discipline/Stipulated Expulsion for Student #10-11 A.
5.2 Approve Student Discipline/Stipulated Expulsion for Student #10-11 B.
Roll call vote:

6. COMMUNICATION FROM THE PUBLIC

This portion of the meeting is set aside for the purpose of allowing an opportunity for individuals to address the Board regarding matters not on the agenda, but within the board's subject matter jurisdiction. The Board is not allowed to take action on any item, which is not on the agenda except as authorized by Government Code Section 54954.2. Request forms for this purpose "Request to Address Board of Trustees" are located at the entrance to the Performing Arts Theater. Request forms are to be submitted to the Board Clerk prior to the start of the meeting.

7. REPORTS & COMMUNICATION

7.1 Lincoln High School, Student Advisory – Carlos DeLa Fuente
7.2 Western Placer Teacher's Association – Mike Agrippino
7.3 Western Placer Classified Employee Association – Mike Kimbrough
7.4 Superintendent - Scott Leaman

8. ♦ACTION ♦DISCUSSION ♦INFORMATION

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

8.1 Action **ADOPTION OF NEW AND REVISED POLICIES, REGULATIONS AND EXHIBITS – Leaman** *(10-11 G & O Component I, IV, V)*

- The District Policy Committee and Management Team have reviewed the following new and revised policies/regulations/exhibits as per CSBA. They are now being presented for adoption by the Board of Trustees.
  - BB 9012 Board Member Electronic Communications
  - BB 9223 Filling Vacancies

8.2 Information **BUDGET ASSUMPTIONS REVIEW – Lopes** *(10-11 G & O Component I, IV, V)*

- The district is currently deficit spending and faced with budget reductions in the next two fiscal years. The Board of Trustees has given direction to staff to achieve a balanced budget by 2012-13. The budget committee will begin meeting in December 2010 to identify reduction recommendations for the Board of Trustees. The Board of Trustees needs to give the budget committee a target amount of reductions for 2011-12 and 2012-13. In preparation, the Board will review budget assumptions for the current year and for multiple year projections. The 2010-11 final budget as approved by the state will be incorporated in the assumptions we will review tonight.

9. BOARD OF TRUSTEES

9.1 FUTURE AGENDA ITEMS

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

- Relationship with Sierra Community College
- Twelve Bridges High School
- School Fundraising

9.2 BOARD MEMBER REPORTS/COMMENTS

10. ESTABLISHMENT OF NEXT MEETING(S)

- The President will establish the following meeting(s):
  - November 2, 2010 7:00 P.M., Lincoln High School, Performing Arts Theater
  - November 16, 2010 7:00 P.M., Foskett Ranch Elementary School

11. ADJOURNMENT

BOARD BYLAW 9320: Individuals requiring disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing at least two days prior to meeting date. (American Disabilities Act) Government Code 54954.1

DISCLOSURE

OF ACTION

TAKEN IN

CLOSED SESSION,

IF ANY

Western Placer Unified School District
CLOSED SESSION AGENDA

Place: **Lincoln High School – Main Office Conference Room**
Date: **Tuesday, October 19, 2010**
Time: **6:15 P.M.**

1. LICENSE/PERMIT DETERMINATION

2. SECURITY MATTERS

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

4. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

6. LIABILITY CLAIMS

7. THREAT TO PUBLIC SERVICES OR FACILITIES

8. PERSONNEL
- PUBLIC EMPLOYEE APPOINTMENT
- PUBLIC EMPLOYEE EMPLOYMENT
- PUBLIC EMPLOYEE PERFORMANCE EVALUATION
- **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**
- COMPLAINTS OR CHARGES AGAINST AN EMPLOYEE

9. CONFERENCE WITH LABOR NEGOTIATOR

10. STUDENTS
- STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918
- STUDENT PRIVATE PLACEMENT
- INTERDISTRICT ATTENDANCE APPEAL
- STUDENT ASSESSMENT INSTRUMENTS
- STUDENT RETENTION APPEAL, Pursuant to BP 5123

1. **LICENSE/PERMIT DETERMINATION**
   a. Specify the number of license or permit applications.
2. **SECURITY MATTERS**
   a. Specify law enforcement agency
   b. Title of Officer,
3. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
   a. Property: specify the street address, or if no street address the parcel number or unique other reference to the property under negotiation.
   b. Negotiating parties: specify the name of the negotiating party, not the agent who directly or through an agent will negotiate with the agency's agent.

c. Under negotiations: specify whether the instructions to the negotiator will concern price, terms of payment or both.

