AGENDA
MERCED COUNTY BOARD OF EDUCATION
October 19, 2026

REGULAR BOARD MEETING

Merced County Office of Education - 632 West 13th Street, Merced, CA 95341 – Board Room
The meeting begins at 3:00 p.m.

[These proceedings may be recorded.]

I. Open

A. Call to Order at _____ PM by Chairperson _____

B. Roll Call:

Geneva Brett, Chairperson	_____
Ryan Heller, Vice Chairperson	_____
Dennis Hanks, Member	_____
Frank Fagundes, Member	_____
Joseph Oliveira, Member	_____

C. Others Present: _____

II. Flag Salute - Pledge of Allegiance to the Flag

III. Consent Agenda:

Items listed under Consent Agenda are considered to be routine administrative functions and will be acted on by the Board in one motion and one vote. Items under the Consent Agenda may be discussed; however, if an item needs further clarification and discussion, the Board or the Superintendent may remove it from the Consent Agenda and consider it separately. Information concerning Consent Agenda items will be provided to each Board member for study before the meeting. It is understood that the Superintendent recommends approval of all consent items unless otherwise noted. *(Board Bylaw 9322)*

A. Minutes of Regular Meeting on September 21, 2026

Motioned by _____ Seconded by _____ Vote _____

IV. Written Communications

A. Correspondence Received By Chairperson

B. Correspondence Received By Board Members

C. Correspondence Received By Superintendent

V. Call for Public Comments on Agenda & Non-Agenda Items

During this portion of the agenda, the public is invited to address the Board on any item of interest that is within the Board's jurisdiction *(Education Code 35145.5; Government Code 54954.3)*. The Board shall conduct no discussion, deliberation, or action on any item not appearing on the posted agenda, except as authorized by law (*Education Code 35145.5, Government Code 54954.2)*. Members of the public are limited to five minutes on each topic or agenda item, and public participation cannot exceed 20 minutes total for each topic or agenda item *(Government Code 54954.3; Board Bylaw 9322 & 9323)*.

VI. Superintendent's and Board Members' Report (Information/Discussion Only)

A. Review of Board Bylaws: *(For approval at the November Board Meeting)* Steve M. Tietjen

1. 9005 – Governance Standards
2. 9011 – Disclosure of Confidential/Privileged Information
3. 9200 – Limits of Board Member Authority
4. 9220 – County Board Elections *(Bylaw & Exhibit 1)*
5. 9240 – Board Training

6. 9250 – Remuneration, Reimbursement & Other Benefits
7. 9310 – County Superintendent/County Board Policy Relationships
8. 9320 – Meeting and Notices
9. 9320.1 – Remote Meetings and Attendance
10. 9321 – Closed Session Purposes and Agenda *(Bylaw & Exhibits 1 and 2)*
11. 9322 – Agenda /Meeting Materials
12. 9323 – Meeting Conduct

B. Board Member's Report *(if any)* — Board Members

C. Superintendent's Report — Steve M. Tietjen
1. Excellence in Education – October 1, 2026

VII. Business Items for Action

A. "Gann" Limit [Resolution No. 2026-29] — Ka Xiong, *Budget Manager -Business Services*

It is recommended that the Board of Education approve the **Resolution No. 2026-29** Adopting the "Gann" Limit

Motioned by_____ Seconded by_____ Vote_____

B. Joint Exercise of Powers Agreement [Resolution No. 2026-30] — Steve M. Tietjen, *Superintendent of Schools.*

It is recommended that the Board of Education approve **Resolution No. 2026-30,** Adopting the Execution and Delivery of a Joint Exercise of Powers Agreement for the Establishment of the Merced County Board of Education-City of Merced Joint Powers Financing Authority

Motioned by_____ Seconded by_____ Vote_____

C. School Plan for Student Achievement (SPSA) 2026-2027 — Maria Duran-Barajas, *Director-Special Education*

It is recommended that the Board of Education approve the 2026-2027 School Plans for Student Achievement for the Merced County Office of Education, Special Education, and Schelby School

Motioned by_____ Seconded by_____ Vote_____

VIII. Adjournment: _____ PM

Motioned by _____ Seconded by _____ Vote _____

Americans with Disabilities Act Assistance: Auxiliary aids and services include a wide range of services and devices that promote effective communication for individuals with disabilities. If you require such assistance, please notify the Office of the Superintendent at (209) 381-6601 as soon as possible. Every effort will be made to give primary consideration to expressed preferences or provide equally effective means of communication to ensure equal access to the meetings of the Merced County Board of Education.
(Government Code 54954.2) (Board Bylaw 9320 & 9322)

Availability of Documents for Public Inspection: Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Merced County Office of Education to all or a majority of the members of the Merced County Board of Education less than 72 hours before that meeting are available for public inspection in the Superintendent's Office at the Merced County Office of Education, 632 West 13th Street, Merced, CA 95341, during normal business hours. The agenda is made available on our website: www.mcoe.org *(Government Code 54957.5) (Board Bylaw 9320 & 9322)*

Merced County Board of Education

Consent Agenda

MERCED COUNTY
Office of Education
NURTURE • SERVE • LEAD

Steve M. Tietjen, Ed.D. | County Superintendent of Schools

MINUTES- DRAFT
MERCED COUNTY BOARD OF EDUCATION
September 21, 2026

REGULAR BOARD MEETING

Merced County Office of Education Board Room
632 W. 13th Street, Merced, CA 95341

I. Opening

A. Board Chairperson, Geneva Brett, called the regular meeting of the Merced County Board of Education to order at 3:00 PM.

B. Members present were Geneva Brett, Ryan Heller, Dennis Hanks, Frank Fagundes, and Joseph Oliveira.

C. Others present: Nathan Quevedo, Caleb Hampton, Vanessa Mininger, Vesta Unrah, Tara Hill, Jacqueline Aguilar, Kristie Williams, Ceci Perez, Rosa Barragan, Lindsay Soares, Heather Baker, Noemi Gomez, Alma Reyna, Mary Whited, Laura Andrews, Martin Macias, Donna Franklin, Todd Beal, Laura Fong, Cecilia Casillas, Christa Casillas, Frank Casillas, Isreal Gonzalez, Cristina Vara, Monica Sevilla, Sengsouly Sanychanh-Vang, Pahoua Thao, Desiree Zuniga, McCoy Rice, Gloria Ortiz, Stacey Shasky, Rosa Casillas, Maria Cuevas, Yolanda Campos-Senior Executive Assistant to the Superintendent, Steve M. Tietjen-County Superintendent

II. Flag Salute – Pledge Allegiance to the Flag

III. Presentation:

A. Presentation of Plaques to MCOE Outstanding Classified, Certificated, and Management Employees for the Quarter ending September 2026

1. Classified Employee: Christa Casillas/ HR Assistant – Human Resources
2. Classified Employee: Kristie Williams/ Administrative Specialist – Educational Services
3. Certificated Employee: Alma Reyna/Teacher of SH – Special Education
4. Management Employee: Vanessa Mininger/ Program Manager – Early Education

Outstanding Employee Awards were presented to Classified Employees: Christa Casillas, Human Resources, and Kristie Williams, Educational Services. Certificated Employee: Alma Reyna, Special Education; and Management Employee: Vanessa Mininger, Early Education.

IV. Consent Agenda: Items listed under Consent Agenda are considered to be routine administrative functions and will be acted on by the Board in one motion and one vote. Any items under the Consent Agenda may be discussed; however, if the item needs further clarification and discussion, it may be removed from the Consent Agenda at the request of the Board or the Superintendent and considered separately. Information concerning Consent Agenda items will be provided to each Board member for study before the meeting. The Superintendent recommends approval of all consent items unless otherwise noted. *(Board Bylaw 9322)*

A. Minutes of Regular Meeting on August 17, 2026
B. **Resolution No. 2026-23** Recognizing October 12-18, 2026, as the Week of the School Administrator
C. **Resolution No. 2026-24** Proclaiming October 2026 as Character Education Month

Ryan Heller moved, and **Frank Fagundes** seconded the motion to approve the Consent Agenda as submitted. The motion was carried with a vote of 5-0.

V. Written Communications

A. Correspondence Received by Chairperson: None.

B. Correspondence Received by Board Members: None.

C. Correspondence Received by Superintendent: None.

VI. Call for Public Comments on Agenda & Non-Agenda Items

The public was invited to address agenda items, submit items within the subject matter jurisdiction of the Board for future consideration, or speak to issues related to the function and operation of the County Board of Education.

Heather Baker shared concerns involving the Merced County Office of Education (MCOE) and the Merced River School District. Ms. Baker expressed discontent with current publicity towards Merced River School District and with Superintendent Richard Lopez during election year. She would like to see all 20 districts supported fairly.

Lindsay Soares is also the parent of a student attending Washington School with the Merced River School District. Ms. Soares mentioned that her student has an interdistrict attendance transfer because she chooses to send her children to Washington School. She wishes for a timeline to be shared on how the findings are communicated. Ms. Soares invites everyone to visit the school, talk to the staff, students, and parents to see the good of the school district.

