



Meeting Packet

Governing Board Meeting Agenda



Governing Board Meeting Agenda
CABRILLO UNIFIED SCHOOL DISTRICT
District Office Board Room
498 Kelly Avenue, Half Moon Bay, CA 94109
February 8, 2018
7:00 PM (Closed session 6:00 PM)

1. CALL TO ORDER - 6:00 P.M.

2. ROLL CALL / QUORUM

- ___ Mr. Rob Pappalardo, President
- ___ Ms. Sophia Layne, Vice President
- ___ Ms. Kimberly Hines, Clerk to the Governing Board
- ___ Dr. Kirk Riemer Ph.D, Member
- ___ Ms. Freya McCamant, Member

3. COMMENTS FROM THE PUBLIC RELATED TO ITEMS ON THE CLOSED SESSION AGENDA

Anyone wishing to address the Board regarding any of the Closed Session matters may do so at this time.

4. RECESS TO CLOSED SESSION

a. Pupil Personnel/Student Matters (Education Code §35146).

The Board may hear expulsion cases and consider the requests from students for re-admittance following expulsion. Also, the Board may review student disciplinary reports, exemption requests, and other student related matters that are regarded to be confidential according to Education Code. The Education Code requires closed session in these cases to prevent disclosure of confidential student record information.

b. Public Employee Discipline/Dismissal/Release (Government Code §54954.5, §54957).

i. Non reelect of Probationary Employees

c. Conference with Legal Counsel – Anticipate Litigation (Government code §54956.9).

d. With respect to every item of business to be discussed in closed session pursuant to (Government Code §54957.6): Update School Facilities Construction.

e. Conference Regarding Labor Negotiations with District-Designated Representatives Dannis/Wolliver/Kelley, Jane Yuster (Government Code §54957.6).

- i. Cabrillo Unified Teachers' Association
- ii. California School Employees' Association, Chapter 485

5. RECONVENE OPEN SESSION – 7:00 P.M.

Report action from Closed Session: if applicable.

6. PLEDGE OF ALLEGIANCE

7. ADOPTION OF AGENDA AS PRESENTED / AMENDED

8. STUDENT / STAFF / COMMUNITY RECOGNITION

Manuel F. Cunha Intermediate School
2018 Science Fair Finalists

Winner-Hannah Paik
Runner up-Josie Miller

Special Awards

Jerry Trenter Biology Award-Cassandra Rogers
Gil Ellis Environmental Award-Owen Wooliever
Practical Scientist Award-Zeke Syme

Life Science 1

1st-Robert Griffith
Rebecca Huerta
2nd-Alexandria Shick
Aja Tsutsumi

Life Science 2

1st-Hannah Paik
Giacomo Carter
2nd-Camryn Tobias
Cassandra Rogers
Skye Samuels

Behavioral Science

1st-Josie Miller
2nd-Jacob Wyman
Natalie Curthoys
Jayda Bodas
Elizabeth Collins

Earth/Ecology

1st-Owen Wooliever
2nd-Eric DuBois
Emily McGee
Mara Ritters

Physical Science 1

1st-Cameron Lane
Ben Hooper

Physical Science 2

1st-Philip Carrig
2nd-Mikaela Sendino
Norah Lynch
Michael Thompson

9. COMMENTS FROM THE PUBLIC RELATED TO ITEMS NOT ON THIS AGENDA

Public Participation at Board Meetings

The Board of Education encourages your participation in its deliberations. If you wish to address the Board on an agenda item, please fill out a speaker card located on the agenda table at the back of the room and present it to the Administrative Assistant seated to the immediate left of the Superintendent prior to the item being called. Any additional materials you choose to present will be copied and presented to all Board members following the meeting. The Board President will randomly call on persons submitting cards. The general order of discussion on any particular agenda item during the course of a meeting is: 1) Staff presentation on item, 2) Public comment, and 3) Board deliberation and action, if so warranted. If you wish to address the Board on a matter that is not on the agenda, you may speak during the "Comments from the Public" portion of the meeting that is held near the beginning of the meeting following the same general procedures noted above. Board members are legally prohibited from discussing non-agenda items and, therefore, cannot respond to items presented at this time. Open session is audio and/or video recorded.

Board agendas are often long and time is limited. For that reason, the Board reserves the right to limit the time allocated to each speaker (three minutes) as well as the cumulative time allocated to multiple speakers who are addressing the same topic (twenty minutes). The presiding officer may rule out of order persons who unduly interrupt or otherwise interfere with the orderly conduct of business, or who use defamatory, abusive, or profane language. Irrelevant or redundant presentations may likewise be ruled out of order. In the unlikely event that the behavior of an individual is such that the Board is unable to continue to conduct its business in an orderly manner, the Board President may direct the offending individual(s) to vacate the meeting room. Finally, a citizen may place an item on the Board Agenda by submitting a written request and supporting information to the Superintendent's Office.

The Superintendent, in consultation with the Board President, will determine at which upcoming regular Board meeting the item will be scheduled. The person who requested the item will be allowed three minutes at the meeting to present the information to the Board. Following this presentation the Board may address the issue, put the issue on a future agenda for more discussion and action, refer the issue to the administration for follow-up, or take no action. In compliance with the Americans with Disabilities Act, those individuals requiring assistance and/or accommodations or *Spanish language translation in order to participate in this meeting are asked to contact the Superintendent's Office in advance at (650) 712-7112. (*Si usted necesita traducción al español para participar en esta reunión se pide que se ponga en contacto con la oficina del Superintendente antes de esta fecha al (650) 712-7112.)

10. REPRESENTATIVE REPORTS

- a. CUTA Representatives
- b. CSEA Representatives

11. REPORTS / INFORMATION / PRESENTATIONS

- a. Receive Report on Half Moon Bay High School

[11.a Green Sheet HS Board Presentation.pdf \(p. 8\)](#)

[11.a.1 HS Board Presentation 2018 \(1\).pdf \(p. 9\)](#)

12. DISCUSSION ITEMS

- a. None

13. COMMUNICATIONS

- a. Board Members
- b. Student Board Member
- c. Superintendent

14. CONSENT ITEMS

The Consent Agenda

Consent items are those items judged by staff to be routine in nature, consistent with policy, and reflective of established practice. As a time-saving measure, such items are typically grouped together on what is called the "Consent Agenda" for Board consideration of action. The Consent Agenda requires a motion and a second and must be approved by a roll call vote of the Governing Board. Any Board member may direct that one or more of these items be removed from the Consent Agenda for the purpose of discussion and consideration of action.

- a. Approve Certificated Personnel Report
[14.a Geen Sheet Certificated Personnel Report.pdf \(p. 23\)](#)
- b. Approve Classified Personnel Report
[14.b Green Sheet Classified Personnel.pdf \(p. 24\)](#)
- c. Approve Travel for One Special Day Class Teacher, One Resource Specialist Teacher and Three School Psychologists to attend the 2018 General and Special Education Conference in Seattle, Washington
[14.c Green Sheet Special Ed Teacher Conference.pdf \(p. 25\)](#)
- d. Accept Donations to Cabrillo Unified School District
[14.d Green Sheet Donations.pdf \(p. 27\)](#)
- e. Approve and Adopt Minutes of January 18, 2018, Regular Governing Board Meeting
[14.e Green Sheet Board Minutes.pdf \(p. 29\)](#)
[14.e.1 01-18-18 Minutes.pdf \(p. 30\)](#)

15. ACTION ITEMS

- a. Approve Proposal for Design Development/Construction Administration Services, Increment Two, Cunha Intermediate School-Building C Rehabilitation
[15.a Green Sheet Design Development Construction Administration Services, Increment Two Cunha.pdf \(p. 37\)](#)
[15.a.1 171206_Cunha Bldg C - Proposal_DD to CA_Redacted.pdf \(p. 39\)](#)
[15.a.2 171206_Cunha Building C Repair Architect Agreement EXHIBIT A2_Redacted.pdf \(p. 45\)](#)
- b. Adopt Resolution No. 01-18, California School Boards Association Full and Fair Funding

[15.b Green Sheet CSBA Resolution 01-18 Full and Fair Funding.pdf \(p. 48\)](#)

[15.b.1 Resolution 01-18 Full and Fair Funding.pdf \(p. 49\)](#)

- c. Adopt Resolution No. 02-18, Ordering a School Bond Election for June 5, 2018 and Authorizing Necessary Actions in Connection Therewith (REVISED)

[15.c Green Sheet Resolution 02-18 Call for Bond 2018.pdf \(p. 51\)](#)

[15.c.1 Resolution 02-18 Calling for Bond Election.pdf \(p. 53\)](#)

- d. Approve Cabrillo Unified School District Governing Board Policy Updates and Adopt the Proposed Revisions as Recommended by the California School Boards Association

[15.d Green Sheet Updated Policies.pdf \(p. 67\)](#)

[15.d.1 Policy Guidesheet 2-8-18.pdf \(p. 69\)](#)

[15.d.2 BP0460.pdf \(p. 71\)](#)

[15.d.3 BP3280.pdf \(p. 76\)](#)

[15.d.4 BP 3513.4.pdf \(p. 82\)](#)

[15.d.5 BP4140 Bargaining Units.pdf \(p. 85\)](#)

[15.d.6 BP5030 Student Wellness.pdf \(p. 91\)](#)

[15.d.7 BP5117 Interdistrict Attendance.pdf \(p. 106\)](#)

[15.d.8 BP5131.pdf \(p. 109\)](#)

16. FUTURE BOARD AGENDA ITEMS

- a. Approve Second Interim Budget
- b. Approve the Annual Submission of Phase I of the Consolidated Application & Reporting System (CARS)
- c. Approve Cabrillo Unified School District Governing Board Policy Updates and Adopt the Proposed Revisions as Recommended by the California School Boards Association
- d. Receive Report on Visual and Performing Arts

17. FUTURE EVENTS/DATES/REQUESTS

- a. February 10 - Kings Mountain Sweetheart Social, 6:30 PM, Mountain Terrace
- b. February 15 - Chamber Education Committee Supplies Party, Mavericks Event Center, 4:30 PM
- c. February 19-23 - Presidents' Week, No School For Students and Teachers
- d. February 19 & 23 - Holiday, All Sites Closed
- e. March 1 - Principal for a Day, Reception 2:00 PM, District Office

- f. March 2 - DELAC Parent Meeting, 6:30 PM, District Office
- g. March 3 - Hatch PTO Auction, 5:00 PM, Mavericks Event Center
- h. March 3 - Farallone View PTO Auction Night, 6:00 PM, HMB Brewing Co.
- i. March 6 - Big Lift Meeting, 3:00 PM, District Office
- j. March 6 - Chamber Education Committee Meeting, 4:00 PM, District Office
- k. March 8 - Regular Governing Board Meeting, 7:00 PM, District Office
- l. March 24 - El Granada PTO Auction, March 24

18. RETURN TO CLOSED SESSION (IF NECESSARY)

19. ADJOURNMENT OF THE MEETING

Meeting Curfew

Board Bylaw 9323 stipulates that the meeting of the Board shall conclude no later than 10:00 p.m. The Board, at its discretion, may extend the meeting for a defined time to finish the business at hand.

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

- ☐ ACTION
- ☐ CONSENT
- ☐ DISCUSSION
- ☒ INFORMATION

BOARD AGENDA NUMBER: 11.a

BOARD AGENDA ITEM: Receive Report on Half Moon Bay High School

DEPARTMENT: Curriculum and Instruction

CONTACT PERSON: Joy Dardenelle, Assistant Superintendent Curriculum and Instruction
John Nazar, Principal, Half Moon Bay High School

BACKGROUND INFORMATION:

The report dated February 8, 2018 reflects the current educational environment of Half Moon Bay High School.

REPORT/PROPOSAL:

Mr. John Nazar, Principal, Half Moon Bay High School, will present to the School Board a series of slides describing the programs and progress towards the Single Plan for Student Achievement and Strategic Educational Plan goals at Half Moon Bay High School.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

RECOMMENDATION:

Receive report on Half Moon Bay High School.



HALF MOON BAY HIGH SCHOOL

School Board Presentation

February 8th, 2018

John Nazar - Principal



AGENDA

- HMBHS Welcome Video
- Profile, Mission, & Vision
- Departments/Programs
- CAASPP/SBAC Data
- Reclassification, A-G Eligibility Data, Awards & Recognition
- Suspension, Expulsion, & Truancy Rates
- AVID, Early College, AP/Adv, Profile Info/Data



WELCOME TO HMBHS! STUDENT PRODUCED VIDEO!



MISSION

HMBHS is committed to maintaining an atmosphere in which students develop the desire to learn by working in partnership with parents, staff and community. Our school provides a strong comprehensive education for all of our students in order to prepare for and value citizenship, employment, and further education. Through educational excellence, we cultivate participation, enthusiasm, and success; all of which prepare our students to function in a rapidly changing world.



VISION

HMBHS's vision is to provide a strong, comprehensive education for all of our students in order to prepare for and value citizenship, employment, and further education.



HMBHS Departments

Agriculture/Environmental Science
Art
Counseling
English
English Language Development
Industrial Arts
Mathematics
Music
Physical Education
Science
Social Studies
Special Education
World Languages



CAASPP/SBAC DATA

CAASPP
**(California Assessment of Student
Performance and Progress)**
&
SBAC
**(Smarter Balanced Assessment
Consortium)**



English Language Development

SDAIE Courses

English I SDAIE :A-G Eligible
English II SDAIE :A-G Eligible
English III SDAIE :A-G Eligible
English IV SDAIE :A-G Eligible

ELD Courses

ELD 1 : NOT A-G Eligible
ELD 2 : NOT A-G Eligible
ELD 3 : A-G Eligible
ELD 4 : NOT A-G Eligible
ELD 5 : NOT A-G Eligible

The majority of students designated as
an English Language Learners are in
SDAIE courses.



CAASPP/SBAC DATA

CAASPP/SBAC - Summative ELA - All Juniors

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Exceeded or Met Proficiency	51.5%	59.5%	57.2%
Nearly met Proficiency	22.2%	25.9%	22.0%

CAASPP/SBAC - Summative Math - All Juniors

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Exceeded or Met Proficiency	33.3%	39.6%	38.0%
Nearly met Proficiency	17.9%	22.0%	20.9%



CAASPP/SBAC DATA

CAASPP/SBAC - Summative ELA - Junior EL's

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Exceeded or Met Proficiency	0.0%	0.0%	0.0%
Nearly met Proficiency	9.1%	48.0%	9.1%

CAASPP/SBAC - Summative ELA - Junior RFEP

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Exceeded or Met Proficiency	51.6%	54.0%	54.2%
Nearly met Proficiency	29.0%	37.8%	35.4%



CAASPP/SBAC DATA

CAASPP/SBAC - Summative Math - Junior EL's

	<u>2015</u>	<u>2016</u>	<u>2017</u>
Exceeded or Met Proficiency	0.0%	0.0%	0.0%
Nearly met Proficiency	0.0%	12.0%	0.0%

CAASPP/SBAC - Summative Math - Junior RFEP

Exceeded or Met Proficiency	34.4%	18.9%	25.0%
Nearly met Proficiency	13.8%	40.5%	25.0%



RECLASSIFICATION

Reclassification to English Proficient

2016 - 2017 - 59 HMBHS Students



Career & Technical Education (CTE)

We offer 3 CTE Pathways:

► Industry Sectors:

- Agriculture
- Arts, Media & Entertainment
- Building Trades & Construction



College Attendance

Percentage of Graduates who Attended College

Class of 2014: 84.0%
Class of 2015: 85.3%
Class of 2016: 86.6%
Class of 2017: 91.9%

A-G Eligibility

School Year	Percentage A – G Eligible
2014	54.4 %
2015	59.7 %
2016	62.0 %
2017	65.0 %



Thank you Parents and Community!

Parent Involvement plays a significant role in the working of HMBHS - for the 2017 - 2018 School Year:

- 4 ELAC Meetings
- 11 School Site Council Meetings
- 9 HS Foundation (similar to a PTA) meetings
- 8 Health and Wellness Committee meetings
- 9 Cougar Sports Booster meetings
- 8 Agriculture Booster meetings
- 8 Music Booster meetings
- 10 Graduation Night Committee meetings
- 5 Campus Beautification Days
- Back to School Night
- Challenge Day



Awards & Recognition

Awards and Recognition

- College Board - AP Honor Roll for Expanding Opportunity and Improving Performance of AP Students
- Full six year Western Association of Schools and Colleges accreditation.
- Multiple Athletic Championships including Nor Cal Champions in Football, CCS Championships in Girls Basketball, Softball, Boys X-County
- Multiple Awards for our Music program at competitions
- Art department has many displays in local art galleries
- Over arching theme of our school – KINDNESS!