4. **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**
   a. Name of case: specify by reference to claimant's name, names or parties, case or claim number.
   b. Case name unspecified: specify whether disclosure would jeopardize service of process or existing settlement negotiations.

5. **CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**
   a. Significant exposure to litigation pursuant to subdivision (b) of Government Code section 54956.9 (if the agency expects to be sued) and also specify the number of potential cases.
   b. Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9 (if the agency intends to initiate a suit) and specify the number of potential cases.

6. **LIABILITY CLAIMS**
   a. Claimant: specify each claimants name and claim number (if any). If the claimant is filing a claim alleging district liability based on tortuous sexual conduct or child abuse, the claimant's name need not be given unless the identity has already been publicly disclosed.
   b. Agency claims against.

7. **THREATS TO PUBLIC SERVICES OR FACILITIES**
   a. Consultation with: specify name of law enforcement agency and title of officer.

8. **PERSONNEL:**
   A. **PUBLIC EMPLOYEE APPOINTMENT**
      a. Identify title or position to be filled.
   B. **PUBLIC EMPLOYEE EMPLOYMENT**
      a. Identify title or position to be filled.
   C. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
      a. Identify position of any employee under review.
   D. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**
      a. It is not necessary to give any additional information on the agenda.
   E. **COMPLAINTS OR CHARGES AGAINST AN EMPLOYEE, UNLESS EMPLOYEE REQUESTS OPEN SESSION**
      a. No information needed

9. **CONFERENCE WITH LABOR NEGOTIATOR**
   a. Name any employee organization with whom negotiations to be discussed are being conducted.
   b. Identify the titles of unrepresented individuals with whom negotiations are being conducted.
   c. Identify by name the agency's negotiator

10. **STUDENTS:**
   A. **STUDENT DISCIPLINE/EXPULSION PURSUANT TO E.C. 48918**
   B. **STUDENT PRIVATE PLACEMENT**
      ●Pursuant to Board Policy 6159.2
   C. **INTERDISTRICT ATTENDANCE APPEAL**
      a. Education Code 35146 and 48918
   D. **STUDENT ASSESSMENT INSTRUMENTS**
      a. Reviewing instrument approved or adopted for statewide testing program.
   E. **STUDENT RETENTION/ APPEAL**
      a. Pursuant to Board Policy 5123

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

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

SUBJECT:
Bargaining Groups:
WPTA & CSEA Negotiations
Agency Negotiators:
Scott Leaman, Superintendent
Mary Boyle, Deputy Superintendent
Ryan Davis, Director of Human Services

AGENDA ITEM AREA:
Disclosure of action taken in closed session

REQUESTED BY:
Ryan Davis
Director of Human Services

ENCLOSURES:
No

DEPARTMENT:
Personnel

FINANCIAL INPUT/SOURCE:
N/A

MEETING DATE:
October 19, 2010

ROLL CALL REQUIRED:
No

BACKGROUND:

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

ADMINISTRATION RECOMMENDATION:

Administration recommends the board of trustees be updated on negotiations.

wp/rk/factform

WESTERN PLACER UNIFIED SCHOOL DISTRICT
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5. **Promote student health and nutrition in order to enhance readiness for learning.**

SUBJECT:
Conference with Legal Counsel - Anticipated Litigation
- 1 Case

AGENDA ITEM AREA:
Closed Session Disclosure

REQUESTED BY:
Scott Leaman,
Superintendent

ENCLOSURES:
N/A

REQUESTED BY:
Administration

FINANCIAL INPUT/SOURCE:
N/A

MEETING DATE:
October 19, 2010

ROLL CALL VOTE REQUIRED:
No

BACKGROUND:

The Board of Trustees will disclose any action taken in closed session in regard to Anticipated Litigation.

RECOMMENDATION:

Administration recommends the Board of Trustee disclose action taken in closed session in regard to Anticipated Litigation.

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

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SUBJECT:
Public Employee Discipline/
Dismissal/Release

AGENDA ITEM AREA:
Closed Session

REQUESTED BY:
Ryan Davis
Director, Human Services

ENCLOSURES:
No

DEPARTMENT:
Personnel

FINANCIAL INPUT/SOURCE:
Categorical

MEETING DATE:
October 19, 2010

ROLL CALL REQUIRED:
Yes

BACKGROUND:

Board of Trustees will disclose any action taken in closed session regarding Discipline/Dismissal/Release.