VII. Superintendent's and Board Members' Report (Information/Discussion Only)

A. Public Disclosure of Collective Bargaining Agreement (DCBA)-Presented by Rosa Casillas
   1. California School Employees Association (CSEA) Chapter #541, Fiscal Year 2026-2027
   2. Merced County Office Teachers Association (MCOTA), Fiscal Year 2026-2027

B. First Reading – Joint Exercise of Powers Agreement *(For approval at the October Meeting)*

C. Board Member's Report: Frank Fagundes attended the Sexual Harassment Prevention Training on September 8, 2026.

D. Superintendent's Report:
   1. Excellence in Education @ Merced Theatre – October 1, 2026
   2. Merced County Education Foundation Fundraiser (MCEF) and Dr. Tietjen's Retirement Dinner - Saturday, November 7, 2026
   3. MCSBA Conference – October 23-25, 2026 - Monterey, CA

VIII. Business Items for Action

A. Public Hearing – Sufficiency of Instructional Materials and Textbooks

1. Review Sufficiency of Instructional Materials and Textbooks for Fiscal Year 2026-2027 in Schools Operated by the Merced County Office of Education in compliance with Education Code 60119. Presented by Director of Educational Services, Tara Hill.

2. Open Public Hearing: Geneva Brett opened the public hearing. No comments were made.

3. Close Public Hearing: Geneva Brett closed the public hearing.

It is recommended that the Board of Education approve **Resolution No. 2026-25,** Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 in **Schools Operated by the Merced County Office of Education**

Frank Fagundes moved, and **Dennis Hanks** seconded, a motion to approve Resolution No. 2026-25, Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 in Schools Operated by the Merced County Office of Education as submitted. The motion was carried with a vote of 5-0.

B. Public Hearing – Sufficiency of Instructional Materials and Textbooks

1. Review Sufficiency of Instructional Materials and Textbooks for Fiscal Year 2026-2027 at Merced Scholars Charter Schools Operated by the Merced County Office of Education in compliance with Education Code 60119. Presented by Director of Educational Services, Tara Hill.
2. Open Public Hearing: Geneva Brett opened the public hearing. No comments were made.
3. Close Public Hearing: Geneva Brett closed the public hearing.

It is recommended that the Board of Education approve **Resolution No. 2026-26,** Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 at **Merced Scholars Charter School** Operated by the Merced County Office of Education

Ryan Heller moved, and **Joseph Oliveira** seconded, a motion to approve Resolution No. 2026-26, Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 at Merced Scholars Charter School Operated by the Merced County Office of Education as submitted. The motion was carried with a vote of 5-0.

C. Public Hearing – Sufficiency of Instructional Materials and Textbooks

1 Review Sufficiency of Instructional Materials and Textbooks for Fiscal Year 2026-2027 at Come Back Charter School Operated by the Merced County Office of Education in compliance with Education Code 60119, presented by the Director of Educational Services, Tara Hill.

2. Open Public Hearing: Dennis Hanks opened the public hearing. No comments were made.

3. Close Public Hearing: Dennis Hanks closed the public hearing.

It is recommended that the Board of Education approve **Resolution No. 2026-27,** Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 at **Come Back Charter School** Operated by the Merced County Office of Education

Frank Fagundes moved, and **Dennis Hanks** seconded, a motion to approve Resolution No. 2026-27, Declaration of Sufficient Instructional Materials and Textbooks for Fiscal Year 2026-2027 at Come Back Charter School Operated by the Merced County Office of Education as submitted. The motion was carried with a vote of 5-0.

D. **Resolution No. 2026-28** Bylaw Exhibit-1 9270 (Conflict of Interest Code)

It is recommended that the Board of Education approve **Resolution No. 2026-28** Revising the Merced County Board of Education Conflict of Interest (Board Bylaw Exhibit-1 9270 Conflict of Interest)

Ryan Heller moved, and **Frank Fagundes** seconded, a motion to approve Resolution No. 2026-28, adopting the revised Merced County Board of Education Conflict of Interest Code (Board Bylaw 9270 - Conflict of Interest)

E. CSBA 2025 Annual Education Conference & Trade Show

It is recommended that the Board of Education authorize Board Members to attend the CSBA Annual Education Conference & Trade Show, Dec. 3-5, 2026.

Dennis Hanks moved, and **Joseph Oliveira** seconded a motion to authorize the Board Members to attend the CSBA Annual Education Conference & Trade Show.

The Board identified closed session agenda item(s) and proceeded into Closed Session.
The public was invited to comment on identified items before adjournment into Closed Session.

The Board proceeded into Closed Session.

IX. **Closed Session # 1** Pursuant to Education Code 35146 to Hear Appeal of Denial of Interdistrict Attendance Request - **Appeal # 2026-13**

X. **Closed Session # 2**
Conference with real property negotiator, property management, Rick Marchini, Negotiator of Real Property/Land Development issues, pursuant to Government Code Section 54956.8.

The Board proceeded into an Open Session. - Disposition of Interdistrict Attendance Appeal

XI. On the request for an appeal #2026-13, it was moved by **Joseph Oliveira** and seconded by **Dennis Hanks** to overturn the appeal for the 2026-2027 school year, Merced Union High School District's decision to deny the request for an interdistrict transfer to attend school at Livingston High School in the Merced Union High School District.

Vote (by roll call)

Brett	YES
Heller	YES
Hanks	YES
Fagundes	ABSENT- Left the meeting early
Oliveira	YES

XV. **Adjournment**

Joseph Oliveira moved, and **Dennis Hanks** seconded, to adjourn the regular meeting of the Merced County Board of Education at 4:42 PM. The motion was carried with a vote of 4-0.

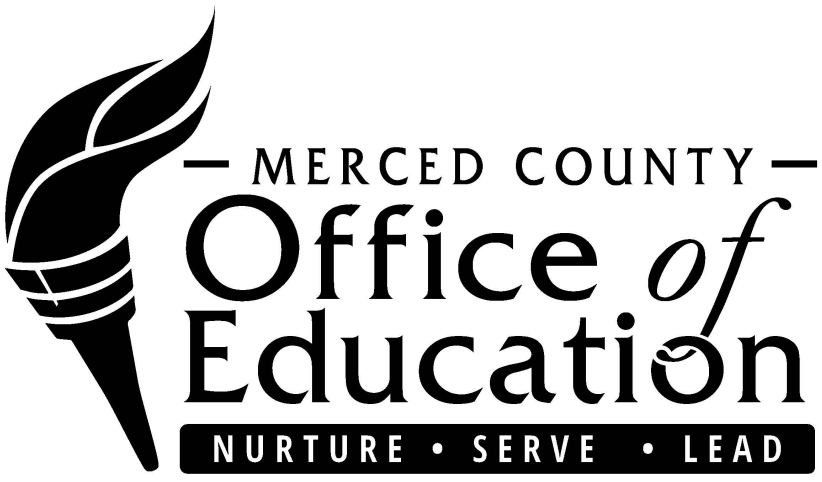
Respectfully submitted,

Steve M. Tietjen, Ed.D.
County Superintendent of Schools
Secretary to the Board of Education

SMT/mc

Merced County Board of Education

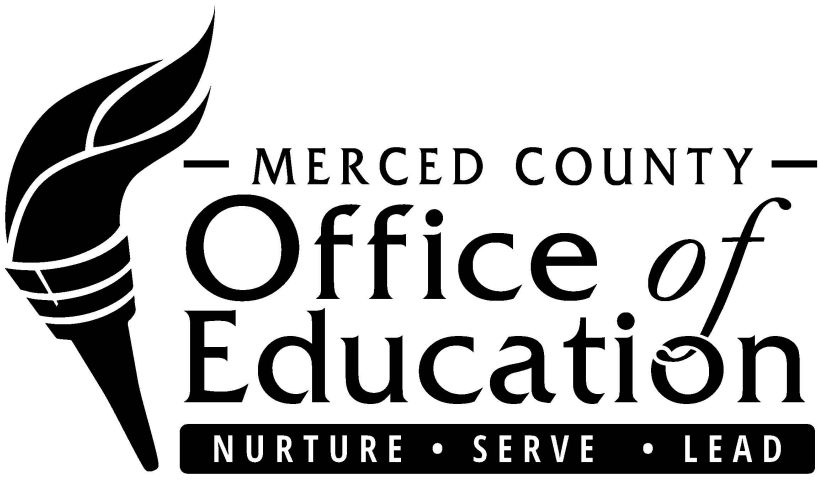
Call for Public Comments



Steve M. Tietjen, Ed.D. | County Superintendent of Schools

Merced County Board of Education

Superintendent's and Board Members Report



Steve M. Tietjen, Ed.D. | County Superintendent of Schools

Merced County Board of Education

Bylaws

Review - October 19, 2026

Approval - November 16, 2026

1. 9005 – Governance Standards
2. 9011 – Disclosure of Confidential Privileged Information
3. 9200 – Limits of Board Member Authority
4. 9220 – County Board Elections
5. 9240 – Board Training
6. 9250 – Remuneration, Reimbursement & Other Benefits
7. 9310 – County Superintendent County Board Policy Relationship
8. 9320 – Meeting and Notices
9. 9320.1 – Remote Meetings and Attendance
10. 9321 – Closed Session Purposes and Agenda
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MERCED COUNTY Office of Education
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GOVERNANCE STANDARDS

The County Board and the County Superintendent have separate duties and responsibilities. The County Superintendent and County Board, as elected officials, are directly accountable to the electorate. Open communication between County Superintendent and County Board and mutual sharing of information facilitate the accomplishment of their respective functions.