Suspension Rates

HMBHS Suspension Rates

School Year	Number	Percentage
2011 - 2012	94	9.6%
2012 - 2013	82	8.2%
2013 - 2014	65	6.3%
2014 - 2015	68	6.4%
2015 - 2016	55	5.4%
2016 - 2017	44	4.5%



Expulsion Rates

HMBHS Expulsion Rates

School Year	Number	Percentage
2011 - 2012	7	0.7%
2012 - 2013	7	0.7%
2013 - 2014	1	0.1%
2014 - 2015	6	0.6%
2015 - 2016	0	0.0%
2016 - 2017	2	0.1%



Truancy Rates

HMBHS Truancy Rates

School Year	Number	Percentage
2011 - 2012	325	33.1%
2012 - 2013	514	51.1%
2013 - 2014	325	31.3%
2014 - 2015	315	29.6%
2015 - 2016	340	33.3%
2016 - 2017	274	26.9%



AVID Information

AVID (Advancement Via Individual Determination)

AVID I	• Teachers students college entry level skills • Note taking, Organization, Study Skills & Critical Thinking • College/Career Presentations & Field Trips
AVID II	• Resume & Career Exploration • Test Taking Strategies (SAT/ACT) • College/Career Presentations & Field Trips
AVID III (A-G)	• College Research & Planning • Scholarship Searches • Spring Break College Field Trip
AVID IV (A-G)	• College & Scholarship Application Support • College Level Research Paper



AVID Information

HMB AVID INFORMATION

- Number of students enrolled in AVID - 87 Students grades 9 - 12
- Number of students who are AVID Tutors - 22
- % of Senior AVID Students who were A - G eligible last year - 99%
- Increase in Number of Latino Students accepted to Four Year Universities - 87 - Spring of 2013 - 138 - Spring of 2015!



Early College

Early College Information and Courses

- Early College is a collaboration with the College of San Mateo (CSM). Early college provides concurrent enrollment opportunities for our students offered here at Half Moon Bay High School during the regular school day.
- These courses are offered within the school day, on our campus, taught by qualified HMBHS Teachers at no charge to our students.
- Students receive dual credit for both HS and CSM, which are fully UC/CSU transferable units, while receiving a one letter “**grade bump**” (can earn a 5.0).
- Current Offerings: Art 401 & Art 406, US History - Next Year - Add - Statistics
- Currently there are 69 students taking Early College Courses
- Long Term Program Goal: Students can graduate High School with 1 Year (30 sem units) completed.



Advanced Placement

Current 2017 - 2018 Advanced Placement and Advanced Classes Information and Courses:

- Students receive a one letter “grade bump” (can earn a 5.0)
- Passing the AP Exam earns a student college credit in those courses for many colleges and universities.

HMBHS currently offers:

- 26 Total Advanced Placement Courses
- 17 Unique Advanced Placement Courses
- 15 Advanced Classes
- 5 Unique Advanced Classes



Advanced Placement

Advanced Placement and Advanced Classes Information and Courses - Comparison

2015 AP Scores:

137 Total Students taking exam

557 Total Number of AP tests

35% of students scoring a 4 or 5

70% of students scoring a 3 or higher

2017 AP Scores:

283 Total Students taking exam

505 Total Number of AP Tests

36% of students scoring a 4 or 5

64% of students scoring a 3 higher

Recognized by the College Board with the Gaston Caperton Opportunity Honor Roll for Expanding Opportunity and Access to All Students



Annual Profile Data

Highlights of the Class of 2017

- 91.9% of the class of 2017 attended a post-secondary education
- 51.5% of the class of 2017 attended a 4-year university
- 37.7% of the class of 2017 attended a 2-year university
- 2.7% went off to international schools, the military, or trade school
- 20 AP Course offerings last year, this varies on an annual basis
- 283 students took AP Exams last year!
- 505 total exams administered last year!



Thank you!



Questions?
Thoughts?
Suggestions?

CABRILLO UNIFIED SCHOOL DISTRICT BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☐ ACTION
☒ CONSENT
☐ DISCUSSION
☐ INFORMATION

BOARD AGENDA NUMBER: 14.a

BOARD AGENDA ITEM: Approve Certificated Personnel Report

DEPARTMENT: Personnel

CONTACT PERSON: Jane Yuster, Superintendent

BACKGROUND INFORMATION:

The following personnel items are submitted for your ratification/approval.

1. RETIREMENT

Meredith Raymond, Director of Special Education, District Office, effective June 29, 2018.
Ms. Raymond was hired on August 1, 2013.

2. OFFER OF TEMPORARY EMPLOYMENT FOR 2017-2018

Holly Wade, Interim Director of Special Education, District Office, effective January 16, 2018.

3. CHANGE IN ASSIGNMENT

Meredith Raymond, 0.5 FTE Director of Special Education, formerly 1.0 FTE Director of Special Education, effective February 1, 2018.

FINANCIAL IMPACT:

Financial impact is included in the budget.

RECOMMENDATION:

Approve the Certificated Personnel report.

CABRILLO UNIFIED SCHOOL DISTRICT BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☐ ACTION
☒ CONSENT
☐ DISCUSSION
☐ INFORMATION

BOARD AGENDA NUMBER: 14.b

BOARD AGENDA ITEM: Approve Classified Personnel Report

DEPARTMENT: Personnel

CONTACT PERSON: Jane Yuster, Superintendent

BACKGROUND INFORMATION:

The following personnel items are submitted for your ratification/approval.

1. OFFER OF EMPLOYMENT FOR 2017-2018

Griselda Corona, Clerical Assistant II, Hatch Elementary School, effective January 10, 2018.

2. CHANGE IN ASSIGNMENT

Jessinda Kim, 1.0 FTE Administrative Assistant II, La Costa Adult Education, formerly 0.5 FTE Administrative Assistant II, La Costa Adult Education, effective January 8, 2018.

3. RESIGNATION

Christine Guio, Registrar, Cunha Intermediate School, effective January 19, 2018.

Darren Vaz, Custodian II, Hatch Elementary School, effective January 19, 2018.

FINANCIAL IMPACT:

Financial impact is included in the budget.

RECOMMENDATION:

Approve the Classified Personnel report.

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☐ ACTION
☒ CONSENT
☐ DISCUSSION
☐ INFORMATION

BOARD AGENDA NUMBER: 14.c

BOARD AGENDA ITEM: Approve Travel for One Special Day Class Teacher, One Resource Specialist Teacher and Three School Psychologists, to attend the 2018 General and Special Education Conference, in Seattle, Washington

DEPARTMENT: Special Education Department

CONTACT PERSON: Meredith Raymond, Director of Special Education

BACKGROUND INFORMATION:

The 2018 General and Special Education Conference will take place on March 7-9, 2018 in Seattle, Washington. The conference will offer various courses such as; the overview of Dyslexia, building blocks of reading, cognitive processes, effective teaching of reading foundation skills, evaluating and enhancing children's phonological systems, shifting school practices to promote independence for students with disabilities, promoting social-emotional learning for young children with disabilities, how emotion impacts the brain's successful learning and how to build powerful executive functions.

Ms. Kathleen Handelman is our Preschool thru Kindergarten, Special Day Class (SDC) teacher at El Granada Elementary. Ms. Kerrie DeMartini is one of our Resource Specialist (RSP) teachers at the High School, serving 9th thru 12th grade. Ms. Heather Baldwin is our School Psychologist at the High School and Pilarcitos serving 9th thru 12th grade. Ms. Juliet Hunter is our School Psychologist at Cunha Middle School, serving 6th thru 8th grade. Ms. Joanne Simonson is the School Psychologist at Hatch Elementary, serving Preschool thru 5th grade. The conference will provide important information as well as skills that the above named staff could use to improve the services he currently offers to students.

REPORT/PROPOSAL:

The Governing Board is asked to approve travel for Kathleen Handelman, Kerrie DeMartini, Heather Baldwin, Juliet Hunter and Joanne Simonson to attend the 2018 General and Special Education Conference, which will take place March 7-9, 2018 in Seattle, Washington.

FINANCIAL IMPACT:

The Curriculum and Instruction Department funds have been approved to cover the cost of the conference, air fare and hotel stay, total cost \$4,818.77.

RECOMMENDATION:

Approve travel for one Special Day Class teacher, one Resource Specialist teacher and three School Psychologists, to attend the 2018 General and Special Education Conference in Seattle, Washington.

CABRILLO UNIFIED SCHOOL DISTRICT BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☐ ACTION
☒ CONSENT
☐ DISCUSSION
☐ INFORMATION

BOARD AGENDA NUMBER: 14.d

BOARD AGENDA ITEM: Approve Donations to Cabrillo Unified School District

DEPARTMENT: Business Department

CONTACT PERSON: Crystal Leach, Chief Business Official

BACKGROUND INFORMATION:

The Governing Board routinely reviews the monthly donation reports.

REPORT/PROPOSAL:

Pursuant to the Governing Board Policy 3290, the Governing Board is to accept donations on behalf of the district or any school in the district.

HALF MOON BAY HIGH SCHOOL **\$5,500.00**

Spring Musical **\$1,950.00**

Edward Humphrey, Michelle Humphrey
Clyde C. Hinshelwood, Lisa Hinshelwood
Kris Hammerstrom, Grace Hammerstrom
Erin F. Hosilk, David A. Hosilk
Robert Ourique, Paula Ourique
Gary Jaeger, Katy Jaeger
James A. Barnes, Kimberly D. Barnes
Raymond M. Cooke, Electra H. Field
Erin Bautista, Joel Bautista
Shirley Caroline McIntosh
Catherine K. Katzenberger
Dayna Reader MFT
Thanh Vo

Scholarship **\$2,420.00**

Helen Tyler Gammon Scholarship

Douglas T. Tyler
The Kampe Family Foundation

Seth Kohler Scholarship

Sharon E. Williams

Mary Sanders, Ph.D

Lloyd Connors Memorial Scholarship

Judith C. Fryback

Barbara J. Hedrick

Sports

\$1,130.00

Ingo Bork

Stephen L. & Amy S. Moore, Matthew A. McLellan

Shigeru Tanaka

Jeffrey D. Mansukhani, Kimberly Lynn Mansukhani

Kerry MacIntosh

Robert Pappalardo, Stephanie Pappalardo

PILARCITOS HIGH SCHOOL

\$1,000.00

Friends of Kids, Inc.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

RECOMMENDATION:

Approve donations to Cabrillo Unified School District.

CABRILLO UNIFIED SCHOOL DISTRICT BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☐ ACTION
☒ CONSENT
☐ DISCUSSION
☐ INFORMATION

BOARD AGENDA NUMBER: 14.e

BOARD AGENDA ITEM: Approve and Adopt Minutes of January 18, 2018,
Regular Governing Board Meeting

DEPARTMENT: Superintendent/Governing Board

CONTACT PERSON: Jane Yuster, Superintendent

BACKGROUND INFORMATION:

The Governing Board routinely reviews and approves minutes from all regular meetings and special sessions.

REPORT/PROPOSAL:

The unadopted minutes from the January 18, 2018, regular Governing Board meeting are included in this Board packet for consideration.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

RECOMMENDATION:

Approve and adopt minutes of January 18, 2018, regular Governing Board meeting.



**Governing Board Meeting Minutes (Unadopted)
CABRILLO UNIFIED SCHOOL DISTRICT**

Half Moon Bay High School
Multipurpose Room
1 Lewis Foster Drive
Half Moon Bay, California, 94019
January 18, 2018
7:00 PM (Closed Session 6:00 PM)

Board Members Present: Mr. Rob Pappalardo, President
Ms. Sophia Layne, Vice President
Ms. Kimberly Hines, Clerk to the Governing Board
Dr. Kirk Riemer, Ph.D., Member
Ms. Freya McCamant, Member

Administrators at the Table: Ms. Jane Yuster, Superintendent
Ms. Joy Dardenelle, Assistant Superintendent
Ms. Crystal Leach, Chief Business Official

Student Representative Present: Mr. Cesar Sarabia, Student Board Representative

1. CALL TO ORDER - 6:02 P.M.

2. ROLL CALL / QUORUM

___ Mr. Rob Pappalardo, President
___ Ms. Sophia Layne, Vice President
___ Ms. Kimberly Hines, Clerk to the Governing Board
___ Dr. Kirk Riemer, Ph.D., Member
___ Ms. Freya McCamant, Member

**3. COMMENTS FROM THE PUBLIC RELATED TO ITEMS ON THE CLOSED
SESSION AGENDA**

None

4. RECESS TO CLOSED SESSION – 6:03 PM

5. RECONVENE OPEN SESSION – 7:01 P.M.

The Governing Board met in closed session from 6:03 p.m. to 6:59 p.m. No action reported.

6. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Dillon Prosser, senior student and member of the Football Team at Half Moon Bay High School.

7. ADOPTION OF AGENDA AS PRESENTED / AMENDED

Motion to adopt the agenda as presented was made by Member Kimberly Hines and seconded by Member Kirk Riemer

(M-49) Passed 5-0 with Student Representative voting aye

After the adoption of the agenda, President Pappalardo asked for a moment of silence to honor Mr. John Evans, retired Band Director/music teacher at Half Moon Bay High School and Mr. John Corry, Assistant Superintendent of Personnel and Pupil Services, for Cabrillo Unified School District, both who recently passed away. He said both will be missed for their contributions to the district.

8. STUDENT / STAFF / COMMUNITY RECOGNITION

The Governing Board recognized the following Half Moon Bay High School students and their Coaches for their outstanding Athletic Performance:

2017-2018 Football Team

Connor Quosig
Weston Henry
Ronan Spigelman
Tommy Daly
Gavin Tomberlin
Dom Padua
Dylan Williams
Tristan Hofmann
Sean Fitzgerald
Jonathan Carrillo
Blake Schmieder
Carlos Luna
Chase Hofmann
Atticus Hart
Jake Quosig
Hayden Von Almen
Juan José Vásquez
Preston Dimas
Luis Antonio
Joe Lemos
Adrian Rangel Castro
Matt Wilmes

Jake Perkins
Jojo Weinberger
Zach Henry
Ricky Camacho
Gibran Cahuantzi
Gerardo Peñaloza
Arron Baird
Kellan Royce
Kolby Dare
Dillon Prosser
Robert Lester
Seth Tanisaki
Bracen Young
Cade Duncan
JT Lehane
Oz Monroy
Nohea Sharp
José Martínez
Coach: Keith Holden
Assistant Coach: Brian Von Almen
Assistant Coach: Don Dias
Assistant Coach: Ronnie Ekis
Assistant Coach: Willie Hillyard
Assistant Coach: Breen Hofmann
Assistant Coach: Rob Martin
Head Athletic Trainer: Jessica Markbreiter

2017-2018 Cross Country Runners

Nathan Cristol-Demon
Cole Wilkinson
Jared Mansukhani
Nick Moore
James McEachen

Arthur McKenzie
John Helmlinger
Coach: Paul Farnsworth
Assistant Coach Stephanie Roberts
Assistant Coach Anthony Cortes

El Granada Elementary School

The Governing Board recognized Ms. Margi Galvan, Food Service Assistant. Ms. Galvan has been an important part of the El Granada community for 11 years. Ms. Galvan is an unsung hero to the staff and our students at El Granada Elementary School. In addition to attending to breakfast and lunch service, she has made book recommendations to our classroom libraries, works with students in our after school program in the Dolphin Club and has volunteered countless times to assist us in our Family Fun Nights and ELAC meetings to serve food safely to our students and families.

9. COMMENTS FROM THE PUBLIC RELATED TO ITEMS NOT ON THIS AGENDA

None

10. REPRESENTATIVE REPORTS

CUTA President Sean Riordan congratulated the winning teams on their achievements. Mr. Riordan commented on the passing of Mr. John Evans and Mr. John Corry, saying they both worked hard for the district. Mr. Riordan said the High School C building is in desperate need of attention since it is over 50 years old.

CSEA President Diane Paoli hoped everyone had a nice holiday. Ms. Paoli said she attended the services for John Corry, commenting they were well done. Ms. Paoli said CSEA enjoyed their holidays too, and are ready to get down to negotiations with the District. Ms. Paoli announced there will be an installation dinner in Redwood City for the 2018 new board members. The CSEA #485 board will remain the same with the exception of the new Vice President, Jesse Nelson.

11. REPORTS / INFORMATION / PRESENTATIONS**a. Receive Report on El Granada Elementary School**

Ms. Martha Ladd, Principal, El Granada Elementary School, presented a site report to the Governing Board.

b. Received Report on Strategic Education Update Goal 3 and 4

Ms. Joy Dardenelle, Assistant Superintendent, Curriculum and Instruction, presented an update on the LCAP Goals 3 and 4.

12. DISCUSSION ITEMS

- a. None

13. COMMUNICATIONS

Board Members

Member Freya McCamant said “Happy New Year.” Ms. McCamant sent her condolences to the families for the loss of John Corry and John Evans. She thanked them in spirit for all of their contributions to our community. Ms. McCamant highlighted one comment from the Audit report, 80 percent of school funding come from our community. Ms. McCamant thanked the community for all of their support and said hopefully we can pursue a new Bond to continue to address the building needs of our schools.

Member Sophia Layne said she appreciated Freya’s beautiful words of condolences. It has been a huge loss to our community and they will be missed. Ms. Layne said it is exciting that the Governor may be giving us a little more money, a positive although insufficient amount is being sent our way and hopefully that will pan out.

Member Kimberly Hines gave her condolences for the loss of John Corry and John Evans. She said for her the loss of John Evans is personal since he was the music teacher of her students. Ms. Hines said Mr. Evans services are tentatively scheduled in February.

Member Pappalardo said he wanted to mirror all of the condolences and comments, it has been a great loss to our community and their families. Mr. Pappalardo thanked Sean Riordan’s comment on the condition of some classrooms at the High School. This community has been extremely generous with the parcel tax and bond support. But we are not done. The Board will vote next month to decide on whether to pursue another bond.