RECOMMENDATION:

Administration recommends the Board of Trustees disclose action taken in closed session regarding Discipline/Dismissal/Release.

SPECIAL

ORDER

OF

BUSINESS

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

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

SUBJECT:
Featured School:
Twelve Bridges Middle School

AGENDA ITEM AREA:
Special Order of Business

REQUESTED BY:
Scott Leaman,
Superintendent

ENCLOSURES:
Yes

DEPARTMENT:
Administration

FINANCIAL INPUT/SOURCE:
N/A

MEETING DATE:
October 19, 2010

ROLL CALL VOTE:
No

BACKGROUND:

Twelve Bridges Middle School will share a short presentation to the Board of Trustees. They will focus on the following:

- Pupils
- Programs
- Parents

RECOMMENDATION:

Administration recommends the Board of Trustees enjoy the presentation.

wp/rk/PPPfactform

4.

TWELVE BRIDGES MIDDLE SCHOOL
Board Meeting Presentation
October 19, 2010



-Welcome to TBMS

-Overview of student activities.

- Miss Campbell and Leadership students.

-TBMS philosophy of science in the middle school grades.

- Hands-on activities and academic rigor to create curiosity and future interest.

-Overview of Parent Teachers Club and their support of TBMS.

CONSENT

AGENDA

ITEMS

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

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

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SUBJECT:

Student Discipline/
Stipulated Expulsion
Student #10-11 A

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Administration

ENCLOSURES:

Yes

DEPARTMENT:

John Wyatt
District Hearing Officer

FINANCIAL INPUT/SOURCE:

No

MEETING DATE:

October 19, 2010

ROLL CALL REQUIRED:

No

BACKGROUND:

The Board of Trustees will take action to approve the Stipulated Expulsion for Student 10-11 A as agreed upon between parents and district staff.

RECOMMENDATION:

The administration recommends the Board of Trustees approve Stipulated Expulsion.

wp/rlc/factform

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

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

DISTRICT GLOBAL GOALS

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

SUBJECT:

Student Discipline/
Stipulated Expulsion
Student #10-11 B

AGENDA ITEM AREA:

Consent

REQUESTED BY:

Administration

ENCLOSURES:

Yes

DEPARTMENT:

John Wyatt
District Hearing Officer

FINANCIAL INPUT/SOURCE:

No

MEETING DATE:

October 19, 2010

ROLL CALL REQUIRED:

No

BACKGROUND:

The Board of Trustees will take action to approve the Stipulated Expulsion for Student 10-11 B as agreed upon between parents and district staff.

RECOMMENDATION:

The administration recommends the Board of Trustees approve Stipulated Expulsion.

wp/rk/factform

5.2

INFORMATION

DISCUSSION

ACTION

ITEMS

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEE MEETING FACT SHEET

MISSION STATEMENT: Empower Students with the skills, knowledge, and attitudes for Success in an Ever Changing World.
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5. **Promote student health and nutrition in order to enhance readiness for learning.**

SUBJECT:
Adoption of Revised/New Policies/Regulations/Exhibits

AGENDA ITEM AREA:
Action

REQUESTED BY:
Scott Leaman
Superintendent

ENCLOSURES:
Yes

DEPARTMENT:
Administration

FINANCIAL INPUT/SOURCE:
N/A

MEETING DATE:
October 19, 2010

ROLL CALL REQUIRED:
No

BACKGROUND:

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

- BB 9012 Board Member Electronic Communications
- BB 9223 Filling Vacancies

RECOMMENDATION:

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

wp/rk/factform

8.1

MANUAL MAINTENANCE GUIDESHEET

Note: Descriptions below identify major changes in revised materials. Editorial changes have also been made.

DELETE	ADD	DESCRIPTION
	BB 9012	Board Member Electronic Communications Add BB. New bylaw added to provide guidelines for Board use of electronic communications and to clarify circumstances under which the use of email by the Board could result in a prohibited serial meeting and violate the Brown Act, as defined in **NEW LAW** (SB 1732). Bylaw contains sample language listing permissible electronic communications, protocol for responding to emails received by community members and the press, confidential communications, and disclosure of messages under the Public Records Act.
BB 9223	BB 9223	Filling Vacancies Replace BB. Bylaw updated to include new language re: failure to elect when no candidate or an insufficient number of candidates have filed to run for a seat, including an event causing a vacancy (item #13) and new section detailing procedure when filling such a vacancy. Bylaw also contains new note re: **NEW LAW** (SB 1482) which specifies that an elected official forfeits office when convicted of a crime involving a false claim of receipt of a military decoration. In section entitled "Provisional Appointments," option deleted whereby nominations for a vacancy would be taken at the meeting.