~~*(cf. 9000 - Role of the Board)*~~
~~*(cf. 9270 - Conflict of Interest)*~~

The County Board expects its members to work with each other and the County Superintendent to ensure that a high-quality education is provided to students in Merced County Office of Education (MCOE) schools and/or programs, and that high-quality services are provided to school districts within the jurisdiction of MCOE and the community. Each individual County Board member shall:

1. Keep learning and achievement for all students as the primary focus;

2. Value, support and advocate for public education;

~~*(cf. 9010 - Public Statements)*~~

3. Recognize and respect differences of perspective and style of the County Board and among staff, students, parents/guardians and the community;

4. Act with dignity, and understand the implications of demeanor and behavior;

5. Keep confidential matters confidential;

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

6. Participate in professional development and commit the time and energy necessary to be an informed and effective leader;

~~*(cf. 9240 - Board Development)*~~

7. Understand the distinctions between County Board, County Superintendent and staff roles, and refrain from performing management functions that are the responsibility of the County Superintendent and staff;

~~*(cf. 2110 - Superintendent Responsibilities and Duties)*~~

8. Understand that authority rests with the County Board as a whole and not with individual County Board members.

~~*(cf. 9200 - Limits of Board Member Authority)*~~

GOVERNANCE STANDARDS

County Board members also shall assume collective responsibility for building unity and creating a positive organizational culture. To operate effectively, the County Board shall have a unity of purpose and:

1. Keep focused on student learning and achievement, as well as the role of MCOE in providing services to school districts and the community;

2. Work collaboratively with the County Superintendent of Schools;

3. Communicate a common vision;

4. Operate openly, with trust and integrity;

5. Govern in a dignified and professional manner, treating everyone with civility and respect;

6. Govern within County Board-adopted bylaws and procedures;

~~*(cf. 9310 - Board Policies)*~~

7. Take collective responsibility for the County Board's performance;

8. Periodically evaluate the County Board's effectiveness;

~~*(cf. 9400 - Board Self Evaluation)*~~

9. Ensure opportunities for the diverse range of views in the community to inform County Board deliberations.

~~*(cf. 1220 - Citizen Advisory Committees)*~~
~~*(cf. 9323 - Meeting Conduct)*~~

In fulfilling its role, the County Board is responsible for:

1. Involving the community, parents/guardians, students, and staff in regularly developing or updating a common vision focused on learning and achievement and responsive to the needs of all students

2. Adopting and updating policies consistent with law and the MCOE's vision and goals

3. Adopting a fiscally responsible budget based on the MCOE's vision and goals, and regularly monitoring the fiscal health of the MCOE

4. Ensuring that a safe and appropriate educational environment is provided to all students

GOVERNANCE STANDARDS

5. Providing community leadership on educational issues and advocating on behalf of students and public education at the local, state, and federal levels

Legal Reference:

EDUCATION CODE
1040 Duties and responsibilities: county boards of education
1042 County boards; authority
35010 Power of governing board to adopt rules for its own governance
35160 Board authority to act in any manner not conflicting with law
35160-35160.1 Authority of county boards
35164 Actions by majority vote
GOVERNMENT CODE
1090 Financial interest in contract
1098 Disclosure of confidential information
1125-1129 Incompatible activities
54950-54963 The Ralph M. Brown Act
87300-87313 Conflict of interest code

Management Resources:

CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
CSBA Professional Governance Standards, 2000
Maximizing School Board Leadership: Boardsmanship, 1996
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
County Board Member Handbook: A Guide to Effective Governance, 2015
WEB SITES
CSBA: www.csba.org
California County Boards of Education: http://www.theccbe.org
CSBA District and County Office of Education Legal Services

Cross References:

0000 Vision
0100 Philosophy
0200 Goals for the School District
1000 Concepts and Roles
1100 Communication with the Public
1220 Citizen Advisory Committees
1312.2 Complaints Concerning Instructional Materials
1313 Civility
2000 Concepts and Roles
2110 Stuperintendent Responsibilities and Duties
2111 Superintendent Governance Standards
2140 Evaluation of the Superintendent
9000 Role of the Board
9010 Public Statements
9011 Disclosure of Confidential/Privileged Information
9012 Board Member Electronic Communications
9100 Organization

GOVERNANCE STANDARDS

9121 President
9140 Board Representative
9200 Limits of Board Member Authority
9230 Orientation
9240 Board Training
9270 Conflict of Interest
9310 Board Policies
9320 Meetings and Notices
9320.1 Remote Meetings and Attendance
9323 Meeting Conduct
9323.2 Actions by the Board
9324 Minutes and Recordings
9400 Board Self-Evaluation

Bylaw Adopted: 5/3/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 12/14/2020, FOR REVIEW 10/19/26 & APPROVAL 11/16/26 Merced, California

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The County Board recognizes the importance of maintaining the confidentiality of information acquired as part of a County Board member's official duties.

A County Board member shall not disclose ~~C~~confidential/privileged information ~~shall be released~~to any person, except as ~~only to the extent~~ authorized by law, this Bylaw or other County Board bylaws or policies, or the County Board.

~~*(cf. 9000 - Role of the Board)*~~
~~*(cf. 9005 - Governance Standards)*~~
~~*(cf. 9010 - Public Statements)*~~

~~**Disclosure of Closed Session Information**~~

~~A County Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the County Board has authorized its disclosure. (Government Code 54963)~~

Confidential information means any information that is prohibited from disclosure by law, this Bylaw or other County Board bylaws or policies, or by the County Board at the time disclosed and is not a public record subject to disclosure under the California Public Records Act (CPRA). Confidential information includes, but is not limited to, any of the following:~~a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session. (Government Code 54963)~~

~~*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*~~
~~*(cf. 9321 - Closed Session Purposes and Agendas)*~~
~~*(cf. 9321.1 - Closed Session Actions and Reports)*~~

1. Information acquired by being present in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session (Government Code 54963)

2. Information acquired in anticipation of a closed session, or as follow-up to a closed session, that is specifically related to the basis for the County Board to meet lawfully in closed session

3. Information containted in communications provided to County Board members from legal counsel

4. Information deemed confidential by the County Board

Confidential information does not include information that is already publicly disclosed, provided that the initial disclosure did not violate law, this Bylaw, or other County Board bylaws or policies.

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

It is a misdemeanor for any County Board member to willfully and knowingly use or disclose for pecuniary gain any information acquired in the course of the County Board member's official duties where all of the following conditions are met: (Government Code 1098)

1. Information is not a public record subject to disclosure under the CPRA

2. The information is prohibited from disclosure by law, this Bylaw, or other County Board bylaws or policies

3. The information will have, or could reasonably be expected to have, a material financial effect on the County Board member if used or disclosed

If a County Board member threatens to disclose or does disclose confidential information, the County Board may pursue or enact one or more of the following actions as it deems appropriate: (Government Code 54963)

1. Injuctive relief to prevent disclosure

2. Referral to the grand jury

3. Censure or other disciplinary action, provided the County Board member has received training or been informed of the requirements of this Bylaw

However, ~~T~~the County Board shall not take any action against ~~any persona~~ County Board member for disclosing confidential information, nor shall the disclosure be considered a violation of ~~the law or County Board policy~~this Bylaw, when the ~~person~~County Board member ~~is~~does any of the following: (Government Code 1098, 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a County Board action that has been the subject of deliberation during a closed session;

2. Expressing an opinion concerning the propriety or legality of County Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action;

3. Disclosing information ~~that is not confidential~~to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities in accordance with law.

~~**Other Disclosures**~~

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

~~A County Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the County Board member. (Government Code 1098)~~

~~*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*~~
~~*(cf. 5125 - Student Records)*~~

~~Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities. (Government Code 1098)~~

Legal Reference:

EDUCATION CODE
35010 Power of governing board to adopt rules for its own governance
35146 Closed session
EVIDENCE CODE
1040 Privilege for official information
GOVERNMENT CODE
1098 Public officials and employees re confidential information
3549.1 Meeting and negotiating in public educational employment
6250-6270 Inspection of public records
54950-54963 Brown Act, especially:
54956.8 Open meeting laws
54956.9 Closed meeting for pending litigation
54957 Closed session; "employee" defined; exclusion of witnesses
54957.1 Subsequent public report and roll call vote; employee matters in closed session
54957.5 Public records
54957.6 Closed session; representatives with employee organization
54957.7 Reasons for closed session
54963 Confidential information in closed session
7920.000-7930.170 California Public Records Act
ATTORNEY GENERAL OPINIONS
80 Ops.Cal.Atty.Gen. 231 (1997)

Management Resources:

CSBA PUBLICATIONS
Professional Governance Standards, November 2000
Maximizing School Board Leadership, 1996
WEB SITES
CSBA: http://www.csba.org
CSBA District and County Office of Education Legal Services

DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION

Cross References:

- *0450 Comprehensive Safety Plan*
- *1100 Communication with the Public*
- *1312.3 Uniform Complaint Procedures*
- *1340 Access to District Records*
- *2120 Superintendent Recruitment and Selection*
- *2121 Superintendent's Contract*
- *3580 District Records*
- *4112.5 Criminal Record Check*
- *4112.6 Personnel Files*
- *4119.23 Unauthorized Release of Confidential/Privileged Information*
- *4119.42 Exposure Control Plan for Bloodborne Pathogens*
- *4143 Negotiations/Consultation*
- *4143.1 Public Notice – Personnel Negotiations*
- *4212.5 Criminal Record Check*
- *4212.6 Personnel Files*
- *4219.23 Unauthorized Release of Confidential/Privileged Information*
- *4219.42 Exposure Control Plan for Bloodborne Pathogens*
- *4243 Negotiations/Consultation*
- *4243.1 Public Notice – Personnel Negotiations*
- *4312.5 Criminal Record Check*
- *4312.6 Personnel Files*
- *4319.23 Unauthorized Release of Confidential/Privileged Information*
- *4319.42 Exposure Control Plan for Bloodborne Pathogens*
- *5125 Student Records*
- *9000 Role of the Board*
- *9005 Governance Standards*
- *9010 Public Statements*
- *9200 Limits of Board Member Authority*
- *9230 Orientation*
- *9321 Closed Session*

Bylaw Adopted: 5/3/2010; **MERCED COUNTY BOARD OF EDUCATION**
Reviewed: 12/14/2020, FOR REVIEW 10/19/26 & APPROVAL 11/16/26Merced, California

LIMITS OF BOARD MEMBER AUTHORITY

The County Board recognizes that a County Board member has no individual authority. County Board members shall hold the education of students above any partisan principle, group interest, or personal interest.

~~*(cf. 1160 - Political Processes)*~~
~~*(cf. 9000 - Role of the Board)*~~
~~*(cf. 9005 - Governance Standards)*~~
~~*(cf. 9270 - Conflict of Interest)*~~
~~*(cf. 9323 - Meeting Conduct)*~~

Individual members of the County Board shall not exercise any administrative responsibility with respect to MCOE or command the services of any MCOE employee. ~~Individual County Board members shall submit requests for information to the County Superintendent. County Board members shall refer County Board-related correspondence to the County Superintendent for forwarding to the County Board or for placement on the County Board's agenda, as appropriate.~~

~~*(cf. 1340 - Access to MCOE Records)*~~
~~*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*~~
~~*(cf. 9011 - Disclosure of Confidential/Privileged Information)*~~
~~*(cf. 9322 - Agenda/Meeting Materials)*~~

Additionally, ~~I~~individual County Board members do not have the authority to investigate, resolve, or otherwise actively engage with the community members with respect to complaints, personnel or student matters, or legal issues. Any County Board member receives a communication regarding such a topic shall forward the communication to or otherwise inform the ~~approached directly by a person with a complaint should refer the complainant to the~~ County Superintendent or ~~designee~~County Board president, as appropriate or otherwise follow-up, as needed. ~~so that the problem may receive proper consideration and be handled through the appropriate MCOE process.~~The County Board member shall not respond substantively to the communication beyond acknowledging receipt and explaining the limits of the County Board member's authority. It shall be the responsibility of the County Superintendent or County Board president to inform the County Board or place the topic on a future County Board agenda.

~~*(cf. 1312.1 - Complaints Concerning MCOE Employees)*~~
~~*(cf. 1312.2 - Complaints Concerning Instructional Materials)*~~
~~*(cf. 1312.3 - Uniform Complaint Procedures)*~~
~~*(cf. 1312.4 - Williams Uniform Complaint Procedures)*~~
~~*(cf. 3320 - Claims and Actions Against the MCOE)*~~
~~*(cf. 4031 - Complaints Concerning Discrimination in Employment)*~~
~~*(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)*~~

Individual County Board members are permitted to engage with community members, including responding to general inquiries or expressions of opinion. Such engagement shall be consistent with County Board bylaws such as Board Bylaw 9010 – Public Statements and Board Bylaw 9012 – Board Member Electronic Communications, and may not purport to represent the position of the County Board.

LIMITS OF BOARD MEMBER AUTHORITY

Requests for information by an individual County Board member shall be submitted to the County Superintendent.

A County Board member may observe and/or volunteer in a school or classroom, including in the school or classroom in which the County Board member's child is enrolled, in accordance with law. Prior to observing or volunteering, a County Board member shall inform the County Superintendent. Additionally, a County Board member who is present on the MCOE property or at MCOE programs or activities is expected to be aware of the role and limits on authority as a County Board member.

A County Board member whose relative is attending or employed at an MCOE school should be aware of ~~his/her~~their role as a County Board member when interacting with MCOE employees about ~~his/her~~their relative. Because ~~his/her~~their position as a County Board member may inhibit the performance of school personnel, the County Board member should inform the County Superintendent or designee before volunteering in ~~his/her~~their relative's classroom.

~~*(cf. 1240 - Volunteer Assistance)*~~
~~*(cf. 5020 - Parent Rights and Responsibilities)*~~
~~*(cf. 6020 - Parent Involvement)*~~

A County Board member who chooses to observe or volunteer shall do so in a manner that does not disrupt school operations. Any questions or concerns regarding operational or personnel matters shall be directed to the County Superintendent or designee. Any questions or concerns specific to the County Board member's child may be directed to appropriate site staff. If a question or concern is both specific to the County Board member's child and involves operational or personnel matters, the County Board member shall collaborate with the County Superintendent or designee to determine whether the County Board member shall direct the question or concern to site staff or whether the responsibility to investigate or resolve the question or concern, if necessary, lies with the County Superintendent or designee.

If a County Board member's spouse, dependent child, or child who is a source of income to the County Board member is an employee of MCOE, and the County Board is required to approve an increase in retirement benefits, salary, or bonus in accordance with Education Code Section 1302, the County Board member must abstain from participating in the discussion or the making of such decision. The County Board member must also abstain from participating in the making of any decision which would give the appearance of impropriety.

~~*(cf. 9000 - Role of the Board)*~~

Legal Reference:

EDUCATION CODE
200-262.470 Prohibition of discrimination
1040-1042 Duties and responsibilities
1302 Increase of salary or bonus

LIMITS OF BOARD MEMBER AUTHORITY

7054 Use of district property
35010 Control of district; prescription and enforcement of rules
35100-35351 Governing boards, especially:
35160-351~~60.2~~78.4 Powers and duties
35160-35184 Powers and duties
35291 Rules
35292 Visits to schools (Board members)
51101 Rights of parents/guardians
GOVERNMENT CODE
1090 et seq. Conflicts of Interest
54950-5496~~23~~ The Ralph M. Brown Act, especially:
54952.1 Member of a legislative body of a local agency
54952.7 Copies of chapter to members of legislative body
87100 et seq. Political Reform Act

Management Resources:
CSBA PUBLICATIONS
Professional Governance Standards for County Boards, October 2014
County Board Member Handbook: A Guide to Effective Governance, 2015
CSBA Professional Governance Standards, 2000
Maximizing School Board Leadership: Boardsmanship, 1996
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbe.org
CSBA District and County Office of Education Legal Services

Cross References:
1160 Political Processes
1240 Volunteer Assistance
1312.1 Complaints Concerning District Employees
1312.2 Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
1312.4 Williams Uniform Complaint Procedures
1340 Access to District Records
5020 Parent Rights and Responsibilities
6020 Parent Involvement
6159.1 Procedural Safeguards and Complaints for Special Education
9000 Role of the Board
9005 Governance Standards
9010 Public Statements
9011 Disclosure of Confidential/Privileged Information
9012 Board Member Electronic Communications
9124 Attorney
9140 Board Representatives
9230 Orientation
9270 Conflict of Interest
9322 Agenda/Meeting Materials
9323 Meeting Conduct
9323.2 Actions by the Board

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 12/14/2020, FOR REVIEW 10/19/26 & APPROVAL 11/16/26 Merced, California

COUNTY BOARD ELECTIONS

The County Board of Education shall consist of five members whose terms shall be staggered so that, as nearly as practicable, one half of the members shall be elected at each regular County Board election. (Education Code 1000, 1007)

Election procedures shall be followed in accordance with state and federal law.

Board Member Qualifications

Any person is eligible to be a member of the County Board, without further qualifications, if the person is 18 years of age or older; a citizen of California, a resident of the school district or, if applicable, the trustee area; a registered voter; and not legally disqualified from holding civil office. (Education Code 1000, 1006, 35107)

A person is not eligible to be a member of the County Board if they have been convicted of an offense(s) as specified in law and the accompanying Exhibit, except when the person has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20, 321)

Any registered voter is eligible to be a member of the County Board of Education except the County Superintendent of Schools and any member of the Merced County Office of Education (MCOE) staff, or any employee of a school district that is within the jurisdiction of the County Board. (Education Code 1000, 1006)

An MCOE employee duly elected to the County Board shall resign from their position before being sworn in or shall have their employment automatically terminated upon being sworn into office. (Education Code 35107)

The County Board encourages all candidates to become knowledgeable about the role of County Board members. A County Board candidate shall be provided, upon request by the candidate, information that will enable them to understand the responsibilities and expectations of being a County Board member, including information regarding available workshops, seminars, and/or training. Additionally, the candidate shall be provided, upon request by the candidate, the county elections official's contact information and general information about school programs, county office of education operations, and County Board responsibilities.