Student Board Member

Report presented by Student Board Representative Cesar Sarabia:

Hatch Elementary School-

The PTO will be celebrating the huge success of the Jog-a-thon fundraiser with Hatch students on January 26th with inflatable slides and music for kids during their lunch recess. Hatch will also celebrate the Read-a-thon with Young Authors week from January 22nd to January 26th. Mr. Porcel will be hosting “Coffee with the Principal” on February 8th where parents will be able to gather, network and have an open discussion. As part of the SPSA Plan goal #4, Hatch teachers (one per grade level) will be attending a Social and Emotional Learning conference on January 26th.

Farallone View Elementary School-

Farallone View would like to express their appreciation to Kelly Hoffman-Davis and Superintendent Jane Yuster. Together, they were able to successfully receive a \$10,000 grant in less than 24 hours.

This generous funding from Recology will bring outdoor science experiences and a greenhouse to our students and teachers. Farallone View would also like to express joy for having so many families from the Montara and Moss Beach areas attend the first session of a series of Family Literacy Nights. Ms. Rachael Sage and several teachers have assembled a toolkit of strategies and activities that adults can learn and use to practice with students. Our goal is to help improve faster skills such as sequencing, summarizing, as well as to invigorate reading comprehension.

Half Moon Bay High School-

Half Moon Bay High School is proud to begin a new semester. Now that December has past, final grades are being submitted and seniors should be finished with the college application process! There is important news to share involving the High School Leadership class and their final assignment for the first semester. “Will You Fill My Bucket” is a children’s book about daily acts of love and simple act of kindness that bring a child joy. Inspired by this book, our first semester final asked us to fill people’s buckets by creating small joys for others through random acts of kindness. For example, some students opened the door for other students and teachers. Others helped with cleaning the house for their parents. Some students helped with a Holiday toy event, and some students bought staff members donuts. A few students and I helped some people out in San Diego during the CCS Football trip which proves that you don’t need to live in the same location to help others. Future events include a winter spirit assembly on January 26th and the Winter Formal Dance will be on February 3rd at the Ted Adcock Center.

Superintendent

Superintendent Jane Yuster said this past weekend has been difficult with the news of the passing of Mr. John Evans and Mr. John Corry. There are few words, as they were part of the threads that bind our community. She hoped that both gentlemen knew of the impact they had on the children of many generations. Ms. Yuster said on another note she has been able to watch some basketball at the High School and visited the school sites, one most recently being Farallone View. She enjoyed her visit with Bob the snake.

14. CONSENT ITEMS

- a. Approve Certificated Personnel Report
- b. Approve Classified Personnel Report
- c. Accept Donations to Cabrillo Unified School District
- d. Accept Enrollment Report for the Fourth Month of the 2017-2018 School Year
- e. Approve Quarterly Report on Williams Uniform Complaints (Education Code §35186)
- f. Approve and Adopt Minutes of December 14, 2017, Regular Governing Board Meeting

- g. Approve Field Trip for Half Moon Bay High School Advancement Via Individual Determination Program to Various Colleges in Southern California, February 15 - 18, 2018
- h. Approve Field Trip for Cunha Intermediate School Girls Basketball Team to Lodi, California, January 27 - 28, 2018
- i. Ratify Field Trip for Half Moon Bay High School Varsity Football Team to Spring Valley, California, December 15 - 17, 2017
- j. Ratify Field Trip for Half Moon Bay High School Varsity Cheerleading to Spring Valley, California, December 15 - 17, 2017

Motion to approve the consent agenda as presented was made by Member Freya McCamant and seconded by Member Kimberly Hines.

(M-50) Passed 5-0 with Student Representative voting aye

15. ACTION ITEMS

- a. Accept Budgetary Audit Report

Motion to accept the 2016-2017 Budgetary Audit report was made by Member Sophia Layne and seconded by Member Kirk Riemer.

(M-51) Passed 5-0 with Student Representative voting aye

- b. Accept Measure B Annual Report

Motion to accept the 2016-2017 Measure B Annual report was made by Member Freya McCamant and seconded by Member Kimberly Hines.

(M-52) Passed 5-0 with Student Representative voting aye

16. RETURN TO CLOSED SESSION (IF NECESSARY)

President Pappalardo adjourned open session at 8:42 p.m. Mr. Pappalardo announced that the Governing Board will return to closed session.

The Governing Board met again in closed session from 8:43 p.m. to 9:01 p.m. No action reported.

17. ADJOURNMENT OF THE MEETING

Motion to adjourn made by Member Kirk Riemer and seconded by Member Kimberly Hines.

(M-53) Passed 5-0

Meeting was adjourned at 9:01 p.m.

Minutes prepared by Patricia Serrano, Administrative Assistant to the Superintendent

Minutes presented by Jane Yuster, Secretary to the Governing Board

Certified by:

Kimberly Hines
Clerk to the Governing Board

Date

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☒ **ACTION**
☐ **CONSENT**
☐ **DISCUSSION**
☐ **INFORMATION**

BOARD AGENDA NUMBER: 15.a

BOARD AGENDA ITEM: Approve Proposal for Design Development/Construction Administration Services, Increment Two, Cunha Intermediate School-Building C Rehabilitation

DEPARTMENT: Business Department

CONTACT PERSON: Crystal Leach, Chief Business Official

BACKGROUND INFORMATION:

On May 11, 2017, the Governing Board approved a contract with Anderson Brule Architects Inc., for the repair and reconstruction of Building C at Cunha Intermediate School. Anderson Brule Architects and its team of consultants have completed Phase I investigate work to determine water intrusion problems in Building C. A building assessment report was created to identify the repair of work, resulting in the Proposal for Design Development/Construction Administration Services for Building C Rehabilitation.

REPORT/PROPOSAL:

Proposal for Design Development/Construction Administration Services includes;

1. Design Development: Mechanical, electrical and plumbing scope to determine the finish selection of the repairs.
2. Construction Documents: Documents will be submitted the Division of the State Architect (DSA), bidding and construction.
3. Regulatory Agency Submittals: Prepare and submit drawing and specifications, Division of the State Architect (DSA) and Local Fire Authority (LFA).
4. Bidding: Prepare the Construction Documents and specification for bidding.
5. Construction and Administration: Ten-month construction timeline proposal.

Recap: The Anderson Brule Architects, Inc. firm has extensive experience in school construction design and coordination with the Department of General Services and Division of the State Architect. A contract was subsequently negotiated to encompass the necessary scope for this unique repair and reconstruction project, utilizing a two-increment approach. The two increment approach contains a set “not to exceed” fee for Increment One.

Based on information obtained in Increment One, Anderson Brule Architects, Inc. provided a proposal and pricing for Increment Two. Using the two-increment approach helps ensure that the fee for Increment Two will not contain unnecessary contingency.

FINANCIAL IMPACT:

Increment Two cost: \$1,329,843.

RECOMMENDATION:

Approve proposal for design development/construction Administration Services, Increment Two, Cunha Intermediate School-Building C Rehabilitation.



A N D E R S O N B R U L É A R C H I T E C T S

December 6, 2017

RE: **Cunha Intermediate School - Building C Rehabilitation**
 Proposal for Design Development through Construction Administration Services

Dear Crystal Leach,

Anderson Brulé Architects, Inc. (ABA) is pleased to submit this proposal to Cabrillo Unified School District (CUSD) for architectural services for the Cunha Intermediate School, Building C Rehabilitation. This proposal is for Design Development through Construction Administration Services.

Context

ABA and its team of consultants have completed Phase 1 investigate work to determine the water intrusion problems on a 2-story classroom building at Cunha Intermediate School. A building assessment report was created to identify the scope of repair work. ABA submitted the building assessment report to DSA for review and concurrence of the proposed scope of work on 10/31/2017.

Proposed Scope of Work

1.0 – Design Development

The Design Development phase uses direction established from phase 1 to develop the mechanical, electrical, and plumbing scope, establish the structural strategy and scope, and determine the finish selections for the repairs. This phase will include floorplans, exterior and interior elevations, a building section, wall sections, finish selections, and preliminary details.

- **Develop Revit floor plan backgrounds:** ABA and our Consultant Team will use the existing CAD drawings to generate floor plan backgrounds for use in the production of construction documents.
- **DD Meeting:** ABA and CUSD will meet at the project site to review the Design Development drawing package and confirm direction to proceed to the Construction Document Phase. ABA will:
 - Review DD level floorplans and elevations
 - Review the design of the structural, mechanical, electrical, and plumbing systems
 - Review finish selections
 - Field verify critical dimensions taken at the existing building and site to confirm against the as-built drawings
 - Update Revit drawings to align to existing conditions
 - Obtain written approval from CUSD to move forward to the Construction Documents phase
- **Structural System Analysis:** As required by DSA, ABA and its consultant team will review the existing structural system to determine if it meets current code. If seismic system does not meet current code, details of necessary upgrades will be provided in the drawing set.

Strategies, Architecture & Interiors

Anderson Brulé Architects Inc. 325 South First Street, 4th Floor San José, California 95113
Tel: 408 298 1885 Fax: 408 298 1887
www.aba-arch.com

2.0 – Construction Documents

The Construction Document phase uses direction established from the DD phase to document the structural, architectural, mechanical, electrical, and plumbing design for the purposes of plan submittal to the Division of the State Architect (DSA), bidding and construction. This phase will include fully developed floorplans, exterior and interior elevations, wall sections, finish schedules, casework details, structural drawings, mechanical drawings, electrical drawings, plumbing drawings, and construction details. Specifications including equipment, finish, performance, and installation requirements will also be included.

- **CD Meeting:** ABA and CUSD will meet at the project site to review the 50% Construction Document drawing package. ABA will:
 - Review 50% CD level floorplans and elevations
 - Review the design of the structural, mechanical, electrical, and plumbing systems
 - Review any new finish samples against existing
 - Obtain written approval from CUSD to continue with construction documentation
 - Obtain approval from CUSD to schedule DSA submittal date
- **CD Meeting:** ABA and CUSD will conduct a GoTo call-in meeting to review the 95% CD package and confirm direction to complete documentation and submit to DSA. ABA will:
 - Review the 95% CD drawings with CUSD
 - Obtain written approval from CUSD to move forward with completing the Construction Documents and submitting to the Fire Marshal and DSA.

3.0 – Regulatory Agency Submittals

ABA will prepare and submit drawing and specification sets at 95-100% CD level for regulatory review to the following agencies. These submittals will be made remotely via electronic transmission and/or package delivery of drawing sets.

- Division of the State Architect (DSA)
- Local Fire Authority (LFA)

This proposal includes resubmittal to DSA in response to plan check comments and ABA's attendance at backcheck appointment at the DSA Oakland regional office. The scope of work includes coordination of required DSA forms and paperwork for project approval and closeout. The remaining regulatory agency submittal reviews are assumed to be conducted remotely via email, phone, or GoTo meetings from ABA's San Jose office.

4.0 – Bidding

ABA will prepare the Construction Documents and specifications for bidding. This proposal includes the following bidding services:

- Attendance at the Bid Walk
- Review and responses of bidding Requests for Information (RFIs)
- Compilation of one (1) addendum during the bidding process. An addendum, if required, will be submitted to DSA for review and approval prior to the start of construction of the addendum work.
- It is assumed that CUSD and Blach construction would manage the contract negotiation and questions on required General Conditions.

5.0 – Construction Administration

ABA is basing its proposal on a ten (10) month construction timeline. Construction administration services include the following:

- Attendance at one (1) Preconstruction Meeting
- Attendance at weekly site construction meetings with accompanying photos and minutes for the ten (10) month period

- Attendance at one (1) punch list walk and generation of a punch list
- Maintenance of Submittal, RFI (requests for information), CCD (construction change directive), CO (change order), and PCO (proposed change order) logs
- ABA's review of RFIs, Submittals, PCOs, and COs for compliance with Contract Documents
- Processing of CCDs related to Fire Life Safety, Structural, or Access concerns with DSA
- Review of payment applications and change orders for recommendation to CUSD
- Tracking closeout documentation for DSA submittal and closeout
- DSA certification of the project

Deliverables

ABA and its Consultant Team will complete the following:

- Design Development Drawings
- 50% Construction Document Drawings
- 95% Construction Documents Drawings and Specifications (This set will be used for regulatory agency review and bidding)
- 100% Construction Document Drawings and Specifications, DSA Approved
- Meeting Documentation including minutes and any presentations in PDF format

Assumptions

This proposal is based on the following assumptions:

- Blach Construction will provide Cost Estimating
- Blach Construction will be the General Contractor using a Lease-Leaseback delivery approach all parties will identify a representative(s) to attend all meetings and participate fully in the process.
- Meetings will be scheduled to accommodate all parties.
- As built drawings, site topographic surveys, and underground utility plans will be made available to the project team, if not currently in our files.
- CUSD will provide a hazardous materials survey (e.g. mold concerns) to identify existing building elements, materials, finishes, and systems that need to be removed as part of the scope of the project
- CUSD will be directly responsible for contracting the following as part of the scope of work and ABA will coordinate as required with these contractors: General Contractor, Environmental/hazardous materials consultant and testing, Inspector of Record, Testing Lab, Special Inspector, Low Voltage/IT/AV contractor, Elevator contractor.
- The building rehabilitation will not require new utility services or off-site improvements. No site utilities will require relocation with this project.
- ADA and Code compliance review shall be limited to the areas of work outlined in the Project Scope.
- The Construction duration may be affected by the discovery and required actions of unforeseen conditions, DSA review of contract alterations, labor conditions, and the availability of materials.
- The awarded General Contractor will provide further detail and confirmation of construction timelines.
- Successful DSA closeout is contingent on the provision of required tests, reports, and other documentation from the Inspector of Record, General Contractor, Special Inspectors, and Testing Labs. ABA cannot be held responsible for the inability to closeout due to lack of cooperation from parties responsible for said documentation.

Exclusions

The following are scopes of services that are not included in the proposal, but could be provided if requested:

- Detailed cost estimating
- Accessibility survey or upgrades outside the area of work in this proposal
- Geotechnical investigation
- Hazardous material report preparation
- Additional meetings beyond the meetings included in this proposal
- LEED design and certification
- Energy study
- Commissioning
- Materials and Finishes Board

Tentative Schedule

All efforts are dependent upon the ability to schedule proposed meetings as well as timeliness of decision-making and timeliness of the review process by regulatory agencies. The schedule will be developed with Blach Construction and CUSD.

We are proposing to submit the project in two increments to DSA in order to expedite the approval of the project and begin construction sooner. Increment #1 is the exterior envelope demolition package and Increment #2 is the building repair package.

Fee Proposal

ABA will provide the scope noted in this proposal for a fixed fee of **\$1,329,843** plus reimbursable expenses as outlined below.

Base Services	Fees	Reimbursable Expenses (Billed as Expended)
DD – CA Services (Includes Maintenance items and Structural Upgrades)	\$1,329,843	\$66,492
fee is 12.3% of \$10.8M Construction Cost (Excludes Maintenance items and Structural Upgrades)		
fee is 10.3% of \$12.8M Construction Cost (Includes Maintenance items and Excludes Structural Upgrades)		
Fee Contingency for unforeseen conditions or added scope *	\$200,000	
Optional Services		
SGH Construction Monitoring services (to be contracted directly with CUSD)	\$35,000	

*Contingency to be used only when authorized by CUSD

Scope Authorization

This Agreement between Anderson Brulé Architects, Inc. and is evidenced by the authorizing signatures below.
Please contact me with any questions you may have regarding our proposal.

Sincerely,

ANDERSON BRULÉ ARCHITECTS, INC.

Lee Salin, AIA
Principal

Attachments:
Hourly Rate Schedule – for insertion into Exhibit B



12/6/2017

Lee Salin AIA
Principal
Anderson Brulé Architects

Date

Date

Cabrillo Unified School District

ABA Hourly Rate Schedule Effective September 1, 2017:
Architecture Interiors

Architecture Project Staff	
Principal in Charge	\$200 - \$275
Project Director	\$185 - \$215
Sr. Project Manager	\$160 - \$195
Sr. Project Architect	\$150 - \$185
Project Manager	\$150 - \$185
Project Architect	\$140 - \$165
Architect/Sr. Job Captain	\$130 - \$155
Job Captain	\$120 - \$145
Designer	\$110 - \$130
Jr Designer	\$100 - \$110
Intern	\$100 - \$105
Project Coordinator	\$100 - \$105

Interiors Project Staff	
Principal in Charge	\$200 - \$275
Interior Design Director	\$185 - \$215
Sr. Project Manager	\$160 - \$195
Sr. Interior Designer	\$150 - \$185
Project Manager	\$150 - \$185
Project Interior Designer	\$140 - \$165
Sr. Interior Job Captain	\$130 - \$155
Interior Job Captain	\$120 - \$145
Interior Designer	\$110 - \$130
Jr Interior Designer	\$100 - \$110
Intern	\$100 - \$105
Project Coordinator	\$100 - \$105

Exhibit "A2"

FORM OF INCREMENT AUTHORIZATION

Increment Number: 2

Date: 12/6/17

This Increment Authorization is issued pursuant to the Agreement for Architectural Services dated 5/12/17 , by and between Cabrillo Unified School District ("District") and Anderson Brule Architects, Inc. ("Architect") and, when fully executed, is considered as an integral part of said Agreement subject to all the provisions and conditions thereof. The District does hereby authorize the Architect to provide professional for Increment Number 2 of the Project:

1. SCOPE OF SERVICES

ABA will perform the scope of services outlined in Exhibit A, excluding: Landscape, Civil, Construction cost estimating, and Schematic Design phase. Scope of work related to Architectural, Mechanical, Electrical and Plumbing is limited to that identified in the Phase 1 Building Assessment Report. A more detailed scope of services is outlined in the attached proposal for DD through CA services, dated November 14, 2017.