8.1.1

BOARD MEMBER ELECTRONIC COMMUNICATIONS

The Governing Board recognizes that electronic communication among Board members and between Board members, district administration, and members of the public is an efficient and convenient way to communicate and expedite the exchange of information and to help keep the community informed about the goals, programs, and achievements of the district and its schools. Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendized Board meeting.

(cf. 1100 - Communication with the Public)
(cf. 6020 - Parent Involvement)
(cf. 9000 - Role of the Board)
(cf. 9322 - Agenda/Meeting Materials)

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

(cf. 9320 - Meetings and Notices)

Examples of permissible electronic communications concerning district business include, but are not limited to, dissemination of Board meeting agendas and agenda packets, reports of activities from the Superintendent, and reminders regarding meeting times, dates, and places.

Board members shall make every effort to ensure that their electronic communications conform to the same standards and protocols established for other forms of communication. A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate district process. As appropriate, communication received from the press shall be forwarded to the designated district spokesperson.

(cf. 1112 - Media Relations)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3320 - Claims and Actions Against the District)
(cf. 9005 - Governance Standards)
(cf. 9121 - Board President
(cf. 9200 - Limits of Board Member Authority)
(cf. 9270 - Conflict of Interest)

BOARD MEMBER ELECTRONIC COMMUNICATIONS (continued)

In order to minimize the risk of improper disclosure, Board members shall avoid reference to confidential information and information acquired during closed session.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)

Board members may use electronic communications to discuss matters other than district business with each other, regardless of the number of members participating in the discussion.

Like other writings concerning district business, a Board member's electronic communication may be subject to disclosure under the California Public Records Act.

(cf. 1340 - Access to District Records)

Legal Reference:

EDUCATION CODE
35140 Time and place of meetings
35145 Public meetings
35145.5 Agenda; public participation; regulations
35147 Open meeting law exceptions and applications
GOVERNMENT CODE
11135 State programs and activities, discrimination
54950-54963 The Ralph M. Brown Act, especially:
54952.2 Meeting, defined
54953 Meetings to be open and public; attendance
54954.2 Agenda posting requirements, board actions

Management Resources:

CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, rev. 2006
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
Open and Public IV: A Guide to the Ralph M. Brown Act, rev. 2007
WEB SITES
CSBA: http://www.csba.org
CSBA, Agenda Online:
http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx
Institute for Local Government: http://www.cacities.org/index.jsp?zone=ilsg

Bylaw adopted:

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

8.1.3

FILLING VACANCIES

Events Causing a Vacancy

A vacancy on the Board of Trustees may occur by a failure to elect or for any of the following events:

1. The death of an incumbent. (Government Code 1770)

2. The adjudication pursuant to a quo warranto proceeding declaring that an incumbent is physically or mentally incapacitated due to disease, illness, or accident and that there is reasonable cause to believe that the incumbent will not be able to perform the duties of his/her office for the remainder of his/her term. (Government Code 1770)

3. A Board member's resignation. (Government Code 1770)

   A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)

   A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent.

4. A Board member's removal from office, including recall. (Government Code 1770; Elections Code 11384)

5. A Board member's ceasing to be an inhabitant of the state or resident of the district. (Government Code 1770)

   A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which he/she represents on the Board. (58 Ops.Cal.Atty.Gen. 888 (1975))

6. A Board member's absence from the state beyond the period allowed by law without the permission required by law. (Government Code 1770)

   No Board member shall be absent from the state for more than 60 days, except in any of the following situations: (Government Code 1064)

   a. Upon business of the school district with the approval of the Board

   b. With the consent of the Board for an additional period not to exceed a total absence of 90 days

8.1.4

FILLING VACANCIES (continued)

c. For federal military deployment not to exceed six months as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members, as necessary to enable the Board to conduct business and discharge its responsibilities.

d. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board for an additional period not to exceed 30 days.