A candidate's residence address, telephone number, and email address recorded with the applicable county election official shall be kept confidential in accordance with state law. (Elections Code 2166.9)

Recalling a County Board Member

A County Board member be recalled as permitted by Elections Code 11000-11386. To

commence a recall of a County Board member, proponents shall serve, file, and publish or post a notice of intention to circulate the recall petition as specified by law and any applicable county elections official directives. Additionally, the recall petition shall be in the format provided by the Secretary of State and include, among other things, an estimate of the cost of conducting the special election, as determined by the county elections officials, in consultation with the county office of education.

Within 14 days after the County Board meeting at which a certificate of sufficiency of signatures on a recall petition is received from the county elections official, the County Board shall order an election to be held to determine whether the County Board member named in the petition shall be recalled. The election shall be held not less than 88, nor more than 125, days after the date that the County Board orders the election. However, the election may be conducted within 180 days after the issuance of the County Board's order to consolidate the election with a regularly scheduled election. (Elections Code 11240-11242)

A recall election of a County Board member shall be conducted in accordance with Elections Code 11381-11386.

If a recall of a County Board member is successful, that County Board member's seat becomes vacant and shall be filled in accordance with Education Code 5090-95 and Board Bylaw 9223 – Filling Vacancies. (Education Code 1008)

However, a recalled County Board member may not be appointed to the seat that was vacated by the recall. (Elections Code 11382)

Election Date

The election of County Board members shall be consolidated with the local municipal or statewide primary or general election in accordance with a County Board resolution approved by the County Board of Supervisors. (Elections Code 1302, 10404.5)

Elections Process and Procedures *(Election by trustee area)*

For each election, upon certification by the Merced County Board of Supervisors, the County Board shall declare who has been elected to the County Board in accordance with law. (Election Code 15400)

A County Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

Following each decennial federal census the County Board shall adjust the boundaries of the MCOE's trustee areas in accordance with Elections Code 211-21180. (Education Code 5019.5)

COUNTY BOARD ELECTIONS

The district is divided into trustee areas and each trustee area shall be represented by a County Board member who resides in and is elected by voters residing within that trustee area. Trustee areas shall be balanced by population as required by state and federal law. (Elections Code 14025-14032)

Prior to March 1 following the year in which the results of each decennial federal census are released, the County Board shall adjust the boundaries of MCOE's trustee areas based on population figures as validated by the Population Research Unit of the Department of Finance. (Education Code 5019.5)

To ensure ongoing compliance with the California Voting Rights Acts (CVRA), the County Board may review the MCOE's Board election method to determine whether any modification is necessary due to changes in the MCOE's population or any of its racial, color, or language minority group composition. The review shall be based on the County Superintendent or designee's report to the County Board after the release of each decennial federal census. (Elections Code 14025-14032)

Commencement of Term of Office

For each election, upon certification by the County Board of Supervisors, the County Board shall declare who has been elected to the County Board in accordance with law. (Election Code 15400)

A County Board member whose term has expired shall continue to discharge the duties of the office until a successor has qualified by taking the oath of office. (Government Code 1302, 1360)

County Board members are elected on same date as school district governing board members in county. The term of office for County Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 1007, 5017)

County Board election is consolidated with the direct primary election. The term of office for County Board members elected in regular elections shall be four years, commencing on the first day of July following their election. (Education Code 1007, 5017)

Consolidation of Elections

To reduce costs associated with conducting elections, the election of County Board members was consolidated with the local municipal or statewide primary or general election in accordance with the County Board Resolution # 2010-39, approved by the County Board of Supervisors on October 19, 2010. (Elections Code 1302, 10404.5)

COUNTY BOARD ELECTIONS

Appointment Members Due to Failure to Elect

The provisions of Education Code Sections 5326 and 5328 shall apply to elections for membership on a county board.

If, by 5:00 p.m. on the 83rd day prior to the day fixed for the County Board member election, only one person has been nominated for any elective office to be filled at that election, or no one has been nominated for the office, and a petition signed by 10 percent of the voters or 50 voters, whichever is the smaller number, in the district or trustee area, if elected by trustee area, requesting that a school district election be held for the offices has not been presented to the officer conducting the election, appointment will be made as prescribed by Section 5328. (Education Code 5326)

If pursuant to Section 5326 a district election is not held, the qualified person or persons nominated shall be seated at the organizational meeting of the County Board, or if no person has been nominated or if an insufficient number is nominated, the County Board shall appoint a qualified person or persons, as the case may be, at a meeting prior to the day fixed for the election, and such appointee or appointees shall be seated at the organizational meeting of the County Board as if elected at a district election. (Education Code 5328)

Campaign Conduct

All candidates, including current County Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

In order to help protect the public's trust in the electoral process as well as the public's confidence in the County Board and MCOE, the County Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

Campaign Finance

All candidates, including current County Board members running as incumbents, shall abide by local, state, and federal requirements regarding campaign contributions, funding, and expenditures.

A County Board candidate shall not expend or accept any public money for the purpose of seeking elective office. (Government Code 85300)

In order to help protect the public's trust in the electoral process as well as the public's confidence in the County Board and the MCOE, the County Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices (FPPC) pursuant to Election Code 20440.

COUNTY BOARD ELECTIONS

Statement of Qualifications

On the 125th day prior to the day fixed for the general election, the County Board secretary or designee shall deliver a notice, bearing the secretary's signature and seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the County Board to be filled at the general election and which offices, if any, are for the balance of an unexpired term;

2. Whether MCOE or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307.

Candidates for the County Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

When the election official allows for the electronic distribution of candidate statements, a candidate for the County Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution. (Elections Code 13307)

The MCOE shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the MCOE may require candidates to pay their estimated pro rata share of these costs to the MCOE in advance pursuant to Elections Code 13307.

Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the County Board, the County Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the County Board. The tie shall be resolved by the drawing of lots at the first regular meeting of the County Board following the official canvass of the vote which confirms said tie. (Education Code 1007, 5016)

Preparation of said lots shall be made by the County Superintendent, in their capacity as secretary to the County Board, or designee, and the candidate receiving the shorter of the two lots shall be declared officially elected and, as such, shall be duly sworn.

COUNTY BOARD ELECTIONS

Legal Reference:

EDUCATION CODE
1000 Composition, and trustee area, county board of education
1002 Trustee area boundaries and membership changes
1006 Prohibition against school district employees serving on county board of education
1007 Elections
1008 County board of education vacancy procedures
1017 Expiration of terms
5000-5033 Elections of school district board members
5090-5095 Vacancies
5091 Vacancies: petition for special election
5220-5231 Elections
5300-5304 General provisions: conduct of elections
5320-5329 Order and call of elections
5340-5345 Consolidation of elections
5360-5363 Election notice
5380 Compensation: election officer
5390 Qualifications of voters
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions
7054 Use of district property: campaign purposes
35107 School district employees
35177 Campaign expenditures or contributions
35239 Compensation of governing board member of districts with less than 70 ADA

ELECTIONS CODE
20 Public office eligibility
1302 Local elections, school district election
2201 Grounds for cancellation
2166.9 Candidate confidentiality
4000-4008 Elections conducted wholly by mail
10010 District boundaries
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
11000 Recall of officers
11000-11386 Recall elections
11382 Vacancy due to recall
13307 Candidate's statement
13308 Candidate's statement contents
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
14050-14057 California Voter Participation Rights Act
15307 Timeline to count ballots and release ballot count
15370-15377 Ballot security and reporting of results
15400-15402 Announcement of election results
18501 Election fraud
20440 Code of Fair Campaign Practices
21100-21180 FAIR MAPS Act

GOVERNMENT CODE
1021 Conviction of crime
1097 Illegal participation in public contract
1099 Incompatible offices
12940 Unlawful discriminatory employment practices

COUNTY BOARD ELECTIONS

1302 Continuance in office until qualification of successor
1303 Exercising functions of office without having qualified
1360 Necessity of talking constitutional oath
1770 Vacancy of office
9055 Committing crimes against legislative power
9412 Refusing to appear
12940 Unlawful discriminatory employment practices
81000-91014 Political Reform Act
PENAL CODE
67 Giving bribes
68 Receiving bribes
74 Acceptance of gratuity
88 Crimes against legislative power
98 Crimes against public justice
165 Bribes to members of city council
424 Embezzlement and falsification of accounts by public officers
661 Removal for neglect or violation of official duty
2772 Interfering with the work of prisoners
2790 Interrupting the work of prisoners
CALIFORNIA CONSTITUTION
Article 2, Section 2 Voters, qualifications
Article 7, Section 7 Conflicting offices
Article 7, Section 8 Disqualification from office
UNITED STATES CODE, TITLE 52
10301-10508 Voting Rights Act
COURT DECISIONS
Shelby County v. Holder, (2013) 133 S. Ct. 2612
Rey v. Madera Unified School District, (2012) 203 Cal. App. 4th 1223
Rey v. Madera Unified School District, (2012) 138 Cal. Rptr. 3d 192
Randall v. Sorrell, (2006) 126 S.Ct. 2479
Sanchez v. City of Modesto, (2006) 145 Cal. App. 4th 660
Sanchez v. City of Modesto, (2006) 51 Cal. Rptr. 3d 821
Dusch v. Davis, (1967) 387 U.S. 112
ATTORNEY GENERAL OPINIONS
85 Ops.Cal.Atty.Gen. 49 (2002)
83 Ops.Cal.Atty.Gen. 181 (2000)
81 Ops.Cal.Atty.Gen. 98 (1998)
69 Ops.Cal.Atty.Gen. 290 (1986)
105 Ops.Cal.Atty.Gen. 182 (2022)
109 Ops.Cal.Atty.Gen. 106 (2026)

Management Resources:
CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS
Legal Alert on the Impact of Senate Bill No. 415 on School Board Elections, January 2017
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://theccbe.org
California Secretary of State's Office: http://www.ss.ca.gov
Fair Political Practices Commission: http://www.fppc.ca.gov
Institute for Local Government: http://www.ca-ilg.org
CSBA District and County Office of Education Legal Services

Cross References:

COUNTY BOARD ELECTIONS

0410 *Nondiscrimination in District Programs and Activities*
9005 *Governance Standards*
9100 *Organization*
9110 *Terms of Office*
9223 *Filling Vacancies*
9224 *Oath of Affirmation*
9230 *Orientation*
9240 *Board Training*
9270 *Conflict of Interest*
9320 *Meetings and Notices*

COUNTY BOARD ELECTIONS

This exhibit is a non-exhaustive list of offenses the conviction of which disqualifies a person from holding public office, including as a County Board member, in the State of California.