3. PROJECT COMPLETION SCHEDULE

All efforts are dependent upon the ability to schedule proposed meetings as well as timeliness of decision-making and timeliness of the review process by regulatory agencies. The schedule will be developed with Blach Construction and CUSD.

We are proposing to submit the project in two increments to DSA in order to expedite the approval of the project and begin construction sooner. Increment #1 is the exterior envelope demolition package and Increment #2 is the building repair package.

4. COMPENSATION

ABA will provide the scope noted in this proposal for a fixed fee of \$1,329,843 plus reimbursable expenses as outlined below.

Base Services	Fees	Reimbursable Expenses (Billed as Expended)
DD – CA Services (Includes Maintenance items and Structural Upgrades)	\$1,329,843	\$66,492
fee is 12.3% of \$10.8M Construction Cost (Excludes Maintenance items and Structural Upgrades)		
fee is 10.3% of \$12.8M Construction Cost (Includes Maintenance items and Excludes Structural Upgrades)		
Fee Contingency for unforeseen conditions or added scope*	\$200,000	
Optional Services		
SGH Construction Monitoring services (to be contracted directly with CUSD)	\$35,000	

*Contingency to be used only when authorized by CUSD

5. STAFFING

Lee Salin, Principal in Charge
JuanCarlos Fematt, Project Manager

6. OTHER PROVISIONS

All other provisions of the Agreement for Architectural Services shall remain in full force and effect and are reaffirmed. If there is any conflict between this Increment Authorization and any provision of the Agreement relating to the scope of services, term, compensation, or staffing only, the provisions of this Increment Authorization shall control.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

This Increment Authorization is hereby approved, the District and the Architect having executed said Increment Authorization on _____.

CABRILLO UNIFIED SCHOOL DISTRICT

ANDERSON BRULE ARCHITECTS, INC.

Date: _____, 2017

Date: December 6, 2017

By: _____

By:  _____

Name: _____

Name: Lee Salin _____

Title: _____

Title: Principal _____

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

- ☒ ACTION
- ☐ CONSENT
- ☐ DISCUSSION
- ☐ INFORMATION

BOARD AGENDA NUMBER: 15.b

BOARD AGENDA ITEM: Adopt Resolution No. 01-18, California School Boards Association Full and Fair Funding

DEPARTMENT: Superintendent/Governing Board

CONTACT PERSON: Jane Yuster, Superintendent

BACKGROUND INFORMATION:

San Mateo County is one of the most prosperous counties in California, yet every one of the 23 school districts in the county is facing increasing pressure to balance budgets with rising costs. Every child in San Mateo County deserves a quality education. While the Local Control Funding Formula will be fully funded soon, this will only bring education funding to 2007-2008 funding levels. Our children deserve better.

REPORT/PROPOSAL:

San Mateo County School Boards Association is urging all San Mateo County school boards to adopt the attached California School Boards Association Full and Fair Funding Resolution.

FINANCIAL IMPACT:

There is no financial impact to the General Fund by passing this resolution.

RECOMMENDATION:

Adopt Resolution No. 01-18, California School Boards Association Full and Fair Funding.

Cabrillo Unified School District

Resolution No. 01-18

Resolution Calling for Full and Fair Funding of California's Public Schools

WHEREAS, California has the sixth largest economy in the world, and the largest Gross Domestic Product (GDP) of any state in the nation; and

WHEREAS, despite California's leadership in the global economy, the state falls in the nation's bottom quintile on nearly every measure of public K-12 school funding and school staffing; and

WHEREAS, California ranks 45th nationally in the percentage of taxable income spent on education, 41st in per-pupil funding, 45th in pupil-teacher ratios and 48th in pupil-staff ratios; and

WHEREAS, K-12 school funding has not substantially increased, on an inflation-adjusted basis, for more than a decade; and

WHEREAS, under the Local Control Funding Formula (LCFF), state funding for K-12 schools has only this year recently returned to levels predating the Great Recession of 2007; and

WHEREAS, the modest revenue increases since the implementation of LCFF have been eroded by rapidly increasing costs for health care, pensions, transportation and utilities; and

WHEREAS, 58 percent of California's public school students are eligible for free and reduced-price lunch — 13 percent above the national average — and 23 percent of California students are English learners, more than twice the national average; and

WHEREAS, California's investment in public schools is out of alignment with its wealth, its ambitions, its demographics and the demands of a 21st-century education; and

WHEREAS, in 2007, a bipartisan group of California leaders commissioned a report titled *Getting Down to Facts*, which stated it would take an additional \$17 billion annually to meet the State Board of Education achievement targets for K-12 schools; and

WHEREAS, in 2016, a California School Boards Association (CSBA) report, *California's Challenge: Adequately Funding Education in the 21st Century*, updated the *Getting Down to Facts* data and determined that, adjusting for inflation, an additional \$22 billion to \$40 billion annually would be required to provide all public school students with access to a high-quality education; and

WHEREAS, California funds schools at roughly \$1,961 per student less than the national average, which translates to approximately \$3,462 per student when adjusted for California being a high-cost state; and

WHEREAS, California trails the average of the top 10 states by almost \$7,000 in per-pupil funding; and

WHEREAS, in *Robles-Wong v. State of California*, a group of plaintiffs led by CSBA argued that California's school funding system violated Article IX of the State Constitution by denying all students

access to an education that prepares them for economic security and full participation in our democratic institutions; and

WHEREAS, the California Supreme Court declined to hear the case by a 4-3 margin, prompting Justice Goodwin H. Liu to write: “It is regrettable that this court, having recognized education as a fundamental right in a landmark decision 45 years ago [*Serrano v. Priest* (1971) 5 Cal.3d 584], should now decline to address the substantive meaning of that right.”; and

WHEREAS, in order to prepare our students for participation in a democratic society and an increasingly competitive, technology-driven global economy, California must fund schools at a level sufficient to support student success; and

WHEREAS, despite its vast wealth, California has consistently underfunded public education while widening its scope, adding new requirements and raising standards without providing appropriate resources to prepare all students for college, career and civic life; and

WHEREAS, if California is to close opportunity and achievement gaps and create a public school system that offers consistently high levels of education, the State must provide schools with the resources to meet the needs of their specific populations;

NOW, THEREFORE BE IT RESOLVED, that the Governing Board of Cabrillo Unified School District urges the State Legislature to fund California public schools at the national average or higher by the year 2020, and at a level that is equal to or above the average of the top 10 states nationally by 2025 and to maintain, at a minimum, this level of funding until otherwise decreed.

Adopted this 8th day of February, 2018,
by the Governing Board of Cabrillo Unified School District,
Half Moon Bay, San Mateo County, California.

AYES in Favor of Said Resolution:

NOES Against Said Resolution:

ABSTAINED:

ABSENT:

Certified by

Kimberly Hines
Clerk to the Governing Board

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2018

☒ **ACTION**
☐ **CONSENT**
☐ **DISCUSSION**
☐ **INFORMATION**

BOARD AGENDA NUMBER: 15.c

BOARD AGENDA ITEM: Adopt Resolution No. 02-18 Ordering a School Bond Election for June 5, 2018 and Authorizing Necessary Actions in Connection Therewith

DEPARTMENT: Superintendent/Governing Board

CONTACT PERSON: Jane Yuster, District Superintendent

BACKGROUND INFORMATION:

On June 5, 2012, the District passed Measure S, an \$81 million general obligation bond measure. Measure S dollars have been used to provide all schools with improvements in technology infrastructure, including updating classroom and student educational technology devices; install safety upgrades in all schools such as high security locks, fencing, and visitor check in and identification systems; complete Half Moon Bay High School student health and safety upgrades at the track and field facilities; Pilarcitos High School; complete the District Event Center (a joint project between The Boys and Girls Club and CUSD); and complete the first phase of the rebuilding and remodeling of Hatch Elementary School.

Though Measure S funding made a significant impact, our schools still have urgent needs that must be addressed. While some of our elementary schools have been updated, others are nearly 50 years old and badly in need of educational and essential safety repairs. The District has been studying options and feasibility of bringing a new bond measure before voters in the District on June 5, 2018. All funding from this local measure would go directly to our schools in CUSD. In 2017, the Governing Board received a report detailing the results of a community survey relating to a potential bond measure, and a tracking survey conducted more recently largely confirmed community interest in and sentiment towards a new locally controlled bond measure. Based on the survey results and ongoing district facility and program needs, the staff and consultants have prepared a resolution and related materials that must be adopted if a measure is to be placed on the June 5, 2018 ballot.

REPORT/PROPOSAL:

That the Board consider and take formal action to place a bond measure on the June 5, 2018 ballot.

FINANCIAL IMPACT:

Voter approval of this proposed bond measure would result in new, targeted revenues of approximately \$99 million dollars to be spent over a period of years to make important capital improvements identified in the bond project list. The measure includes important voter protections by requiring annual audits, independent oversight, and no funding being used for administrators' salaries. Bond funds would serve to protect the General Fund by providing dollars for needed and anticipated facility needs (e.g. funds for technology replacement and roof repair) while other projects (e.g. solar energy) may reduce General Fund expenditures that can go to other programs in the District to directly improve the quality of education in the District.

No District funds will or may be used to advocate or campaign for a bond measure once the measure is placed on the ballot, but impartial information may still be provided by the District to educate voters about the measure.

RECOMMENDATION:

Adopt Resolution No. 02-18 ordering a bond election for June 5, 2018 and authorizing necessary actions in connection therewith.

Cabrillo Unified School District

RESOLUTION No. 02-18

RESOLUTION OF THE BOARD OF EDUCATION OF THE CABRILLO UNIFIED SCHOOL DISTRICT ORDERING A SCHOOL BOND ELECTION ON JUNE 5, 2018 AND AUTHORIZING NECESSARY ACTIONS IN CONNECTION THEREWITH

WHEREAS, the Board of Education ("Board") of the Cabrillo Unified School District ("District"), San Mateo County, California is authorized to order elections within the District and to designate the specifications thereof, pursuant to Sections 5304 and 5322 of the California Education Code ("Education Code"); and

WHEREAS, Cabrillo Unified School District has provided quality education to students in the Coastsides community for over 50 years and our elementary schools, intermediate school and high schools ensure graduates are prepared for their futures; and

WHEREAS, great local schools keep property values high and our community strong; and

WHEREAS, some of our schools have been updated, but others are nearly 50 years old and badly in need of improvements; and

WHEREAS, our community's support through passage of Measure S in 2012 has helped to equip our schools to provide an outstanding education by performing essential safety repairs and updates on classrooms and facilities; and

WHEREAS, though Measure S funding made a significant impact, our Coastsides schools still have urgent needs that must be addressed to maintain academic excellence, including ensuring all schools have up-to-date computers, learning technology and science labs, as well as modern classrooms that will attract and retain the best teachers and staff; and

WHEREAS, the District has conducted a project prioritization process with input from parents, teachers, staff, and members of the community to identify the upgrades needed at each school site in order to meet modern safety standards, to meet the District's goals for supporting current academic standards, and to address specific priorities at individual school sites; and

WHEREAS, these projects include addressing urgent needs, like replacing leaky roofs, keeping schools clean, well-maintained and in good condition, performing essential safety repairs and maintenance on classrooms and facilities, updating classrooms and science labs, upgrading fire and earthquake safety and equipping classrooms with 21st-century learning technology; and

WHEREAS, unlike the District's parcel tax funds, which support the District's educational programs and staffing, bond revenue is the primary means by which the District is able to keep its school buildings and classrooms in good repair, safe, designed and equipped to support changing educational standards, methods and approaches; and

WHEREAS, the cost of identified upgrades and improvements are beyond the scope of the 2012 bond measure and the District's current operating budget such that passing this bond measure provides a guaranteed and necessary source of local funding to maintain and improve this community's local school facilities; and

WHEREAS, this bond measure will benefit local schools and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions; and

WHEREAS, this bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly; and

WHEREAS, the Board is specifically authorized to order elections for the purpose of submitting to the electors the question of whether bonds of the District shall be issued and sold for the purpose of raising money for the purposes hereinafter specified, pursuant to Section 15100 *et seq.* of the Education Code; and

WHEREAS, pursuant to section 18 of Article XVI and section 1 of Article XIII A of the California Constitution (also known as "Proposition 39"), and Section 15266 of the Education Code, school districts may seek approval of general obligation bonds and levy an *ad valorem* tax to repay those bonds upon a fifty-five percent (55%) vote of those voting on a proposition for that purpose, provided certain accountability measures are included in the proposition; and

WHEREAS, the Board deems it necessary and advisable to submit such a bond proposition to the electors to be approved by fifty-five percent (55%) of the votes cast; and

WHEREAS, such a bond election must be conducted concurrent with a statewide primary election, general election or special election, or at a regularly scheduled local election, as required by Section 15266 of the Education Code, and on June 5, 2018, a general election is scheduled to occur throughout the District; and

WHEREAS, pursuant to Section 15270 of the Education Code, if the measure is approved by the voters, bonds may only be issued if the tax rate levied to meet the debt service requirements would not exceed sixty dollars (\$60) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the District to increase in accordance with Article XIII A of the California Constitution, and the current estimated and projected average annual tax rate and highest tax rate, is not expected to exceed a tax rate levy of \$52 per year per each \$100,000 of the assessed value of taxable property; and

WHEREAS, the estimated tax rates, duration of tax collection, and total estimated amount of debt service, is described in the Tax Rate Statement contained in **Exhibit C** hereto; and

WHEREAS, Section 9400 *et seq.* of the California Elections Code requires that a tax rate statement be contained in all official materials, including any ballot pamphlet prepared, sponsored or distributed by the District, relating to the election; and

WHEREAS, in the judgment of the Board, it is advisable to request that the San Mateo County Registrar of Voters ("County Registrar") act as the election official and call an election and submit to the registered voters of the District the full ballot proposition as detailed herein, in coordination with each other as necessary; and

WHEREAS, the Board now desires to authorize the filing of a ballot argument in favor of the proposition to be submitted to the voters at the election.

NOW, THEREFORE, be it resolved, determined and ordered by the Board of Education of the Cabrillo Unified School District as follows:

Section 1. Specifications of Election Order. Pursuant to Sections 5304, 5322, 15100 *et seq.*, and Section 15266 of the Education Code, an election shall be held within the District on June 5, 2018, for the purpose of submitting to the registered voters of the District the full ballot proposition contained in **Exhibit B** ("Full Ballot Text"), which Full Ballot Text is hereby approved. The County Registrar shall provide for the performance of its duties in accordance with Education Code section 5303 and in accordance with any and all other laws and regulations applicable to such elections.

Section 2. Abbreviation of Proposition/Ballot Label. Pursuant to Sections 13119 and 13247 of the California Elections Code and Section 15122 of the Education Code, the Board hereby directs the County Registrar to use the abbreviation of the Full Ballot Text ("Ballot Label") that is attached hereto as **Exhibit A**. The Ballot Label shall function merely as an abbreviation of the Full Ballot Text and does not stand alone as a complete and binding statement of the measure, nor is it possible for the Ballot Label to contain all of the project and financial information a voter might wish to consider in casting a vote. Voters are urged to review the Full Ballot Text and the Tax Rate Statement to obtain a complete understanding of the measure, including all of the financial projections and estimates upon which the measure is based.

Section 3. Voter Pamphlet. The County Registrar is hereby requested to reprint the Full Ballot Text in its entirety in the voter information pamphlet to be distributed to voters pursuant to Section 13307 of the Elections Code. In the event the Full Ballot Text is not reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the bond proposition, in no less than 10-point boldface type, a legend substantially as follows:

"The above statement is an impartial analysis of Measure ____.
If you desire a copy of the measure, please call the San Mateo
County Registrar of Voters at _____ and a copy will be
mailed at no cost to you."

Section 4. Accountability Measures. Pursuant to legal requirements, and as specified in the Full Ballot Text, the Board certifies that the District:

- (a) Has evaluated the facilities needs of the District and has evaluated safety, class size reduction and information technology needs in developing the Bond Project List contained in the Full Ballot Text;

- (b) Will establish an independent Citizens' Bond Oversight Committee to ensure that bond proceeds are expended only for the school facilities projects described in the Bond Project List, in accordance with Education Code section 15278 et seq.;
- (c) Will conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List;
- (d) Will conduct or cause to be conducted an annual independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List; and
- (e) Shall take all actions to establish an account in which proceeds of the sale of the bonds will be deposited, and to cause a report to be filed with the Board no later than each January 1 identifying proceeds received and expended in the past fiscal year and the status of any project funded or to be funded with bond proceeds. The first report shall be due no later than January 1 of the first year after which bonds have been issued and proceeds spent.

Section 5. Required Vote. Pursuant to Section 18 of Article XVI and Section 1 of Article XIII A of the State Constitution, the above proposition shall become effective upon the affirmative vote of at least fifty-five percent (55%) of those voters voting on the proposition.

Section 6. Request to County Officers to Conduct Election; Cost of Election. The County Registrar is hereby requested, pursuant to section 5322 of the California Education Code, to take all steps to call and hold the election in accordance with law and these specifications. The District will reimburse the Registrar and the County for costs associated with the election as required by law.