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

7. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by sickness or when absent from the state with the permission required by law. (Government Code 1770)

8. A Board member's conviction of a felony or any offense involving a violation of his/her official duties **or conviction of a designated crime resulting in a forfeiture of office.** (Government Code 1770)

9. A Board member's refusal or neglect to file his/her required oath or bond within the time prescribed. (Government Code 1770)

(cf. 9224 - Oath or Affirmation)

10. The decision of a competent tribunal declaring void a Board member's election or appointment. (Government Code 1770)

11. The making of an order vacating a Board member's office or declaring the office vacant when the officer fails to furnish an additional or supplemental bond. (Government Code 1770)

12. A Board member's commitment to a hospital or sanitarium by a court of competent jurisdiction as a drug addict, dipsomaniac, inebriate, or stimulant addict; in this event, the office shall not be deemed vacant until the order of commitment has become final. (Government Code 1770)

8.1.5

FILLING VACANCIES (continued)

13. **A failure to elect when either no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)**

Timelines for Filling a Vacancy

When a vacancy occurs, the Board shall take the following action, as appropriate:

1. When a vacancy occurs less than four months before the end of a Board member's term, the Board shall take no action. (Education Code 5093)

2. When a vacancy occurs four or more months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described below. (Education Code 5091)

3. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which he/she was elected to fill. (Education Code 5093)

Provisional Appointments

When the special election described above is not required, the Board may make a provisional appointment. (Education Code 5091, 5093)

The Board shall accept nominations for Board membership at a public meeting and shall select the provisional appointee from among these nominees by a majority vote.

(cf. 9323.2 - Actions by the Board)

In order to serve on the Board, a person must meet the eligibility requirements specified in Education Code 35107.

(cf. 9220 - Board of Trustees Elections)

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a deferred resignation, and the provisional appointment. The notice shall be published in the local newspaper pursuant to Government Code 6061 and posted in at least three public places within the district. (Education Code 5092)

The notice shall contain: (Education Code 5092)

8.1.16

FILLING VACANCIES (continued)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation

2. The full name of the appointee

3. The date of appointment

4. A statement notifying the voters that unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent of Schools within 30 days of the provisional appointment, it shall become an effective appointment

The person appointed shall hold office until the next regularly scheduled election for district Board members and shall be afforded all the powers and duties of a Board member upon appointment. (Education Code 5091)

Appointment Due to Failure to Elect

When a vacancy occurs because no person or an insufficient number of candidates have been nominated (i.e., a failure to elect), and a district election will not be held, the Board shall appoint a qualified person to the office. This appointment shall be made at a meeting prior to the day fixed for the election and the appointee shall be seated at the organizational meeting as if elected at the district election. (Education Code 5328)

(cf. 9100 - Organization)

When an appointment is being made because of a failure to elect, the district shall publish a notice once in a newspaper of general circulation published in the district, or if no such newspaper exists, in a newspaper having general circulation within the district. This notice shall state that the Board intends to make an appointment and shall inform persons of the procedure available for applying for the appointment. (Education Code 5328.5)

The procedure for selecting and interviewing candidates shall be the same as the procedures for "Provisional Appointments," as specified above.

Legal Reference: (see next page)

8.17

FILLING VACANCIES (continued)

Legal Reference:

EDUCATION CODE
5000-5033 Elections
5090-5095 Vacancies
5200-5208 Districts governed by boards of education
5300-5304 Elections
5320-5329 Order and call of election
5340-5345 Consolidation of elections
5360-5363 Election notice
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions, elections
35107 Eligibility of board members
35178 Resignation with deferred effective date
ELECTIONS CODE
10600-10604 School district elections
11381-11386 Candidates for recall
GOVERNMENT CODE
1064 Absence from state
1770 Vacancies: definition
3000-3002 Forfeiture of office
3060-3075 Removal other than by impeachment
6061 One time ***notice***
54950-54963 The Ralph M. Brown Act
PENAL CODE
88-Bribery, forfeiture from office
UNITED STATES CODE, TITLE 18
704 Military medals or decorations
ATTORNEY GENERAL OPINIONS
58 Ops.Cal.Atty.Gen. 888 (1975)

Management Resources:

CSBA PUBLICATIONS
Filing a Board Vacancy, rev. January 2008
WEB SITES
CSBA: http://www.csba.org
California State Attorney General's Office, Quo Warranto Applications: http://caag.state.ca.us/opinions/quo.htm

Bylaw
adopted: September 4, 2007
revised:

WESTERN PLACER UNIFIED SCHOOL DISTRICT
Lincoln, California

8.1.8

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES MEETING FACT SHEET

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

SUBJECT:
Budget Assumptions Review

AGENDA ITEM AREA:
Information

REQUESTED BY:
Joyce Lopes
Assistant Superintendent, Business Services

ENCLOSURES:
Yes

DEPARTMENT:
Business Services

FINANCIAL INPUT/SOURCE:
None

MEETING DATE:
October 19, 2010

ROLL CALL REQUIRED:
No

BACKGROUND:
The district is currently deficit spending and faced with budget reductions in the next two fiscal years. The Board of Trustees has given direction to staff to achieve a balanced budget by 2012-13. The budget committee will begin meeting in December 2010 to identify reduction recommendations for the Board of Trustees. The Board of Trustees needs to give the budget committee a target amount of reductions for 2011-12 and 2012-13. In preparation, the Board will review budget assumptions for the current year and for multiple year projections. The 2010-11 final budget as approved by the state will be incorporated in the assumptions we will review tonight.

RECOMMENDATION:
Administration recommends the Board of Trustees accept the enclosed report on budget assumptions.

8.2

WESTERN PLACER UNIFIED SCHOOL DISTRICT

REVENUE PROJECTIONS:
The State Budget Act for 2010-11 has finally been passed. The 2010-11 budget as approved by the state legislature is improved from the May Revision data that was used to prepare the 2010-11 budget for adoption. The negative COLA and the 3.85% cut were reversed, Federal Jobs Bill funding was passed through, and some mandated cost funding was approved. These changes are summarized in the table below.

WESTERN PLACER UNIFIED SCHOOL DISTRICT
BUDGET ASSUMPTIONS
2010-2011

	10/11 Adopted	10/11 State Budget	Budget Change for 10/11	11/12 Projection	12/13 Projection
REVENUE					
Enrollment	6,480	6,551	71	6,682	6,882
ADA Yield	95.5%	95.5%	0.0%	95.5%	95.5%
ADA	6,188	6,256	68	6,381	6,573
% Increase Enrollment	0.5%	1.1%	0.6%	2.0%	3.0%
# Increase Enrollment	33	71	38	131	200
Prior Year RL	6,373.07	6,373.07	-	6,348.07	6,457.07
COLA %	-0.39%	-0.39%	-	1.70%	1.90%
COLA	(25.00)	(25.00)	-	109.00	125.00
Deficit%	-18.355%	-17.963%	0.00	-17.963%	-17.963%
Deficit Applied	(1,165.19)	(1,140.30)	24.89	(1,159.88)	(1,181.98)
Other Adjustments	(244.40)	-	244.40	-	-
Funded RL per ADA	4,938.48	5,207.77	269.29	5,297.19	5,400.09
Est. Revenue Limit	30,561,290	32,580,877	2,019,587	33,803,113	35,493,544
Basic Aid/Charter School	3,168,986	1,689,349	(1,479,637)	2,123,204	1,554,509
Federal Revenue	-	1,187,363	1,187,363	-	-
Categorical COLA	-0.39%	0.00%	0.39%	0.00%	0.00%
Lottery Unrestricted/ADA	111.00	112.50	1.50	112.50	112.50
Lottery Restricted/ADA	14.50	17.50	3.00	17.50	17.50

These changes will lead to approximately $500,000 of additional revenue limit funding, $1.2 million of federal revenue from Federal Jobs Bill funding, and $40,000 in additional categorical funding. While this additional funding will help with our budget deficit, it is important to keep in mind that the $1.2 million from the Federal Jobs Bill is one-time money.

The change in 2010/11 ADA from adopted budget to the state final budget reflects our updated enrollment data as of October 6, 2010 Information Day (formerly CBEDS data). Our enrollment projections for 2011/12 and 2012/13 are also lower than our previous MYP assumptions to reflect the impact of foreclosures and the slump in the housing market. The basic aid/charter school supplemental funding estimate reflects a 3% decrease in property taxes for 2010/11, down from our previous assumption of a 2% decrease.

8.2.1

WESTERN PLACER UNIFIED SCHOOL DISTRICT

EXPENDITURE PROJECTIONS:

The expenditure projections have not changed from the 2010/11 adopted budget assumptions presented at the June 22, 2010 Board of Trustees meeting.