1. California Constitution, Article VII, Section 8: Giving or offering a bribe to procure personal election or appointment.

2. California Constitution, Article VII, Section 8: Committing bribery, perjury, forgery, malfeasance in office, or other high crimes.

3. Penal Code section 67: Giving or offering a bribe to any executive officer in the state to influence any decision made by that officer in their official capacity.

4. Penal Code section 68: While an executive or ministerial officer, employee, or appointee of the state, a county, a city, or another political subdivision of the state, asking for, receiving, or agreeing to receive any bribe to influence any decision made by that person in their official capacity.

5. Penal Code section 74: As a public officer, for gratuity or reward, appointing another person to public office, or permitting another person to exercise or discharge the duties of their office.

6. Penal Code section 88: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling.

7. Penal Code section 98: While an officer, committing any of various bribery and corruption crimes against the public justice as specified in Penal Code 92-100, including bribing or threatening judges or jurors.

8. Penal Code section 165: Giving or offering a bribe to a member of a city council or a board of supervisors to influence any decision made by that member in their official capacity.

9. Penal Code section 424: While an officer of the state or of any county, city, town, or district of the state, or while otherwise charged with the receipt, safekeeping, transfer, or disbursement of public moneys, appropriating such moneys for personal use, or refusing to pay any public moneys as required by law.

10. Penal Code section 2772: Interfering with the work of prisoners employed at a road camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors, firearms, weapons, or explosives of any kind.

11. Penal Code section 2790: Interrupting the work of prisoners employed at a public park or camp, or giving or attempting to give such prisoners any controlled substances, intoxicating liquors, firearms, weapons, or explosives of any kind.

12. Government Code section 1021: Committing designated crimes as specified in the California Constitution or state law.

13. Government Code section 1097: While a public official, being financially interested in a contract made in their official capacity, or by anybody or board of which ~~he or she~~the public official is a member, or aiding or abetting a public official in committing such a violation.

14. Government Code section 9055: While a member of the Legislature or of a legislative body of a city, county, city and county, school district, or other special district, committing any of various crimes against the Legislative power, including bribery and logrolling.

15. Government Code section 9412: While a member of the Legislature, refusing to appear before the Senate, Assembly, or any committee of the Legislature after being summoned to testify, or while appearing before the Senate, Assembly, or any committee, refusing to be sworn or to answer any material and proper question, or refusing to produce, upon reasonable notice, any material and proper books, papers, or documents in their possession and under their control.

16. Elections Code section 20: Committing a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

17. Elections Code section 18501: While a public official, aiding the illegal casting of a vote at an election or otherwise facilitating the perpetration of election fraud.

BOARD TRAINING

~~**Ethics Training**~~

The County Board believes that its ability to effectively and responsibly govern is essential to promoting student achievement, building positive community relations, and protecting the public interest in county schools. County Board members shall participate in training on public education finance, ~~mandatory~~ ethics training, and mandated reporting as required by this Bylaw. ~~as outlined below, and~~Additionally, County Board members are encouraged to participate in ongoing opportunities for professional development sufficient to help them understand their responsibilities, stay abreast of new developments in education, and improve governance skills.

Each County Board member shall complete a training in public education finance in accordance with Education Code 35220-35223. For County Board members in office as of April 1, 2027, the deadline to complete the training is April 1, 2028, unless their term of office ends before April 1, 2028. For County Board members elected or appointed to office after April 1, 2027, including a County Board member newly elected or appointed to a nonconsecutive term, the deadline to complete the training is one year from the first day of serving as a County Board member. Completion of CSBA's Masters in Governance (MIG) Program shall be deemed to satisfy the public education finance training requirement.

~~Unless a County Board member's term expires prior to January 1, 2026,~~Additionally, each County Board member shall complete ethics training in accordance with Government Code 53234-53235.2 ~~by January 1, 2026~~within six months from the first day of serving as a County Board member, and at least once every two years thereafter. (Government Code 53235)

In addition, each County Board member shall receive annual mandated reporter training. (Education Code 44691; Penal Code 11165.7)

~~Once completed, the~~Each County Board member shall inform the County Superintendent of the completion of any training required by this Bylaw, and ~~.~~ ~~A~~ records of each County Board member's participation in ~~the~~each required ~~ethics~~ training shall be retained. (Education Code 35222; Government Code 44691, 53235.2)

Upon each County Board member's election or appointment, the County Board member shall be provided with a copy of the Brown Act. (Government Code 54952.7)

The County Board president shall work with the County Superintendent or designee to provide an orientation to newly elected or appointed County Board members consistent with County Board Bylaw 9230 – Orientation.

~~**County Board Development**~~

BOARD TRAINING

The County Board may select a member or members of the board to attend meeting of any society, association, or organization for which the County Board has subscribed for membership, or any convention to which the governing board of a school district or community college district may pay the expenses of any employee. The actual expenses of the member or members shall be allowed and paid out of the Merced County Office of Education (MCOE) general fund with prior budgetary approval. (Education Code 1096).

The County Board president shall work with the County Superintendent or designee to include funds for professional development and associated reasonable travel expenses for the County Board as a whole and for each individual County Board member in the MCOE's proposed annual budget.

Consistent with the availability of funds in the MCOE's adopted annual budget, the County Board president or designee may annually develop, and bring to the County Board for adoption at a County Board meeting, a County Board professional development calendar designed to assist the County Board as a whole in understanding the principles of effective governance, including, but not limited to, information on school finance and budgets, student achievement and assessment, community relations, open meeting laws (the Brown Act), conflict of interest laws, and other topics necessary to govern effectively and in compliance with law.

County Board members are encouraged to consider participating in the professional development opportunities offered by California School Board Association (CSBA) such as the Institute for New and First-Time Board Members, Masters in Governance Progrm, Annual Education Conference and Trade Show, Legal Symposium for Experienced Board Members, Board Presidents Workshop, Brown Act Workshop, Policy Update Webinars, and Ethics Trainings.

Consistent with County Board Bylaw 9320 – Meetings and Notices, County Board members may attend a professional development opportunity as part of a conference or similar public gathering, such as the Annual Education Conference and Trade Show hosted by CSBA, so long as a majority of the County Board members do not discuss among themselves, other than as part of the scheduled program, business of a specified nature that is within the MCOE's jurisdiction, so as not to violate the Brown Act open meeting laws pursuant to Government Code 54952.2.

County Board members shall report to the County Board, orally or in writing, on the County Board activities they attend, for the purpose of sharing the acquired knowledge or skills with the full County Board and enlarging the benefit of the activity to the County Board and MCOE.

BOARD TRAINING

Legal Reference:

EDUCATION CODE
1095 Membership in organizations
35220-35223 School district finance training
35222 Record retention
44691 Mandated reporting
GOVERNMENT CODE
53234-53235.2 Ethics training
54950-54963 The Ralph M. Brown Act
54952.2 Meeting defined
54952.7 Copy of the Brown Act
PENAL CODE
11164-11174.3 Child Abuse and Neglect Reporting Act

Management Resources:

CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 201~~5~~8
Professional Governance Standards for County Boards, ~~October 2014~~June 2019
Professional Governance Standards for School Boards, November 2021
Our Commitment to Board Professional Learning and Training
Board Bylaw 9240: Why board training and professional development matter, Research and Policy Fact Sheet, February 2026
CALIFORNIA COUNTY BOARDS OF EDUCATION PUBLICATIONS
A Guide to Effective Governance, February 27, 2015
WEB SITES
CSBA: http://www.csba.org
California County Boards of Education: http://www.theccbe.org
National School Boards Association: http://www.nsba.org
CSBA District and County Office of Education Legal Services
Fiscal Crisis and Management Assistance Team

Cross References:

0000	*Vision*
0100	*Philosophy*
0200	*Goals For The School District*
1112	*Media Relations*
2110	*Superintendent Responsibilities and Duties*
2111	*Superintendent Governance Standards*
2140	*Evaluation Of The Superintendent*
3100	*Budget*
5141.4	*Child Abuse Prevention and Reporting*
6000	*Concepts And Roles*
9000	*Role Of The Board*
9005	*Governance Standards*
9100	*Organization*
9121	*President*
9150	*Student Board Members*
9220	*Governing Board Elections*
9230	*Orientation*
9250	*Remuneration, Reimbursement And Other Benefits*

BOARD TRAINING

9270 *Conflict Of Interest*
9320 *Meetings And Notices*
9400 *Board Self-Evaluation*

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 8/21/2017, 11/16/2020, 5/19/2025 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

The County Board may allow its members compensation as delineated in Education Code Section 1090.