Section 7. Consolidation of Election and Canvass of Vote.

(a) Pursuant to Section 15266(a) of the Education Code, the election shall be consolidated with the election on June 5, 2018.

(b) The Board of Supervisors of San Mateo County is authorized and requested to canvass the returns of the election, as necessary, pursuant to Section 10411 of the California Elections Code.

Section 8. Delivery of Order of Election to County Officers. The Clerk of the Board is hereby directed to deliver or cause to be delivered, no later than **March 9, 2018**, (which date is 88 days prior to the date set for the election), one copy of this Resolution to the County Registrar with the completed Tax Rate Statement (in substantially the form attached hereto as **Exhibit C**), completed and signed by the Superintendent or his designee, and shall file a copy of this Resolution with the Clerk of the Board of Supervisors of San Mateo County.

Section 9. Ballot Arguments. The members of the Board are hereby authorized to prepare and file with the County Registrar a ballot argument in favor of the proposition contained in Section 1 hereof, within the time established by the County Registrar.

Section 10. Intention to Reimburse. The District may incur costs associated with bond-funded projects described in **Exhibit B** hereto prior to the issuance of bonds. For purposes of establishing compliance with the requirements of Section 1.150-2 of the regulations of the U.S. Treasury Department, the Board hereby declares its official intent to use proceeds of the bond to reimburse itself for lawful expenditures on capital projects described on the Bond Project List, up to a maximum principal amount of \$99,000,000.

Section 11. Further Authorization. The members of this Board, the Superintendent, and all other officers of the District are hereby authorized and directed, individually and collectively, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution, including modification of the Full Ballot Text, the ballot measure summary or Tax Rate Statement if he or she determines such modifications are necessary and in the District's best interests. Any such modifications shall be ratified thereafter by the Board.

Section 12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this day, February 8, 2018, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

Rob Pappalardo
President of the Board of Education of the
Cabrillo Unified School District

Attest:

Kimberly Hines
Clerk of the Board of Education of the
Cabrillo Unified School District

EXHIBIT A

BALLOT LABEL

To update classrooms and science labs in local schools; perform essential safety repairs; fix leaky roofs; equip classrooms with 21st-century learning technology; replace aging heating/plumbing; and construct/equip classrooms, shall Cabrillo Unified School District issue \$99,000,000 in bonds, at legal interest rates, raising the amount needed each year to repay bonds while outstanding, at an estimated rate of \$52 per \$100,000 of assessed value, with citizen oversight, annual audits, no funds for administrator salaries, and all funds staying local?

Bonds – Yes _____

Bonds – No _____

EXHIBIT B

CABRILLO UNIFIED SCHOOL DISTRICT BOND PROPOSITION **FULL BALLOT TEXT**

By approval of this measure by at least fifty-five percent (55%) of the registered voters voting thereon, the Cabrillo Unified School District shall be authorized to issue and sell bonds of up to \$99 million in aggregate principal amount to provide financing for the specific school facilities projects listed below in the Bond Project List, subject to all of the accountability safeguards specified herein.

KEY FINDINGS

- The Cabrillo Unified School District is committed to continuing to provide a strong, high-quality education for all students in all its local elementary, intermediate and high schools; and
- Some Coastside schools have been updated, but others are nearly 50 years old and badly in need of improvements; and
- In 2012, local voters approved a school facilities bond, Measure S, to provide the District with the opportunity to complete basic repairs to education facilities, and a citizens' oversight committee has verified that all funds expended so far were spent in accordance with voter-approved priorities; and
- Though Measure S funding from 2012 made a significant impact, our local schools still have urgent needs that reach beyond of the scope of the District's annual operating budget such that passing this bond measure provides a guaranteed and necessary source of local funding to maintain and improve the Coastside community's local school facilities; and
- The District has conducted a project prioritization process with input from parents, teachers, staff, and members of the community to identify the upgrades needed at each school site in order to meet modern safety standards, to meet the District's goals for supporting current academic standards and to address specific priorities at individual school sites; and
- Addressing urgent needs includes completing identified repairs to replace leaky roofs, keep schools clean, well-maintained and in good condition, perform essential safety repairs and maintenance on classrooms and facilities and upgrade fire and earthquake safety; and
- Upgrades are also needed to update classrooms and science labs for a well-rounded, 21st-century education and equip schools with the learning technology needed to attract and retain the best teachers and staff; and
- Ensuring our Coastside schools provide a high-quality education keeps our property values and community strong; and
- Unlike the District's parcel tax funds, which support the District's educational programs and staffing, bond revenue is the primary means by which the District is able to keep its

school buildings and classrooms in good repair, safe, designed and equipped to support changing educational standards, methods and approaches; and

- This bond measure will benefit local schools and no funds can be taken away by the State or other school districts, and by law, no money can be used for administrator salaries or pensions; and
- This bond measure requires strict fiscal accountability protections including mandatory annual audits and an independent citizens' oversight committee comprised of local residents to ensure funds are managed and spent properly.
- Specifically, as further described in the Bond Project List, the Board of Education desires to:
 - o acquire, renovate, and update classrooms and other facilities to meet health & safety standards
 - o perform essential safety repairs and maintenance on classrooms and facilities
 - o fix leaky roofs, paint buildings, address playgrounds, athletic facilities and landscapes
 - o equip classrooms with 21st-century learning technology
 - o replace aging heating, plumbing, electrical, and other utility infrastructure
 - o keep schools clean, well-maintained and in good condition
 - o upgrade fire and earthquake safety
 - o acquire sites and construct, furnish, and equip classrooms and buildings

ACCOUNTABILITY MEASURES

The provisions in this section are included in this proposition in order that the voters and taxpayers of the District may be assured that their money will be spent to address specific facilities needs of the District, all in compliance with the requirements of Article XIII A, section 1(b)(3) of the State Constitution, and the Strict Accountability in Local School Construction Bonds Act of 2000 (codified at Section 15264 *et seq.* of the California Education Code).

Evaluation of Needs. The Board of Education has evaluated the facilities needs of the District, and has identified projects to finance from a local bond measure at this time. The Board of Education hereby certifies that it has evaluated safety, class size reduction and information technology needs in developing the Bond Project List.

Independent Citizens' Oversight Committee. The Board of Education shall establish an independent Citizens' Oversight Committee in accordance with Education Code sections 15278-15282 and applicable Board policy, to ensure bond proceeds are expended only for the school facilities projects listed in the Bond Project List. An existing Citizens' Oversight Committee may be empowered by the Board of Education to oversee the expenditure of bond proceeds from this measure. The committee shall be so empowered, or a new committee established, within sixty (60) days of the date when the Board of Education enters the results of the election in its official minutes.

Annual Performance Audit. The Board of Education shall conduct or cause to be conducted an annual, independent performance audit to ensure that the bond proceeds have been expended only on the school facilities projects described in the Bond Project List.

Annual Financial Audit. The Board of Education shall conduct or cause to be conducted an annual, independent financial audit of the bond proceeds until all of those proceeds have been spent for the school facilities projects described in the Bond Project List.

Annual Report to Board. Upon approval of this measure and the sale of any bonds approved, the Board of Education shall take actions necessary to establish an account in which proceeds of the sale of bonds will be deposited. As long as any proceeds of the bonds remain unexpended, the Superintendent shall cause a report to be filed with the Board of Education no later than January 1 of each year, commencing on the first January 1 after bonds have been issued and proceeds spent, stating (1) the amount of bond proceeds received and expended in the past fiscal year, and (2) the status of any project funded or to be funded from bond proceeds. The report may be incorporated into the annual budget, annual financial report, or other appropriate routine report to the Board.

BOND PROJECT LIST

This Bond Project List, which is an integral part of this proposition, describes the specific projects the District proposes to finance with proceeds of the bonds.

Proceeds from the sale of bonds authorized by this measure shall be used only for the construction, reconstruction, rehabilitation, or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

In order to meet all identified facility needs, the District intends to complete projects using a combination of funding sources. These sources may include joint-use funds, development impact fees, state funds (if available), and other available funds. The District will pursue state matching funds if and when they become available, and if received, they will be used for and mainly applied to projects on the Bond Project List or other high priority capital outlay expenditures as permitted in Education Code section 17070.63(c). No project is dependent on the receipt of state funding for completion.

Specific projects to be funded by the bond measure include, without limitation, the following:

I. COMPLETE BASIC UPGRADES TO MEET CURRENT STUDENT HEALTH AND SAFETY STANDARDS

- Update aging classrooms and District facilities, or acquire and rehabilitate existing facilities, to meet current fire, seismic and safety codes
- Fix and/or replace leaking or deteriorating roofs
- Repaint school exteriors and interiors and refresh or replace landscaping
- Resurface playgrounds and asphalt areas
- Remove or replace aging portable buildings and classrooms
- Replace aging, outdated and/or deteriorating utility infrastructure, electrical, lighting, plumbing, heating and ventilation (HVAC) systems

- Acquire and install solar energy systems/equipment and upgrade any existing solar equipment for interconnection
- Repair and replace aging student restrooms and add restrooms in pre-kindergarten and kindergarten classrooms
- Create ADA-compliant access and safe pedestrian paths of travel at schools
- Improve security at schools by providing classroom intrusion alarms, video surveillance cameras, safety locks on classroom doors and exterior lighting for student safety
- Upgrade emergency communications and technology backup systems, signage and fencing
- Improve student safety and traffic circulation by upgrading or providing additional school drop-off areas and parking lots
- Install or repair shade structures on school campuses and create sheltered eating and outdoor learning areas as needed
- Repair, rebuild, equip and furnish school sites in the event of unforeseen emergency

II. IMPROVE SCHOOLS TO MEET CURRENT ACADEMIC STANDARDS AND PROVIDE ACCESS TO MODERN INSTRUCTIONAL TECHNOLOGY

- Provide updated classroom audio/visual technology for content delivery and presentation, which may include projectors and/or large format flat-screen monitors and sound and voice amplification systems
- Acquire and install centrally manageable, networked loudspeaker/bell/clock systems
- Acquire computer hardware for student use in the classroom that is current and up-to-date
- Improve school site network infrastructure in order to enhance network-based content and curriculum delivery, which may include:
 - Upgrading and improving the routing and network aggregation capabilities for each site in order to support the larger numbers of concurrent network and internet connections
 - Upgrading and improving the network access layer switching capabilities in order to support the larger numbers of devices on our school networks as well as supporting the higher speed requirements
 - Upgrading and improving classroom wiring for both wired and wireless data communication
 - upgrading and improving fiber network cabling between data wiring closets

- Furnish classrooms and learning spaces with flexible furniture
- Build new or transform existing spaces to ensure functional kitchens, multi-use rooms and stages to meet District facility standards for elementary, middle and high schools

III. PROVIDE DEDICATED SPACE FOR SCIENCE, MATH, ENGINEERING, ARTS/MUSIC INSTRUCTION, SUPPORT 21ST-CENTURY LEARNING AND ADDRESS SPECIFIC PRIORITIES AT INDIVIDUAL SCHOOL SITES

- To accommodate 21st-century learning methods, acquire sites and construct, furnish and equip and/or renovate, modernize, upgrade, repair, replace, furnish and equip:
 - classrooms and buildings, including relocatable or modular buildings
 - school libraries
 - middle and high school performing arts and music spaces and venues
 - multipurpose rooms and play areas
 - food service facilities, community centers, meetings spaces, workrooms and parent/student support service areas
 - track and athletic facilities

Projects listed may be completed at any and all school sites and facilities where such project is determined by the Board to be necessary or required, and projects are authorized to be performed at each and all of the District's schools and sites, including without limitation:

- **El Granada Elementary School,**
400 Santiago Street, El Granada
- **Farallone View Elementary School,**
250 LeConte and Kanoff, Montara
- **Alvin S. Hatch Elementary School,**
490 Miramontes Ave, Half Moon Bay
- **Kings Mountain Elementary School,**
211 Swett Road, Woodside
- **Cunha Intermediate School,**
600 Church St, Half Moon Bay
- **Half Moon Bay High School,**
1 Lewis Foster Drive, Half Moon Bay
- **Pilarcitos High School,**
498 Kelly Ave, Half Moon Bay

- **District Office,**
498 Kelly Ave, Half Moon Bay

Listed projects, repairs, improvements, rehabilitation projects and upgrades will be completed only as needed, and the listing of projects does not imply a particular prioritization among such improvements. Projects may be done in phases, based on Board of Education priorities. Listed projects may be completed at any and all District schools, sites and education buildings where such project is determined necessary. Decisions regarding the scope, timing, prioritization or other facets of project implementation will be made solely by the Board of Education by subsequent action. Where terms such as “renovate,” “upgrade,” “repurpose” and “improve” are used in the Bond Project List, the Board of Education has the discretion to determine the best method for accomplishing the project’s objective. For any listed project involving renovation or modernization of a building or the major portion of a building, the District may proceed with new replacement construction instead (including any necessary demolition), if the District determines that replacement and new construction is more practical than renovation, considering the building’s age, condition, expected remaining life, comparative cost and other relevant factors. In addition, where feasible, projects may be completed in partnership with other agencies on a joint use basis using bond proceeds. Property, buildings and equipment on the bond project list may be acquired through lease, sale, lease-purchase, lease-leaseback or other project delivery or acquisition methods determined appropriate by the Board.

Each project is assumed to include its share of costs of bond issuance, architectural, engineering, legal and similar planning costs, construction management, bond project staff and consultants, staff development and training expenses associated with learning construction techniques and approaches, new bond-funded equipment and systems and a customary contingency for unforeseen design and construction costs. In addition to the projects listed above, the Bond Project List also includes payment of the costs of preparation of all facilities planning and project implementation studies, feasibility and assessment reviews, master planning, environmental studies, permit and inspection fees and temporary housing and relocation costs for dislocated programs or activities caused or necessitated by construction projects.

The final cost of each project will be determined as plans are finalized and projects are completed. Based on the final costs of each project, certain of the projects described above may be delayed or may not be completed. Necessary site preparation, grading or restoration may occur in connection with acquisition of property, new construction, modernization, renovation or remodeling, or installation or removal of modular classrooms, including ingress and egress, removing, replacing or installing irrigation, utility lines, trees and landscaping, relocating fire access roads and acquiring any necessary easements, leases, licenses or rights of way to the property.

ADDITIONAL SPECIFICATIONS

No Administrator Salaries. Proceeds from the sale of Bonds authorized by this proposition shall be used only for the construction, reconstruction, rehabilitation or replacement of school facilities on the Bond Project List, including the furnishing and equipping of said school facilities, or the acquisition or lease of real property for said school facilities, and not for any other purpose, including teacher and administrator salaries and other school operating expenses.

Single Purpose. All of the purposes enumerated in this proposition shall be united and voted upon as one single proposition, pursuant to Section 15100 of the California

Education Code, and all the enumerated purposes shall constitute the specific single purpose of the bonds and proceeds of the bonds shall be spent only for such purpose.

Other Terms of the Bonds. The bonds may be issued and sold in several series, and in accordance with a financing plan determined by the Board of Education pursuant to requirements of law. When sold, the bonds shall bear interest at an annual rate not exceeding the statutory maximum and with a maximum term not exceeding the statutory maximum, provided that the average useful life of bonds sold will not exceed one hundred twenty percent (120%) of the average life of the projects being financed or as otherwise provided by federal tax law. Bond funds may be used to reimburse the District for Bond Project list expenditures incurred prior to the election and bond issuance, in accordance with federal tax law.

Tax Rate, Estimated Annual Collection Amount, and Duration of Tax. Pursuant to California Elections Code section 13119(b), (i) the rate of the *ad valorem* tax is estimated to be the rate disclosed in the Tax Rate Statement contained in the voter pamphlet and separately provided; (ii) the estimated average amount of the *ad valorem* tax expected to be collected in each year is expected to range from \$3,400,000-9,200,000 per year and will vary from year to year, depending on the amount needed to pay debt service on bonds outstanding in any year; and (iii) the duration of the collection of the *ad valorem* tax is expected to be (a) up to 30 years for each series of bonds authorized under the bond measure and (b) approximately 32 years from the date of issue of the first such series of bonds.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District, nor are the summary estimates, if any, provided in the Ballot Label. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

In preparing this information, the District obtained reasonable and informed projections of assessed property valuations that took into consideration projections of assessed property valuations made by the County Assessor, if any, in accordance with Education Code Section 15100(c).

EXHIBIT C

TAX RATE STATEMENT

An election will be held within the boundaries of Cabrillo Unified School District ("School District") on June 5, 2018 to authorize the sale of up to \$99,000,000 in bonds to finance facilities as described in the proposition. If the bonds are approved, the School District expects to sell the bonds in multiple series. Principal and interest on the bonds will be payable from the proceeds of tax levies made upon the taxable property located within the School District. The following information is provided in compliance with Sections 9400 to 9404, inclusive, of the California Elections Code.