	10/11 Adopted	10/11 State Budget	Budget Change for 10/11	11/12 Projection	12/13 Projection
EXPENDITURES					
Certificated New Hires	0 FTE	0 FTE	-	0 FTE	0 FTE
Estimated Retirements	-3 FTE	-3 FTE	-	-3 FTE	-3 FTE
Staffing Ratios					
Kindergarten	25:1	25:2	-	Increases are	
1-3	21:1	21:2	-	expected and	
4-5	30:1	30:2	-	will be determined	
6-8	25:1	25:2	-	through the	
9-12	28:1	28:2	-	budget process	
Certificated Step/Column	1.50%	1.50%	-	1.50%	1.50%
Avg. teacher compensation	82,483	82,483	-	82,483	82,483
Certificated cost of 1 day	140,000	140,000	-	140,000	140,000
Certificated cost of 1%	260,000	260,000	-	260,000	260,000
Classified new Hires	0 FTE	0 FTE	-	0 FTE	0 FTE
Estimated Retirements	0 FTE	0 FTE	-	0 FTE	0 FTE
Classified Step/Column	1.70%	1.70%	-	1.70%	1.70%
Classified cost of 1 day	38,000	38,000	-	38,000	38,000
Classified cost of 1%	85,000	85,000	-	85,000	85,000
Benefits	5%	5%	-	5%	5%
Change in Co-Pay by $5	350,000	350,000	-	350,000	350,000
Site Allocations					
Elementary Student Unr	47.00	47.00	-	47.00	47.00
Middle School Unr	58.50	58.50	-	58.50	58.50
High School Unr	83.75	83.75	-	83.75	83.75
SLIG K-6	49.79	49.79	-	49.79	49.79
SLIG 7-8	18.16	18.16	-	18.16	18.16
MAA	100,000	100,000	-	100,000	100,000
Lottery per teacher	500	500	-	500	500

OTHER BUDGET CONSIDERATIONS:

- Categorical Flexibility: The state budget provided LEAs with flexibility in the use of Tier III Categorical programs. This flexibility will end in 2013/14 unless new legislation is passed. We exercised flexibility on $425,000 of Tier III funding in 2010/11. We will need to keep in eye on legislation as it pertains to this funding stream.
- Class Size Reduction: The reduced penalties for Class Size Reduction sunsets in 2012/13. Our current staffing ratios will lead to some reductions in the CSR categorical funding in 2012/13. We will keep an eye on staffing ratios as we implement budget reductions over the next two fiscal years.
- Kindergarten Entry Age: SB 1381 changes dates for students starting kindergarten. This will be phased in over five years with the end result being children turning 5 on or before September 1 may start kindergarten for the 2014-15 school year. The bill requires districts to offer a transitional kindergarten program beginning in 2012-13. Transitional kindergarten is the first

year of a two-year kindergarten program that uses age and developmentally appropriate curriculum. Funding has not been identified for this bill at this time.

- Student Fees: In September 2010, ACLU filed a class action lawsuit against the state for imposing student fees. We will need to analyze the fees we charge to assure we are in compliance with CDE's Fiscal Advisory 97-02.
- Cash Deferrals: The 2010-11 budget act imposed yet another cash deferral within the fiscal year from October 2010 to November 2010. We are keeping an eye on our cash and will exercise the Dry Period Financing agreement we have in place with the County Treasurer if necessary.
- State Mandates: Some minimal funding was provided in the 2010-11 budget for two state mandate reimbursements:
    - Inter- and Intra-District Attendance
    - California High School Exit Exam.

  We will budget this funding once it is released. This is one-time funding.

  Several mandates were suspended in 2010-11. The district is under no state requirement to provide service for the suspended mandates. They are:
    - Removal of Chemicals
    - Pupil Residency Verification
    - School Bus Safety I and II
    - Physical Education Reports
    - Health Benefits for Survivors of Peace Officers
    - Law Enforcement Sexual Harassment Training
    - County Treasury Withdrawals
    - Grand Jury Proceedings

  The 2010-11 budget language attempts to void the state's obligation to reimburse LEAs for two mandates:
    - Behavioral Intervention Plans
    - Science Graduation Requirements

  County mental health agencies have been required to provide mental health services to students with disabilities. In the May Revision, the Governor proposed suspending this mandate. The 2010-11 budget provides funding to pay for past claims but nothing for 2010-11 claims. According to the LAO, this keeps the mandate in for one more year. We will need to keep an eye on this legislation as this could have a significant impact on our budget.

  We will work with our third party administrator for state mandates, School Innovation and Advocacy, to determine next steps for these mandate changes.