County Board Compensation

Each member of the County Board who actually attends all meetings held may receive as compensation for ~~his or her~~their services a sum not to exceed two hundred dollars ($200) per month. (Education Code 1090)

County Board members are not required to accept the monthly compensation.

On an annual basis, the County Board may amend this Bylaw to increase the compensation of County Board members beyond the limit delineated in Education Code 1090 in an amount not to exceed five percent based on the present monthly rate compensation. (Education Code 1090)

A County Board member who is absent from a County Board meeting shall not receive the pro rata monthly compensation for that meeting unless the County Board finds, via resolution, that at the time of the County Board meeting the County Board member was absent due to the need to perform services on behalf of the County Board, illness, jury duty, or a hardship deemed acceptable by the County Board. (Education Code 1090)

Whenever a quorum of County Board members serves as another legislative body which will meet simultaneously or a serial order to a County Board meeting, the County Board clerk or a member of the County Board shall, when required by law, verbally announce the amount of any additional compensation or stipened that each member will be entitled to receive as a result of convening the simultaneous or serial meeting. (Government Code 54952.3)

Reimbursement of Expenses

County Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the County Board, including expenses for travel, printing, or membership in any state or local organization of governing boards of school districts or county boards. Additionally, County Board members shall be reimbursed for the actual expenses of attending, with prior approval, meetings or conferences of any society, association, or organization to which the County Board subscribes for membership. (Education Code 1091, 1094-1096)

The County Board may receive reimbursement, including mileage reimbursement for use of a privately owned automobile in line of duty, as delineated in Education Code Sections 1091, 1094, 1095, and 1096.

~~*(cf. 9240 - Board Development)*~~

The rate of reimbursement shall be the same rate specified for Merced County Office of Education (MCOE) personnel.

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

~~*(cf. 3350 Travel Expenses)*~~
Locally established timelines and procedures for reimbursement shall be utilized when reimbursing County Board members.

All other expenses, including personal expenses, shall be the responsibility of individual County Board members and shall not be paid or reimbursed by the Merced County County Office of Education (MCOE). (Government Code 8314)

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

Health and Welfare Benefits

Each County Board member having served prior to July 19, 1993, is entitled to current benefit coverage provided for the County Superintendent, Certificated Management, Classified Management, and Classified Confidential, in accordance with MCOE's benefit carrier's plan provision as delineated in Government Code Section 53201.

Benefits for Retired County Board Members

County Board members who have served at least two consecutive terms may, upon leaving office and having reached the age of 60, purchase health and dental benefits extended to active MCOE personnel covered by Policy 4354.2 from MCOE benefits carrier/carriers and in accordance with the carriers' plan pooling provisions.

This policy and all health benefits plans referenced in Policy 4354.1 and elsewhere ended effective July 19, 1993, by County Board action.

Legal Reference:

EDUCATION CODE
1090-1096 Stipends and expenses
33050-33053 General waiver authority
33362-33363 Reimbursement of expenses for attendance at workshops
35012 Board members; number, election and term
35044 Payment of traveling expenses of representatives of board
35120 Compensation for services as member of governing board
35160 School Board authority
35172 Promotional activities
44038 Cash deposits for transportation purchased on credit
FAMILY CODE
297-297.5 Rights, protections and benefits under law; registered domestic partners
~~*300 Definition of marriage*~~
GOVERNMENT CODE
8314 Use of public resources
20322 Elective officers; election to become member

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

20420-20445 Membership in Public Employee's Retirement System; definition of safety employees
3543.7 Duty to meet and negotiate in good faith
53200-53209 Group insurance
54952.3 Simultaneous or serial meetings; announcement of compensation
HEALTH AND SAFETY CODE
1373 Health services plan, coverage for dependent children
INSURANCE CODE
10277-10278 Group and individual health insurance, coverage for dependent children
UNITED STATES CODE, TITLE 26
403 Tax-sheltered annuities
UNITED STATES CODE, TITLE 42
18011 Right to maintain existing health coverage
CODE OF FEDERAL REGULATIONS, TITLE 26
1.403(b)-2 Tax-sheltered annuities, definition of employee
COURT DECISIONS
Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598
Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93 Cal.App.3d 578
ATTORNEY GENERAL OPINIONS
91 Ops.Cal.Atty.Gen. 37 (2008)
83 Ops.Cal.Atty.Gen. 124 (2000)

Management Resources:
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
Sample Expense and Use of Public Resources Policy Statement, January 2006
INTERNAL REVENUE SERVICE PUBLICATIONS
Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations, Publication 571, rev. January 20~~1~~25
WEB SITES
CSBA: http://www.csba.org
Institute for Local Government: http://www.ca-ilg.org
Internal Revenue Service: http://www.irs.gov
Public Employees' Retirement System: http://www.calpers.ca.gov
CSBA District and County Office of Education Legal Services

Cross References:

1160	*Political Processes*
3100	*Budget Adoption and Revision*
3350	*Travel Expenses*
3513.1	*Cellular Phone Reimbursement*
4154	*Health and Welfare Benefits*
4254	*Health and Welfare Benefits*
4354	*Health and Welfare Benefits*
9110	*Terms of Office*
9150	*Student Board Members*
9240	*Board Training*
9324	*Minutes and Recordings*

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 12/16/13, 12/14/2020 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

COUNTY SUPERINTENDENT/COUNTY BOARD POLICY RELATIONSHIP

Definitions

Merced County Office of Education (MCOE) policies, regulations, and bylaws are the written rules of the MCOE staff, students, parents/guardians, volunteers, contractors, visitors, and others shall abide while engaging in activities within the jurisdiction of the MCOE. Additionally, MCOE policies clarify the roles and responsibilities of the MCOE, and communicate MCOE philosophy and values to MCOE students, staff, parents/guardians, and the community.

County Board bylaws are specific County Board policies that govern the operations of the County Board and establish the rights and obligations of the County Board members.

~~It is the belief that Merced County Office Education (MCOE) will best serve the students of Merced County, as well as the community as a whole, when the County Board, County Superintendent, Cabinet, and Management work cooperatively in all aspects of the MCOE.~~

~~*(cf. 0000 - Vision)*~~
~~*(cf. 0100 - Philosophy)*~~
~~*(cf. 0415 - Equity)*~~
~~*(cf. 0460 - Local Control and Accountability Plan)*~~
~~*(cf. 9000 - Role of the Board)*~~

The County Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law. No MCOE policy, bylaw, or regulation, or any portion thereof, shall be ~~operative~~binding to the extent that they do not ~~if it is found to be in~~ conflict with ~~applicable~~ federal or state law ~~or regulations or court decisions~~and are consistent with the MCOE's collective bargaining agreements. ~~If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.~~No MCOE policy, bylaw, or regulation, or any portion thereof, shall be operative if it is determined to be, on advice of legal counsel, in conflict with applicable federal or state law or regulations or court decisions. However, any portion of a County Board policy, bylaw, or regulation so determined to be inoperative shall not affect the operability of other provisions of the MCOE policy, bylaws, or regulation.

~~Policy~~Board Bylaws Development and Adoption Process

The County Board shall adopt rules and regulations (Board Bylaws) not inconsistent with the laws of California for their own government. (Education Code 1040)

The County Board will consider its responsibility to be the review of MCOE's Board Bylaws, recognizing that the administrative development, adoption, revision and implementation of policy governing the administration of the office of the County Superintendent is the responsibility of the County Superintendent and Cabinet. The County Superintendent will submit new or revised Board Bylaws to the County Board for information and public disclosure.

COUNTY SUPERINTENDENT/COUNTY BOARD POLICY RELATIONSHIP

Board Bylaws may be regularly reviewed at a time allocated for this purpose on the agenda of public County Board meetings.

County Board bylaws shall be formally adopted by a majority vote of the County Board. County Board bylaws shall become effective upon County Board adoption.

~~**Revision Required by Law**~~

~~Should a statute or administrative code section be added, repealed, or amended; or should a court decision or an opinion of MCOE Counsel or the Attorney General of the State of California affect changes in any of the bylaws of the County Board, such bylaws shall be considered to be automatically amended to comply.~~

Access

All MCOE employees and the public shall have easy and free access to all County Board bylaws and related documents.