1. The best estimate from official sources of the average annual tax rate that would be required to be levied to fund this bond issue over the entire duration of the bond debt service, based on assessed valuations available at the time of the election or a projection based on experience within the same jurisdiction or other demonstrable factors, is estimated to be \$0.0520 per \$100 (\$52.00 per \$100,000). The final fiscal year in which the tax is anticipated to be collected is 2049-2050.
2. The best estimate from official sources of the highest tax rate that would be required to be levied to fund this bond issue, and an estimate of the year in which that rate will apply, based on assessed valuations available at the time of filing this statement or a projection based on experience within the same jurisdiction or other demonstrable factors, is estimated to be \$0.0520 per \$100 (\$52.00 per \$100,000) of assessed valuation in fiscal year 2018-2019.
3. The best estimate from official sources of the total debt service, including the principal and interest, that would be required to be repaid if all the bonds are issued and sold will be approximately \$194,000,000, considering the assumptions set forth in paragraphs (1) and (2) above.

Voters should note that the estimated tax rate is based on the ASSESSED VALUE of taxable property on the San Mateo County official tax rolls, not on the property's market value. Property owners should consult their own property tax bills to determine their property's assessed value and any applicable tax exemptions.

Attention of all voters is directed to the fact that the foregoing information is based upon the District's projections and estimates only, which are not binding upon the District. The actual tax rates, debt service and the years in which they will apply may vary from those presently estimated, due to variations from these estimates in the timing of bond sales, the amount of bonds sold and market interest rates at the time of each sale, and actual assessed valuations over the term of repayment of the bonds. The dates of sale and the amount of bonds sold at any given time will be determined by the District based on need for construction funds and other factors. The actual interest rates at which the bonds will be sold will depend on the bond market at the time of each sale. Actual future assessed valuation will depend upon the amount and value of taxable property within the District as determined by the County Assessor in the annual assessment and the equalization process.

Signed: _____
Jane Yuster, Superintendent
Dated: February 8, 2018

CABRILLO UNIFIED SCHOOL DISTRICT

BOARD AGENDA ITEM

BOARD MEETING DATE: February 8, 2017

☒ **ACTION**
☐ **CONSENT**
☐ **DISCUSSION**
☐ **INFORMATION**

BOARD AGENDA NUMBER: 15.d

BOARD AGENDA ITEM: Approve Cabrillo Unified School District Governing Board Policy Updates and Adopt the Proposed Revisions as Recommended by the California School Boards Association

DEPARTMENT: Governing Board

CONTACT PERSON: Jane Yuster, Superintendent
Joy Dardenelle, Assistant Superintendent, Curriculum and Instruction
Crystal Leach, Chief Business Officer

BACKGROUND INFORMATION:

The Cabrillo Unified School District (CUSD) participates in the California School Boards Association's (CSBA) *Policy Online and Manual Maintenance Service*. One important component of this optional service is that participating districts receive a quarterly "*Policy Maintenance Report*" to help keep Board policies up to date and fully compliant. Most often, the proposed changes are mandate-driven. In such instances, staff will suggest that the Board waive additional readings and adopt the suggested revisions en masse and via consent. In those instances, when a quarterly maintenance review indicates: 1) a need for a change in a policy that provides optional courses of action or 2) the need for a new policy to address a particular issue, staff will suggest that the Board engage in a first and second reading of the document prior to considering policy adoption.

REPORT/PROPOSAL:

This month, BP 0460, BP 3280, BP 3514.4 (New policy), BP 4140, BP 5117, BP 5030, and BP 5131.6, are provided for adoption. These Board policies have been reviewed by appropriate staff and are submitted for your consideration. Staff has further concluded that the proposed revisions reflect new mandates and/or additional CSBA suggested wordsmithing that could be considered for adoption under action items. These policies are included in this Board packet for review and consideration of action.

FINANCIAL IMPACT:

There is no financial impact to the General Fund.

RECOMMENDATION:

Approve Cabrillo Unified School District Governing Board policy updates and adopt the proposed revisions as recommended by the California School Boards Association.

POLICY GUIDE SHEET

February 2018

Page 1 of 2

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made.

BP 0460 - Local Control and Accountability Plan

(BP revised)

Policy and regulation updated to delete references to 5 CCR 15497.5 (repealed) which formerly contained the LCAP template. The LCAP template continues to be approved by the State Board of Education and is available on the California Department of Education (CDE) web site. Policy also adds a definition of "numerically significant student subgroups" whose needs must be addressed in the LCAP. Regulation also deletes requirement to use the state's Academic Performance Index (API) as a measure of student achievement, as the API has been replaced by a new state accountability system.

BP 3280 - Sale or Lease of District-Owned Real Property

(BP revised)

Policy updated to delete the requirement to first offer surplus property to a charter school with at least 80 students. Material regarding the appointment of the district advisory committee expanded to specify the circumstances under which the district is not required to appoint a committee, including the exception for the sale, lease, or rental of excess property to be used for teacher or other employee housing pursuant to **NEW LAW (AB 1157, 2017)**. Policy expands section on "Use of Proceeds" to reflect additional legal requirements, and deletes the authority (repealed) to use the proceeds from the sale of surplus property for any one-time general fund purpose provided that the district adopted a plan and made certain certifications to the State Allocation Board.

BP 3513.4 - Drug and Alcohol Free Schools

(New BP added)

NEW POLICY prohibits the possession, use, or sale of drugs or alcohol by any person on district property and addresses enforcement and discipline for violations of this policy. Policy also reflects **NEW LAW (Proposition 64, 2016)** which prohibits any person from possessing, smoking, or ingesting cannabis on school grounds while children are present.

BP 4140/4240/4340 - Bargaining Units

(BP revised)

Policy updated to reflect **NEW LAW (SB 285, 2017)** which prohibits districts from deterring or discouraging employees from becoming or remaining members of an employee organization. Policy also reflects **NEW LAW (AB 119, 2017)** which requires districts to provide employee organizations with specified contact information for new employees in the bargaining unit and to give employee organizations access to new employee orientations (limited in scope to onboarding sessions where newly hired employees are advised of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters).

POLICY GUIDE SHEET
February 2018
Page 2 of 2

BP 5030 - Student Wellness

(BP revised)

Policy updated to reflect **NEW FEDERAL REGULATIONS (81 Fed. Reg. 50151)** which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. Policy also reflects **NEW STATE LAW (SB 1169, 2016)** which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

BP/AR 5117 - Interdistrict Attendance

(BP/AR revised)

Policy updated to reflect **NEW LAW (AB 99, 2017)** which makes a number of changes to the school district of choice program, including (1) requiring a participating district to register as a school district of choice with the Superintendent of Public Instruction and the county board of education by July 1, 2018; (2) expanding the factors that must not be considered by districts in the selection process; and (3) revising the requirements for annually reporting the disposition of transfer requests.

Regulation updated to reflect provisions of AB 99 related to public announcements regarding the program, priorities for admission, and the timeline for notification of a student's provisional acceptance or rejection. Regulation also reflects **NEW LAW (SB 344, 2017)** which gives the county board in a class 1 county, as defined, 60 calendar days to decide an appeal when a district denies a transfer under an interdistrict attendance agreement. Section on "Transfers Out of the District" moved from BP to AR, and revised to reflect **NEW LAW (AB 2659, 2016)** which provides that a district must not prohibit the transfer of a child of a military family to any district that approves the transfer.

BP 5131.6 - Alcohol and Other Drugs

(BP revised)

Policy updated to reflect the goals and purposes of the federal Student Support and Academic Enrichment Grants program, as established by the Every Student Succeeds Act. Policy also deletes material on drug and alcohol master plans and county primary prevention programs, since the related laws repealed on their own terms.

Cabrillo USD

Board Policy

Local Control And Accountability Plan

BP 0460

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board desires to ensure the most effective use of available state funding to improve outcomes for all students. ~~A community-based, A~~ comprehensive, data-driven planning process shall be used to identify annual goals and specific actions ~~aligned with state and local priorities~~ and to facilitate continuous improvement of district practices.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The Board shall adopt a district wide local control and accountability plan (LCAP), ~~following~~ **based on** the template **adopted by the State Board of Education**, ~~provided in 5 CCR 15497.5,~~ that addresses the state priorities in Education Code 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the district budget, shall cover the next fiscal year and subsequent two fiscal years. (Education Code 52060; 5 CCR 15497.5)

(cf. 3100 – Budget)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" **or part of any numerically significant student subgroup that is at risk of or in underperforming.** ~~and other underperforming students.~~

Unduplicated students include students who are eligible for free or reduced-price meals, English learners, and foster youth, **as defined in Education Code 42238.01** ~~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)

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)

The LCAP shall also be aligned with other district and school plans to the extent possible in order to minimize duplication of effort and provide clear direction for program implementation.

(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)

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)

Plan Development

The Superintendent or designee shall gather data and information needed for effective and meaningful plan development and present it to the Board and community. 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.

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 6020 - Parent Involvement)

Public Review and Input

The Board shall establish a parent advisory committee to review and comment on the LCAP. The committee shall be composed of a majority of parents/guardians and shall include at least one parent/guardian of an unduplicated student as defined above. (Education Code 52063; 5 CCR 15495)

Whenever district enrollment includes at least 15 percent English learners, with at least 50 students who are English learners, the Board shall establish an English learner parent advisory committee composed of a majority of parents/guardians of English learners. (Education Code 52063; 5 CCR 15495)

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)

(cf. 5145.6 - Parental Notifications)

As part of the parent and community engagement process, the district shall solicit input on effective and appropriate instructional methods, including, but not limited to, establishing language acquisition programs to enable all students, including English learners, and native English speakers, to have access to the core academic content standards and to become proficient in English. (Education Code 305-306)

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 ~~budget~~ hearing required ***pursuant to Education Code 42127 and AR 3100 –Budget***, prior to the adoption of the district budget in accordance with Education Code 42127 and AR 3100–~~Budget~~. (Education Code 42127, 52062)

Adoption of the Plan

The Board shall adopt the LCAP prior to adopting the district budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing.

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, 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)

Monitoring Progress

The Superintendent or designee shall report to the Board, at least annually in accordance with the timeline and indicators established by him/her and the Board, regarding the district's progress toward attaining each goal identified in the LCAP. ***Evaluation shall include, but not be limited to, an assessment of the district and school performance reported on the California School Dashboard.*** Evaluation data shall be used to recommend any necessary revisions to the LCAP.

(cf. 0500 - Accountability)

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

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.

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:

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>

Policy: 0460

Adopted: December 12, 2013

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California

Cabrillo USD

Board Policy

Business and Noninstructional Operations

BP 3280

Sale Or Lease Of District-Owned Real Property

The Governing Board believes that the district ~~should utilize its~~ facilities and resources **should be utilized** in the most ~~an~~ economical and practical manner. The Superintendent or designee shall periodically study the current and projected use of all district facilities to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning.

(cf. 1330 - Use of School Facilities)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7160 - Charter School Facilities)

The Board shall appoint a district advisory committee prior to the sale or lease of any surplus real property to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. Rentals of surplus property not exceeding 30 days are exempted from this requirement. When the sale, lease, or rental of surplus property is for the purpose of teacher or other employee housing or for the offering of summer school by a private educational institution, the Board may elect not to appoint a district advisory committee. (Education Code 17387-17391)

(cf. 1220 - Citizen Advisory Committees)

If the local planning agency has adopted a general plan that affects or includes the area where the surplus property is located, the Board shall submit a report to the local planning agency describing the location of the surplus property and the purpose and extent of the proposed sale or lease. (Government Code 65402)

The Board shall determine whether the sale or lease of the surplus property is subject to review under the California Environmental Quality Act. (Public Resources Code 21000-21177; 14 CCR 15061-15062)

When selling or leasing district real property, the Board shall comply with the priorities and procedures specified in applicable law. (Education Code 17230, 17464, 17485-17499; Government Code 54222)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a state school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State

Allocation Board (SAB) pursuant to Education Code 17462.3.

~~Prior to the sale or lease of any surplus real property, the Board shall appoint a district advisory committee to advise the Board regarding the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388-17389)~~

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

~~Upon determination that district property is no longer needed, or may not be needed until some future time, the Board shall first submit a report to the local planning agency as to what real property the district intends to offer for sale or lease. Not less than 40 days after issuance of the report to the local planning agency, and prior to entering into any agreement for sale or lease of district real property, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in applicable law. (Education Code 17230, 17387-17391, 17457.5, 17464, 17485-17500; Government Code 54222, 65402)~~

~~(cf. 5148—Child Care and Development)~~

~~(cf. 5148.2—Before/After School Programs)~~

~~(cf. 5148.3—Preschool/Early Childhood Education)~~

~~In addition, when selling real property purchased, constructed, or modernized with funds received within the past 10 years from a school facilities funding program, the Board shall consider whether any of the proceeds from the sale will need to be returned to the State Allocation Board (SAB) pursuant to Education Code 17462.3.~~

Resolution of Intention to Sell or Lease

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regular, open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. ***The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at with sealed proposals to purchase or lease will be received and considered. (Education code 17466)***

~~The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)~~

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

~~(cf. 9323.2 - Actions by the Board)~~

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting that will be held to consider bids by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a paper exists. (Education Code 17469)

In accordance with Education Code 17470, the Superintendent or designee shall take reasonable steps to provide notification to the former owners of the property of the district's intent to sell it.

Acceptance/Rejection of Bids

At the public meeting specified in the resolution of intention to sell or lease property, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law. (Education Code 17472, 17473)

The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. If no proposals are submitted or the submitted proposals do not conform to all the terms and conditions specified in the resolution of intention to lease, the Board may lease the property in accordance with Education Code 17477. (Education Code 17476, 17477)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17472-17478)

(cf. 1431 - Waivers)

Use of Proceeds

The Superintendent or designee shall ensure that the proceeds from the sale or lease with an option to purchase of surplus district property are used for one-time expenditures and not for ongoing expenditures such as salaries and general operating expenses. (Education Code 17462)

Proceeds from a sale of surplus district property shall be used for capital outlay or maintenance costs that the Board determines will not recur within a five-year period. (Education Code 17462)

Proceeds from a lease of district property with an option to purchase may be deposited into a restricted fund for the routine repair of district facilities, as defined by the SAB, for up to a five-year period. (Education Code 17462)

If the Board and SAB determine that the district has no anticipated need for additional sites or building construction for the next 10 years and no major deferred maintenance requirements, the proceeds from the sale or lease with an option to purchase may be deposited in a special reserve fund for the future maintenance and renovation of school sites or in the district's general fund. Proceeds from the sale or lease with option to purchase of district property may also be deposited in a special reserve fund for capital outlay or maintenance costs of district

property that the Board determines will not recur within a five-year period. (Education Code 17462)

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE

17219-17224 *Acquisition of property not utilized as school site; nonuse payments; exemptions*

17230-17234 *Surplus property*

17385 *Conveyances to and from school districts*

17387-17391 *Advisory committees for use of excess school facilities*

17400-17429 *Leasing property*

17430-17447 *Leasing facilities*

17453 *Lease of surplus district property*

17455-17484 *Sale or lease of real property, especially:*

17462.3 *State Allocation Board program to reclaim funds*

17485-17500 *Surplus school playground (Naylor Act)*

17515-17526 *Joint occupancy*

17527-17535 *Joint use of district facilities*

33050 *Requ*

38130-38139 *Civic Center Act*

GOVERNMENT CODE

50001-50002 *Definitions*

54220-54232 *Surplus land, especially:*

54222 *Offer to sell or lease property*

54950-54963 *Brown Act, especially:*

54952 *Legislative body, definition*

PUBLIC RESOURCES CODE

21000-21177 *California Environmental Quality Act*

CODE OF REGULATIONS, TITLE 2

1700 *Definitions related to surplus property*

COURT DECISIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, December 2015

WEB SITES

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

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

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

~~The Superintendent or designee shall ensure that proceeds from the sale, or lease with an option to purchase, of district surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)~~

~~(cf. 3100 - Budget)~~

~~(cf. 3460—Financial Reports and Accountability)~~

~~Pursuant to the authorization in Education Code 17463.7, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one time general fund purpose(s). Before the district exercises this authority: (Education Code 17463.7)~~

~~1. The Board shall submit documents to the SAB certifying that:~~

- ~~a. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.~~
- ~~b. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.~~

~~(cf. 7214—General Obligation Bonds)~~

- ~~c. The real property is not suitable to meet projected school construction needs for the next 10 years.~~

~~2. The Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district.~~

Legal Reference:

EDUCATION CODE

~~17219-17224—Acquisition of property not utilized as school site; nonuse payments; exemptions~~

~~17230-17234—Surplus property~~

~~17385—Conveyances to and from school districts~~

~~17387-17391—Advisory committees for use of excess school facilities~~

~~17400-17429—Leasing property~~

~~17430-17447—Leasing facilities~~

~~17453—Lease of surplus district property~~

~~17455-17484—Sale or lease of real property, especially:~~

~~17457.5—Offer to charter school~~

~~17462.3—State Allocation Board program to reclaim funds~~

~~17463.7—Proceeds for general fund purposes~~

~~17485-17500—Surplus school playground (Naylor Act)~~

~~17515-17526—Joint occupancy~~

~~17527-17535—Joint use of district facilities~~

~~33050—Request for waiver~~

~~38130-38139—Civic Center Act~~

GOVERNMENT CODE

~~54220-54232—Surplus land, especially:~~

~~54222—Offer to sell or lease property~~

~~54950-54963—Brown Act, especially:~~

~~54952—Legislative body, definition~~

PUBLIC RESOURCES CODE

~~21000-21177—California Environmental Quality Act~~

CODE OF REGULATIONS, TITLE 2

~~1700—Definitions related to surplus property~~

COURT DECISIONS

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

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Closing a School Best Practices Guide

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

Unused Site Program Handbook, May 2008

WEB SITES

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

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

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

Policy: 3280

Adopted: December 11, 2008

Revised: June 25, 2009

Revised: August 12, 2010

Revised: May 29, 2014

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT
Half Moon Bay, California

Cabrillo USD

Board Policy

Business and Noninstructional Operations

BP 3513.4

DRUG AND ALCOHOL FREE SCHOOLS

The Governing Board recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

(cf. 1325 - Advertising and Promotion)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 4020 - Drug and Alcohol-Free Workplace)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.6 - Alcohol and Other Drugs)
(cf. 5131.62 - Tobacco)
(cf. 6142.8 - Comprehensive Health Education)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student's authorized health care provider as applicable.

(cf. 5141.21 - Administering Medications and Monitoring Health Conditions)

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

(cf. 1250 - Visitors/Outsiders)
 (cf. 3515.2 - Disruptions)
 (cf. 5145.11 - Questioning and Apprehension by Law Enforcement)
 (cf. 5145.12 - Search and Seizure)

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
 (cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
 (cf. 4117.7/4217.7/4317.7 - Employment Status Reports)
 (cf. 4118 - Dismissal/Suspension/Disciplinary Action)
 (cf. 4218 - Dismissal/Suspension/Disciplinary Action)
 (cf. 5131 - Conduct)
 (cf. 5144 - Discipline)
 (cf. 5144.1 - Suspension and Expulsion/Due Process)
 (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
 (cf. 6145 - Extracurricular and Cocurricular Activities)
 (cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

44940 Compulsory leave of absence for certificated persons
 44940.5 Procedures when employees are placed on compulsory leave of absence
 45123 Employment after conviction of controlled substance offense
 45304 Compulsory leave of absence for classified persons
 48900 Suspension or expulsion (grounds)
 48900.5 Suspension, limitation on imposition; exception
 48901 Smoking or use of tobacco prohibited
 48901.5 Prohibition of electronic signaling devices
 48902 Notification of law enforcement authorities; civil or criminal immunity
 48909 Narcotics or other hallucinogenic drugs
 48915 Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

8350-8357 Drug-free workplace

HEALTH AND SAFETY CODE

11053-11058 Standards and schedules
 11353.6 Juvenile Drug Trafficking and Schoolyard Act
 11362.1 Possession and use of cannabis, persons age 21 and over
 11362.3 Limitations on possession and use of cannabis
 11362.79 Limitations on medical use of cannabis
 104559 Tobacco use prohibition

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 21

812 Schedules of controlled substances
 844 Penalties for possession of controlled substance

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

COURT DECISIONS

Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)

Policy: 3513.4

Adopted: February 8, 2018

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California

Cabrillo USD

Board Policy

Personnel

BP 4140

Bargaining Units

The Governing Board recognizes the right of district employees to form a bargaining unit, select an employee organization as their exclusive representative, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with recognized employee organizations and respecting the rights of employees and employee organizations.

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

(cf. 9000 - Role of the Board)

The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)

The district shall not deter or discourage employees from becoming or remaining members of an employee organization, impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3550)

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

Formation of Bargaining Units

Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)

The district may recognize a bargaining unit of supervisory employees if: (Government Code 3545)

1. *The bargaining unit includes all supervisory employees.*
2. *The supervisors are not represented by the same organization that represents employees whom the supervisory employees supervise.*

(cf. 4300 - Administrative and Supervisory Personnel)

(cf. 4301 - Administrative Staff Organization)

(cf. 4312.1 - Contracts)

For this purpose, supervisory employee means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other

employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment. (Government Code 3540.1)

Employees serving in management, senior management, or confidential positions shall not be represented by an exclusive representative. Such employees may represent themselves individually or may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions. When represented by an employee organization, that organization shall not meet and negotiate with the district. For this purpose: (Government Code 3540.1, 3543.4)

- 1. Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.*
- 2. Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.*

Access to Employee Orientations and Contact Information

The district shall permit employee organizations access to new employee orientations where newly hired employees are advised, whether in person, online, or through other means or mediums, of their employment status, rights, benefits, duties, responsibilities, or any other employment-related matters. The district shall provide employee organizations at least 10 days' notice in advance of an orientation. However, in any specific instance where an unforeseeable, urgent need critical to the district's operation prevents the required 10 days' notice, a shorter notice may be provided. (Government Code 3555.5, 3556)

The structure, time, and manner of the access to new employee orientations shall be determined by mutual agreement of the district and the exclusive representative, following a request to negotiate by either party. If the district and exclusive representative fail to reach an agreement, matters related to the access to new employee orientation shall be subject to compulsory interest arbitration. The district and employee organization may mutually agree to submit any dispute to compulsory interest arbitration at any time. In addition, if any dispute arises during negotiations and is not resolved within 45 days after the first meeting or within 60 days after the initial request to negotiate, whichever is earlier, either party may make a demand for compulsory interest arbitration. When any such dispute arises during the summer when the district's administrative office is closed, the timeline shall commence on the first day the administrative office reopens. The decision of the arbitrator shall be final and binding on the parties. (Government Code 3556, 3557)

The Superintendent or designee shall provide an exclusive representative with the name, job title, department, work location, telephone numbers (work, home, and personal cell phone), personal email address(es) on file with the district, and home address of any newly hired employee in the bargaining unit, within 30 days of hire or by the first pay period of the month following hire.

In addition, the Superintendent or designee shall provide the same information on all employees in the bargaining unit to an exclusive representative at least every 120 days, unless more frequent or detailed lists are required by agreement with the exclusive representative. (Government Code 3558, 6254.3)

However, the Superintendent or designee shall not disclose the home address and any phone numbers on file for employees performing law enforcement-related functions, nor shall he/she disclose the home address, home or personal cell phone number(s), or personal email address(es) of any employee who is a participant in the Safe at Home address confidentiality program pursuant to Government Code 6207 or any employee who provides written request that the information not be disclosed for this purpose. Following receipt of a written request, the district shall remove the employee's home address, home and personal cell phone numbers, and personal email address from any mailing list maintained by the district unless the list is only used by the district to contact the employee. (Government Code 3558, 6207, 6254.3)

(cf. 1340 - Access to District Records)

Payment of Dues or Service Fee

Upon the written request of a recognized employee organization, the Superintendent or designee shall deduct the amount of organization dues or the fair share service fee, determined in accordance with Government Code 3546, from the wages and salary of each employee represented by that employee organization and shall pay that amount to the employee organization. (Education Code 45060, 45168; Government Code 3546)

Any employee who is a member of a religious body whose traditional tenets or teachings include objections to joining or financially supporting employee organizations shall not be required to join, maintain membership in, or financially support any employee organization as a condition of employment. However, such an employee may be required to pay an amount equal to the service fee to a designated charitable fund. (Government Code 3546.3)

Each employee organization shall, within 60 days after the end of its fiscal year, provide the Board and the employees who are members of the organization with a detailed financial report consisting of a balance sheet and an operating statement. If the employee organization fails to provide the financial report, the Board may issue an order compelling the organization to provide the financial report or any employee within the organization may petition the Board for such an order. (Government Code 3546.5)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

EDUCATION CODE

45060-45061.5 Deduction of fees from salary or wage payment, certificated employees

45100.5 Senior management positions

45104.5 Abolishment of senior classified management positions

45108.5 Definition of senior classified management employees

45108.7 Waiver of provisions of 45108.5

45168 Deduction of fees from salary or wage payment, classified employees

45220-45320 *Merit system, classified employees*

GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act, especially:*

3540.1 *Definitions*

3543.4 *Management position; representation*

3545 *Appropriateness of unit; basis*

3550-3552 *Prohibition on public employers deterring or discouraging union membership*

3555-3559 *Public employee communication, information and orientation*

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

6254.3 *Disclosure of employee contact information to employee organization*

6503.5 *Joint powers agencies*

53260-53264 *Employment contracts*

CODE OF REGULATIONS, TITLE 8

33015-33490 *Recognition of exclusive representative; proceedings*

33700-33710 *Severance of established unit*

34020 *Petition to rescind organizational security arrangement*

34055 *Reinstatement of organizational security arrangement*

COURT DECISIONS

Janus v. American Federation of State, County and Municipal Employees, Council 31, (7th Cir. 2017) 851 F.3d 746, cert granted Sept. 28, 2017, No. 16-1466

Friedrichs v. California Teachers Association, et al., (2016) 136 S.Ct. 1083

County of Los Angeles v. Service Employees International Union, Local 721, (2013) 56 Cal. 4th 905

Aboud v. Detroit Board of Education, (1977) 431 U.S. 209

Management Resources:

WEB SITES

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

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

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

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

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

Public Employment Relations Board: <http://www.perb.ca.gov>

~~The Governing Board recognizes the right of public school employees to form bargaining units, select an employee organization as the exclusive representative of their unit, and be represented by that organization in their employment relationship with the district. The Board is committed to negotiating in good faith with the employee organizations and respecting the rights of employees and employee organizations.~~

~~(cf. 4141/4241—Collective Bargaining Agreement)~~

~~(cf. 4143/4243—Negotiations/Consultation)~~

~~The Board shall negotiate only with the exclusive representative of each bargaining unit. (Government Code 3543.3)~~

~~Certificated and classified employees shall not be included in the same bargaining unit. (Government Code 3545)~~

~~The district shall not dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it. (Government Code 3543.5)~~

~~Neither the district nor the employee organization shall impose or threaten to impose reprisals on employees, discriminate or threaten to discriminate against employees, or otherwise interfere~~

~~with, restrain, or coerce employees because of their membership or nonmembership in an employee organization. (Government Code 3543.5, 3543.6)~~

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

~~Management and Supervisory Employees~~

~~Employees serving in a management, senior management, or confidential position shall not be represented by an exclusive representative. Such employees may represent themselves individually or may be represented by an employee organization whose membership is composed entirely of employees designated as holding those positions, but that organization shall not meet and negotiate with the district. (Government Code 3543.4)~~

~~However, the district may recognize a bargaining unit of supervisors if that unit includes all supervisory employees and if the unit does not represent the employee whom the supervisors supervise. (Government Code 3545)~~

~~Management, supervisory, and confidential positions shall be classified as follows: (Government Code 3540.1)~~

- ~~1. Management employee means any employee who has significant responsibilities for formulating district policies or administering district programs, and whose position is designated as a management position by the Board.~~
- ~~2. Supervisory employee means any employee, regardless of job description, having the authority, in the interest of the district, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, discipline, assign work, direct, adjust grievance of other employees, or effectively recommend that action. The exercise of this authority shall not be merely routine or clerical in nature, but shall require the use of independent judgment.~~

~~(cf. 4301—Administrative Staff Organization)~~

- ~~3. Confidential employee means any employee who is required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions.~~

Legal Reference:

~~EDUCATION CODE~~

~~45060-45061.5—Deduction of fees from salary or wage payment, certificated employees~~

~~45168—Deduction of fees from salary or wage payment, classified employees~~

~~45220-45320—Merit system, classified employees~~

~~GOVERNMENT CODE~~

~~3540-3549.3—Educational Employment Relations Act~~

~~CODE OF REGULATIONS, TITLE 8~~

~~33015-33490—Recognition of exclusive representative; proceedings~~

~~33700-33710—Severance of established unit~~

~~34020—Petition to rescind organizational security arrangement~~

~~34055—Reinstatement of organizational security arrangement~~

Management Resources:

~~CSBA PUBLICATIONS~~

~~Collective Bargaining DVD-ROM~~

*~~Maximizing School Board Governance: Collective Bargaining
Before the Strike: Planning Ahead in Difficult Negotiations, 1996~~*

~~WEB SITES~~

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

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

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

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

~~Public Employment Relations Board: <http://www.perb.ca.gov>~~

Policy: 4140

Adopted: December 11, 2008

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California

Cabrillo USD

Board Policy

Student Wellness

BP 5030

Students

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.61 - Drug Testing)

(cf. 5131.62 - Tobacco)

(cf. 5131.63 - Steroids)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.6 - School Health Services)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

(cf. 6164.2 - Guidance/Counseling Services)

School Wellness Council

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees)

(cf. 9140 - Board Representatives)

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer Learning Programs)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 5142.2 - Safe Routes to School Program)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1 - Joint Use Agreements)

Professional development may be regularly offered to the nutrition program director, managers, and staff, as well as health education teachers, physical education teachers, coaches, activity supervisors, and other staff as appropriate to enhance their knowledge and skills related to student health and wellness.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

Nutrition Guidelines for All Foods Available at School

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

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

(cf. 3552 - Summer Meal Program)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

(cf. 5148 - Child Care and Development)

(cf. 5148.3 - Preschool/Early Childhood Education)

The Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

(cf. 3312 - Contracts)

(cf. 3554 - Other Food Sales)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

(cf. 1325 - Advertising and Promotion)

Program Implementation and Evaluation

The Superintendent designates the individual(s) identified below as the individual(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

***Chief Business Official
Cabrillo Unified School District
498 Kelly Ave
Half Moon Bay, CA 94019
650-712-7123***

(cf. 0500 - Accountability)

(cf. 3555 - Nutrition Program Compliance)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.30)

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

- 1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements*
- 2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records*
- 3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program*
- 4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards*
- 5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards*
- 6. Results of the state's physical fitness test at applicable grade levels*
- 7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity*
- 8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program*
- 9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate*

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

Notifications

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

(cf. 1100 - Communication with the Public)

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 6020 - Parent Involvement)

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

Records

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

Legal Reference:

EDUCATION CODE

33350-33354 CDE responsibilities re: physical education

38086 Free fresh drinking water

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 *Nutrition*
 49530-49536 *Child Nutrition Act*
 49540-49546 *Child care food program*
 49547-49548.3 *Comprehensive nutrition services*
 49550-49562 *Meals for needy students*
 49565-49565.8 *California Fresh Start pilot program*
 49570 *National School Lunch Act*
 51210 *Course of study, grades 1-6*
 51210.1-51210.2 *Physical education, grades 1-6*
 51210.4 *Nutrition education*
 51220 *Course of study, grades 7-12*
 51222 *Physical education*
 51223 *Physical education, elementary schools*
 51795-51798 *School instructional gardens*
 51880-51921 *Comprehensive health education*
CODE OF REGULATIONS, TITLE 5
 15500-15501 *Food sales by student organizations*
 15510 *Mandatory meals for needy students*
 15530-15535 *Nutrition education*
 15550-15565 *School lunch and breakfast programs*
UNITED STATES CODE, TITLE 42
 1751-1769j *National School Lunch Program, especially:*
 1758b *Local wellness policy*
 1771-1793 *Child Nutrition Act, especially:*
 1773 *School Breakfast Program*
 1779 *Rules and regulations, Child Nutrition Act*
CODE OF FEDERAL REGULATIONS, TITLE 7
 210.1-210.33 *National School Lunch Program, especially:*
 210.30 *Wellness policy*
 220.1-220.22 *National School Breakfast Program*
COURT DECISIONS
Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:

CSBA PUBLICATIONS

Integrating Physical Activity into the School Day, Governance Brief, April 2016
Increasing Access to Drinking Water in Schools, Policy Brief, April 2013
Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012
Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012
Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012
Physical Activity and Physical Education in California Schools, Research Brief, April 2010
Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009
Physical Education and California Schools, Policy Brief, rev. October 2007
School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

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

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy

Eating, Physical Activity and Food Security in Afterschool Programs, January 2015

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, rev. 2012

FEDERAL REGISTER

Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, rev. 2012

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2016

WEB SITES

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

Action for Healthy Kids: <http://www.actionforhealthykids.org>

Alliance for a Healthier Generation: <http://www.healthiergeneration.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

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

California Project LEAN (Leaders Encouraging Activity and Nutrition):
<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

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

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

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

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:
<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020—Youth Services)

(cf. 3513.3—Tobacco-Free Schools)

(cf. 3514—Environmental Safety)

(cf. 5131.6—Alcohol and Other Drugs)

(cf. 5131.61—Drug Testing)

(cf. 5131.62—Tobacco)

(cf. 5131.63—Steroids)

(cf. 5141—Health Care and Emergencies)

(cf. 5141.22—Infectious Diseases)

(cf. 5141.3—Health Examinations)

(cf. 5141.31—Immunizations)

(cf. 5141.32—Health Screening for School Entry)

(cf. 5141.6—School Health Services)

~~(cf. 6142.1—Sexual Health and HIV/AIDS Prevention Education)~~
~~(cf. 6164.2—Guidance/Counseling Services)~~

School Health Council/Committee

~~The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)~~

~~To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as health educators, curriculum directors, counselors, before and after school program staff, health practitioners, and/or others interested in school health issues.~~

~~(cf. 1220—Citizen Advisory Committees)~~
~~(cf. 9140—Board Representatives)~~

~~The school health council/committee shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.~~

Goals for Nutrition, Physical Activity, and Other Wellness Activities

~~The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)~~

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

~~The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.~~

~~(cf. 6011—Academic Standards)~~
~~(cf. 6142.7—Physical Education and Activity)~~
~~(cf. 6142.8—Comprehensive Health Education)~~
~~(cf. 6143—Courses of Study)~~

~~The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before and after school programs, summer learning programs, and school garden programs.~~

~~(cf. 5148.2—Before/After School Programs)~~
~~(cf. 6177—Summer Learning Programs)~~

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free give-aways, or other means.

(cf. 1325—Advertising and Promotion)

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before and after school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 5142.2—Safe Routes to School Program)

(cf. 6145—Extracurricular and Cocurricular Activities)

(cf. 6145.2—Athletic Competition)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

(cf. 1330.1—Joint Use Agreements)

Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

(cf. 4131—Staff Development)

(cf. 4231—Staff Development)

(cf. 4331—Staff Development)

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

(cf. 1100—Communication with the Public)

(cf. 1112—Media Relations)

(cf. 1113—District and School Web Sites)

(cf. 1114—District Sponsored Social Media)

(cf. 6020—Parent Involvement)

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students'

~~physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.~~

~~(cf. 5131.2—Bullying)~~

~~(cf. 5145.3—Nondiscrimination/Harassment)~~

~~The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.~~

~~Nutritional Guidelines for Foods Available at School~~

~~For all foods available on each campus during the school day, the district shall adopt nutritional guidelines which are consistent with 42 USC 1773 and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)~~

~~In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible.~~

~~When approved by the California Department of Education, the district may sponsor a summer meal program.~~

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

~~(cf. 3552—Summer Meal Program)~~

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

~~(cf. 5141.27—Food Allergies/Special Dietary Needs)~~

~~(cf. 5148—Child Care and Development)~~

~~(cf. 5148.3—Preschool/Early Childhood Education)~~

~~The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.~~

~~The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.~~

~~(cf. 3312—Contracts)~~

~~(cf. 3554—Other Food Sales)~~

~~The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.~~

(cf. 1230—School-Connected Organizations)

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

Program Implementation and Evaluation

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. (42 USC 1758b)

(cf. 0500—Accountability)

(cf. 3555—Nutrition Program Compliance)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every two years.

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

- 1.—— Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
- 2.—— An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
- 3.—— Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
- 4.—— Extent to which foods sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards
- 5.—— Results of the state's physical fitness test at applicable grade levels
- 6.—— Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
- 7.—— A description of district efforts to provide additional opportunities for physical activity outside of the physical education program

~~8. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate~~

~~The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before and after school program staff, and/or other appropriate persons.~~

~~As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.~~

~~The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)~~

~~In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.~~

~~Each school principal or designee shall ensure compliance with established standards for foods sold or served individually outside of the school food service program and with established physical activity policies. The school food meals will undergo a School Nutrition Programs Administrative review at least once every three years in order to ensure that school meals are meeting USDA nutrition standards.~~

Posting Requirements

~~Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)~~

~~Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.~~

Legal Reference:

EDUCATION CODE

~~33350-33354 CDE responsibilities re: physical education~~

~~49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001~~

~~49490-49494 School breakfast and lunch programs~~

~~49500-49505 School meals~~

~~49510-49520 Nutrition~~

~~49530-49536 Child Nutrition Act~~

~~49540-49546 Child care food program~~

~~49547-49548.3 Comprehensive nutrition services~~

~~49550-49561 Meals for needy students~~

~~49565-49565.8 California Fresh Start pilot program~~

~~49570 National School Lunch Act~~

~~51210—Course of study, grades 1–6~~
~~51220—Course of study, grades 7–12~~
~~51222 Physical education~~
~~51223—Physical education, elementary schools~~
~~51795–51796.5—School instructional gardens~~
~~51880–51921—Comprehensive health education~~
~~CODE OF REGULATIONS, TITLE 5~~
~~15500–15501—Food sales by student organizations~~
~~15510—Mandatory meals for needy students~~
~~15530–15535—Nutrition education~~
~~15550–15565—School lunch and breakfast programs~~
~~UNITED STATES CODE, TITLE 42~~
~~1751–1769—National School Lunch Program, especially:~~
~~1758b Local wellness policy~~
~~1771–1791—Child Nutrition Act, especially:~~
~~1773—School Breakfast Program~~
~~1779—Rules and regulations, Child Nutrition Act~~
~~CODE OF FEDERAL REGULATIONS, TITLE 7~~
~~210.1–210.31—National School Lunch Program~~
~~220.1–220.23—National School Breakfast Program~~
~~COURT DECISIONS~~
~~Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781~~

Management Resources:

~~CSBA PUBLICATIONS~~

~~Increasing Access to Drinking Water in Schools, Policy Brief, March 2013~~
~~Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012~~
~~Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012~~
~~Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012~~
~~Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009~~
~~Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009~~
~~Physical Education and California Schools, Policy Brief, rev. October 2007~~
~~School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006~~

~~CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS~~

~~Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009~~

~~Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003~~

~~CALIFORNIA PROJECT LEAN PUBLICATIONS~~

~~Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006~~

~~CENTER FOR COLLABORATIVE SOLUTIONS~~

~~Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy Eating, Physical Activity and Food Security in Afterschool Programs, March 2010~~

~~CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS~~

~~School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, 2005~~

~~FEDERAL REGISTER~~

~~Rules and Regulations, January 26, 2012, Vol. 77, Number 17, pages 4088–4167~~

~~NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS~~

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

~~U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS~~

~~Dietary Guidelines for Americans, 2005~~

~~Changing the Scene, Improving the School Nutrition Environment: A Guide to Local Action, 2000~~

~~WEB SITES~~

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

~~Action for Healthy Kids: <http://www.actionforhealthykids.org>~~

~~California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>~~

~~California Department of Public Health: <http://www.cdph.ca.gov>~~

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

~~California Project LEAN (Leaders Encouraging Activity and Nutrition):-
<http://www.californiaprojectlean.org>~~

~~California School Nutrition Association: <http://www.calsna.org>~~

~~Center for Collaborative Solutions: <http://www.ccscenter.org>~~

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

~~Dairy Council of California: <http://www.dairycouncilofca.org>~~

~~National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>~~

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

~~School Nutrition Association: <http://www.schoolnutrition.org>~~

~~Society for Nutrition Education: <http://www.sne.org>~~

~~U.S. Department of Agriculture, Food Nutrition Service, wellness policy:-
<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>~~

Policy: 5030

Adopted: December 11, 2008

Revised: March 6, 2014

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California

Cabrillo USD

Board Policy

Students

BP 5117

Interdistrict Attendance

The Governing Board recognizes that parents/guardians of students who reside ***within the geographic boundaries of*** one district may, for a variety of reasons, choose to enroll their child in a school in another district.

(cf. 0520.3 - Title I Program Improvement Districts)

(cf. 5111.1 - District Residency)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5118 - Open Enrollment Act Transfers)

Interdistrict Attendance Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

~~Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611 except under extraordinary circumstances.~~

~~The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following: (Education Code 48313)~~

- ~~1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial~~
- ~~2. The number of students transferred out of and transferred into the district pursuant to this program~~

- ~~3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above~~
- ~~4. The number of students in item #2 above who are classified as English learners or students with disabilities~~

~~The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance. (Education Code 48313)~~

~~The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code 48301, 48313)~~

Transportation

The district shall not provide transportation beyond any school attendance area.

Limits on Student Transfers Out of the District to a School District of Choice

~~The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.~~

~~In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. (Education Code 48307)~~

~~(cf. 3100—Budget)~~

~~(cf. 3460—Financial Reports and Accountability)~~

~~The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)~~

~~A child of an active military duty parent/guardian shall not be prohibited from transferring out of the district to a school district of choice, if the other school district approves the application for transfer. (Education Code 48301)~~

~~(cf. 6173.2—Education of Children of Military Families)~~

Legal Reference:

~~EDUCATION CODE~~

~~41020 Annual district audits~~

~~46600 46611 Interdistrict attendance agreements~~

~~48204 Residency requirements for school attendance~~

~~48300 48316 Student attendance alternatives, school district of choice program~~

~~48350 48361 Open Enrollment Act~~

~~48900 Grounds for suspension or expulsion; definition of bullying~~

~~48915 Expulsion; particular circumstances~~

~~48915.1 Expelled individuals: enrollment in another district~~

~~48918 Rules governing expulsion procedures~~

~~48980 Notice at beginning of term~~

~~52317 Regional occupational center/program, enrollment of students, interdistrict attendance~~

~~ATTORNEY GENERAL OPINIONS~~

~~87 Ops.Cal.Atty.Gen. 132 (2004)~~

~~84 Ops.Cal.Atty.Gen. 198 (2001)~~

~~COURT DECISIONS~~

~~Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192~~

~~Cal.App.4th 234~~

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

~~Management Resources:~~

~~CSBA PUBLICATIONS~~

~~Transfer Law Comparison, Fact Sheet, March 2011~~

~~WEB SITES~~

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

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

Policy: 5117

Adopted: December 11, 2008

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Revised: February 16, 2017

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California

Cabrillo USD

Board Policy

Alcohol And Other Drugs

BP 5131.6

Students

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. ***The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.***

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 5137 - Positive School Climate)

The district's alcohol and drug prevention and intervention programs shall be coordinated with other school and community-based services and programs and shall promote the involvement of parents/guardians. The Superintendent or designee may collaborate with the county office of education, community-based organizations, health providers, law enforcement agencies, local child welfare agencies, postsecondary institutions, businesses, and other public and private entities in program planning, implementation, and evaluation.

(cf. 1020 - Youth Services)

(cf. 1220 - Citizen Advisory Committees)

(cf. 6020 - Parent Involvement)

Prevention and intervention programs and activities may include, but are not limited to: (20 USC 7118)

1. ***Evidence-based drug and violence prevention activities and programs that educate students against the use of alcohol, tobacco, cannabis, smokeless tobacco products, and electronic cigarettes***

(cf. 5131.62 - Tobacco)

2. ***Professional development and training for school staff, specialized instructional support personnel, and interested community members on drug prevention, education, early identification, intervention mentoring, recovery support services, and, where appropriate, rehabilitation referral***

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. *School-based mental health services, including early identification of drug use and referrals to counseling services, and/or partnerships with public or private health care entities that have qualified mental and behavioral health professionals*

(cf. 5141.6 - School Health Services)

4. *Programs and activities that provide mentoring and school counseling to all students, including students who are at risk of drug use and abuse*

Instruction

The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is prohibited. Instruction shall not include any message on responsible use of drugs or alcohol when such use is illegal. (Health and Safety Code 11999.2)

The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.

Intervention, Referral, and Student Assistance Programs

The Superintendent or designee shall inform school staff, students, and parents/guardians about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral, and other student assistance programs.

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

(cf. 5141.52 - Suicide Prevention)

Enforcement/Discipline

Students shall not possess, use, or sell alcohol or other drugs and related paraphernalia on school grounds or at school-sponsored activities.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3513.4 - Drug and Alcohol Free Schools)

(cf. 5131 - Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee shall clearly communicate to all students, staff, and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs.

Any student found by the Board to be selling a controlled substance listed in Health and Safety Code 11053-11058 shall be expelled in accordance with BP/AR 5144.1 - Suspension and Expulsion/Due Process. A student found to have committed another drug or alcohol offense, including possession or intoxication, shall be referred to appropriate behavioral interventions or student assistance programs, and may be subject to discipline on a case-by-case basis.

(cf. 5144 - Discipline)

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

(cf. 6145 - Extracurricular and Co-curricular Activities)

Program Evaluation

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of district programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of district activities in achieving identified objectives and outcomes. (20 USC 7116)

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student

44645 In-service training anabolic steroids

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

49602 Confidentiality of pupil information

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51210 Areas of study

51220 Areas of study, grades 7 to 12

51260-51269 Drug education

60041 Instructional materials

60110-60115 Instructional materials on alcohol and drug education

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7122 Student Support and Academic Enrichment Grants

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:
<http://www.cde.ca.gov/ls/he/at>

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

Office of Safe and Healthy Students: <https://www2.ed.gov/about/offices/list/oese/oshs>

The Board desires to keep district schools free of alcohol and other drugs in order to help prevent violence, promote school safety and create a well-disciplined environment conducive to learning.

~~The Superintendent or designee shall develop, implement and evaluate a comprehensive prevention and intervention program that is coordinated with other school and community-based services and programs. The district's program shall be scientifically based and designed to prevent or reduce alcohol or other drug use and the possession and distribution of illegal drugs. It shall include primary prevention activities such as decision-making skills and conflict management, instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.~~

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

~~(cf. 1020—Youth Services)~~

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

~~(cf. 5138—Conflict Resolution/Peer Mediation)~~

~~(cf. 6020—Parent Involvement)~~

~~The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of the district's program in reducing drug and alcohol use. The Superintendent or designee shall develop and implement an evaluation process that includes ongoing assessment and analysis of objective data regarding the incidence of drug and alcohol use among district students, including discipline problems, and the prevalence of risk factors.~~

~~The Superintendent or designee shall consult with principals, teachers, other school personnel, students and parents/guardians when developing the district's program.~~

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

~~(cf. 5131.61—Drug Testing)~~

~~(cf. 5131.62—Tobacco)~~

~~(cf. 5131.63—Steroids)~~

~~Staff should encourage students to participate as responsible partners in efforts to maintain a safe, constructive school climate.~~

~~(cf. 5137—Positive School Climate)~~

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

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

~~The district's drug education program shall augment county drug education services, if any. District staff shall take every opportunity to cooperate with county and county office of education staff in planning and implementing collaborative alcohol and drug prevention programs.~~

~~(cf. 1020—Youth Services)~~

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

Instruction

~~The district shall provide science-based preventative instruction which has been proven effective in helping students avoid the use of alcohol and other drugs.~~

~~(cf. 6142.1—Sexual Health and HIV/AIDS Prevention Instruction)~~

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

~~(cf. 6143—Courses of Study)~~

~~All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use of drugs or alcohol when such use is illegal. (20 USC 7114, 7162; Health and Safety Code 11999.2)~~

~~The district shall offer staff development activities for staff who implement the comprehensive drug and alcohol prevention and intervention program.~~

~~(cf. 4131—Staff Development)~~

Intervention, Referral and Student Assistance Programs

~~School staff, students and parents/guardians shall be informed about early warning signs which may indicate alcohol and other drug use and about appropriate agencies offering intervention programs, counseling, referral and other student assistance programs.~~

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

~~Enforcement/Discipline~~

~~The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds or at school-sponsored activities.~~

~~(cf. 5131—Conduct)~~

~~(cf. 5145.11—Questioning and Apprehension)~~

~~(cf. 5145.12—Search and Seizure)~~

~~Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement in accordance with law, Board policy and administrative regulation. In addition, such students may be referred to an appropriate counseling program, transferred to an alternative placement, and/or be restricted from extracurricular activities, including athletics.~~

~~(cf. 5144—Discipline)~~

~~(cf. 5144.1—Suspension and Expulsion/Due Process)~~

~~(cf. 6145—Extracurricular and Cocurricular Activities)~~

~~Legal Reference:~~

~~EDUCATION CODE~~

~~44049—Known or suspected alcohol or drug abuse by student~~

~~44645—In-service training anabolic steroids~~

~~48900—Suspension or expulsion (grounds)~~

~~48900.5—Suspension, limitation on imposition; exception~~

~~48901—Smoking or use of tobacco prohibited~~

~~48901.5—Prohibition of electronic signaling devices~~

~~48902—Notification of law enforcement authorities; civil or criminal immunity~~

~~48909—Narcotics or other hallucinogenic drugs~~

~~48915—Expulsion; particular circumstances~~

~~49602—Confidentiality of pupil information~~

~~51202—Instruction in personal and public health and safety~~

~~51203—Instruction on alcohol, narcotics and restricted dangerous drugs~~

~~51210—Areas of study~~

~~51220—Areas of study, grades 7 to 12~~

~~51260-51269—Drug education~~

~~60041—Instructional materials~~

~~60110-60115—Instructional materials on alcohol and drug education~~

~~BUSINESS AND PROFESSIONS CODE~~

~~25608—Alcohol on school property; use in connection with instruction~~

~~HEALTH AND SAFETY CODE~~

~~11032—Narcotics, restricted dangerous drugs and marijuana~~

~~11053-11058—Standards and schedules~~

~~11353.6—Juvenile Drug Trafficking and Schoolyard Act~~

~~11357—Unauthorized possession of marijuana; possession in school or on school grounds~~

~~11361.5—Destruction of arrest or conviction records~~

~~11372.7—Drug program fund; uses~~

~~11802—Joint school-community alcohol abuse primary education and prevention program~~

~~11998-11998.3—Drug and Alcohol Abuse Master Plans~~

~~11999-11999.3—Alcohol and drug program funding; no unlawful use~~

~~124175-124200—Adolescent family life program~~

~~PENAL CODE~~

~~13860-13864—Suppression of drug abuse in schools~~

~~VEHICLE CODE~~

~~13202.5—Drug and alcohol related offenses by person under age of 21, but aged 13 or over;~~

~~WELFARE AND INSTITUTIONS CODE~~

~~828—Disclosure of information re minors~~

~~828.1—Disclosure of criminal records; protection of vulnerable staff & students~~

~~UNITED STATES CODE, TITLE 20~~

~~5812—National education goals~~

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

~~Management Resources:~~

~~WEB SITES~~

~~California Department of Education, Alcohol, Tobacco and Other Drug Prevention:—~~

~~<http://www.cde.ca.gov/ls/he/at>~~

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

~~U.S. Department of Education, Office of Safe and Drug Free Schools:—~~

~~<http://www.ed.gov/about/offices/list/osdfs/index.html>~~

Policy: 5131.6

Adopted: December 11, 2008

Revised:

CABRILLO UNIFIED SCHOOL DISTRICT

Half Moon Bay, California