Legal Reference:

EDUCATION CODE
1015 Vote requirements
1040-1042 Duties and responsibilities of county boards
35010 Control of district; prescription and enforcement of rules
35160 Authority of governing boards
35160.5 Annual review of school district policies
35163 Official actions, minutes and journal
35164 Vote requirements

Management Resources:

WEB SITES
CSBA, Policy Services, including Policy Update Service, Governance and Management Using Technology (GAMUT OnlineTM), Policy Audit Program, Individual District Policy Workshops, Agenda Online, and Manual Maintenance: http://www.csba.org/ps
National School Boards Association: http://www.nsba.org
CSBA District and County Office of Education Legal Services

Cross References:

0000	*Vision*
0100	*Philosophy*
0415	*Equity*
0460	*Local Control and Accountability Plan*
0500	*Accountability*
1112	*Media Relations*
1113	*District and School Websites*

COUNTY SUPERINTENDENT/COUNTY BOARD POLICY RELATIONSHIP

1220	*Citizen Advisory Committees*
1340	*Access to District Records*
2000	*Concepts and Roles*
2210	*Administrative Discretion Regarding Board Policy*
4112.9	*Employee Notifications*
4141	*Collective Bargaining Agreement*
4143	*Negotiations/Consultation*
4212.9	*Employee Notifications*
4241	*Collective Bargaining Agreement*
4243	*Negotiations/Consultation*
4312.9	*Employee Notifications*
5116.1	*Intradistrict Open Enrollment*
5145.6	*Parent/Guardian Notifications*
6000	*Concepts and Roles*
6020	*Parent Involvement*
6141	*Curriculum Development and Evaluation*
6145	*Extracurricular and Cocurricular Activities*
9000	*Role of the Board*
9005	*Governance Standards*
9130	*Board Committees*
9320	*Meetings and Notices*
9320.1	*Remote Meetings and Attendance*
9322	*Agenda/Meeting Materials*
9323	*Meeting Conduct*
9323.2	*Actions by the Board*

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 11/16/2020, FOR REVIEW 10/19/26 & APPROVAL 11/16/26 Merced, California

MEETINGS AND NOTICES

Meetings of the Merced County Board of Education (County Board) are conducted for the purpose of accomplishing County Board business. The County Board may meet in open session or closed session, as necessary, ~~I~~in accordance with applicable ~~state~~ open meeting laws (Brown Act), and County Board Bylaw 9320.1 – Remote Meetings and Attendance, Board Bylaw 9321 – Closed Session, Board Bylaw 9322 – Agenda/Meeting Materials, and Board Bylaw 9323 – Meeting Conduct.

~~the County Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement, County Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the County Board's bylaws.~~

A County Board meeting exists whenever a majority of County Board members gathers at the same time and location, including ~~teleconference~~remotely or electronically, ~~location as permitted by Government Code 54953,~~ to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

In accordance with ~~law and as specified in~~ Board Bylaw 9012 – Board Member Electronic Communications, a majority of the County Board shall not~~, outside of an authorized meeting,~~ use a series of communications of any kind, directly or through intermediaries or technology, including official or personal social media accounts ~~and other electronic communications~~, to ~~discuss, deliberate, or~~ take action on any ~~item~~matter that is within the subject matter jurisdiction of the County Board. (Government Code 54952.2)

However, ~~an~~the County Superintendent or designee or employee ~~or~~of Merced County Office of Education (MCOE) ~~official~~ may engage in separate conversations or communication with County Board members in order to answer questions or provide information regarding any matter ~~item~~ within the subject matter jurisdiction of the County Board, as long as the County Superintendent or designee or ~~that~~ employee o~~r~~f MCOE ~~official~~ does not communicate the comments or position of any County Board members to other County Board members. (Government Code 54952.2)

In order to help ensure participation of individuals with disabilities at County Board meetings, the County Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. Notice of the procedure for receiving and resolving such requests for accommodation shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 549524.2)

Meeting notices and agendas shall specify that any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the County Board meeting should contact the County Superintendent or

designee at least 48 hours prior to the meeting. (Government Code 54954.2)

Each agenda shall also list the address(es) designated by the County Superintendent or designee for public inspection of agenda documents that are distributed to the County Board less than 72 hours before the meeting. (Government Code 54957.5)

Regular Meetings

Regular meetings of the County Board shall be held at times it may determine, but not less than once per month and shall be conducted in accordance with Chapter 9 (commencing with Section 54950) of Division 2 of Title 5 of the Government Code. (Education Code 1011)

The County Board shall hold regular meetings following the Virginia Smith Trust meeting but not before 3:00 p.m. on the third Monday of the month at the ~~Merced County Office of Education~~MCOE unless specifically announced for some other date, time or location.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the MCOE's ~~Internet~~ web site, and at any location required by Board Bylaw 9320.1 – Remote Meetings and Attendance. (Government Code 54954.2)

Consistent with Government Code 54957.5 and Board Bylaw 9322 – Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular meeting are distributed to the County Board less than 72 hour before the meeting, the County Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose. The records shall be posted on the MCOE website at the time the materials are distributed to all or a majority of the County Board if distributed outside of business hours. (Government Code 54957.5)

Special Meetings

Special meetings of the County Board may be called at any time by the presiding officer or a majority of the County Board members on any topic withing the subject matter jurisdiction of the County Board unless otherwise prohibited by law or as specified in Board Bylaw 9323.2 – Actions by the Board. (Government Code 54956)

Upon the request of any three members, in writing, the president shall call a special meeting. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the County Superintendent as described in Government Code 3511.1. (Education Code 1012; Government Code 54956)

At least 24 hours before the time of the meeting, written notice of special meetings shall be delivered personally or by any other means to all County Board members and the local media who have requested such notice in writing. The notice also shall be posted on the MCOE's

website, and at least 24 hours before the time of the meeting, in a location freely accessible to the public. The notice shall specify the time and location of the special meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54953.8, 54953.8.3, 54956)

Any County Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the County Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the County Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the County Board may hold an emergency meeting ~~without complying~~as long as it complies with all requirements of a special County Board meeting, except the ~~with the~~ 24-hour notice and/or 24-hour posting requirements ~~for special meetings pursuant to Government Code 54956~~. (Government Code 54956.5)

The County Board may meet in closed session during an emergency County Board meeting so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

Except in the case of a dire emergency, the County Board president or designee shall give notice of the emergency meeting by telephone or email at least one hour before the meeting to the local media that have requested notice of special County Board meetings. As applicable, ~~A~~all telephone numbers or email addresses provided by the media in the most recent request for notification must be exhausted. If telephone or internet services are not functioning, the notice requirement of one hour is waived and, as soon after the emergency County Board meeting as possible, the County Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the County Board. In the case of a dire emergency, the County Board president or designee shall give such notice at or near the time notification is given to the other members of the County Board. (Government Code 54956.5)

The minutes of the emergency County Board meeting, a list of persons the County Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

An emergency situation means either of the following: (Government Code 54956.5)

1. An *emergency*~~,~~ means ~~which shall be defined as~~ a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the County Board;

2. A *dire emergency*~~,~~ means ~~which shall be defined as~~ a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the County Board to provide one-hour notice before holding an emergency County Board meeting may endanger the public health and/or safety as determined by a majority of the members of the County Board.

Adjourned/Continued Meetings

The County Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the County Board may adjourn/continue such a meeting. If no County Board members are present, the secretary or the clerk may declare the County Board meeting adjourned/continued to a later time and location and shall give notice in the same manner required for special County Board meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the location where the County Board meeting was held. (Government Code 54955)

Study Sessions, Retreats, Public Forums, and Discussion Meetings

The County Board may convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The County Board may also convene a retreat or discussion meeting to discuss County Board roles and relationships. Any such County Board meeting, regardless of title or topic, shall be held as a regular or special County Board meeting, as appropriate, and shall comply with all other requirements for regular or special County Board meetings. (Government Code 54956)

Public notice shall be given in accordance with law when a quorum of the County Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within MCOE boundaries. Action items shall not be included on the agenda for these meetings.

Other Gatherings

Attendance by a majority of County Board members at any of the following events is not

subject to the Brown Act provided that a majority of the County Board members do not discuss specific MCOE business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to ~~school~~county board members;

2. An open, publicized meeting organized by a person or organization other than MCOE to address a topic of local community concern;

3. An open and noticed meeting of another body of MCOE;

4. An open and noticed meeting of a legislative body of another local agency;

5. A purely social or ceremonial occasion;

6. An open and noticed meeting of a standing committee of the County Board established pursuant to Board Bylaw 9130 – Board Committees, provided that the County Board members who are not members of the standing committee attend only as observers.

Individual contacts or conversations between a County Board member and any other person that are not part of a series communications prohibited by the Brown Act are permitted. (Government Code 54952.2)

Location of Meetings

Unless the County Board is holding a teleconference meeting during a proclaimed state of emergency, all meetings shall be held within MCOE boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which MCOE is a party;

2. Inspect real or personal property which cannot conveniently be brought into the county, provided that the topic of the meeting is limited to items directly related to the property;

3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law;

4. Meet in the closest meeting facility if MCOE has no meeting facility within its boundaries or if its principal office is located outside county;

5. Meet with elected or appointed state or federal officials when a local meeting would be

impractical, solely to discuss legislative or regulatory issues affecting MCOE over which the state or federal officials have jurisdiction;

6. Meet in or near a facility owned by MCOE but located outside the county, provided the meeting agenda is limited to items directly related to that facility;

7. Visit the office of MCOE's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs;

8. Interview residents outside the boundaries of the county regarding the County Board's potential appointment of an interim County Superintendent;

9. Interview an applicant for County Superintendent outside the boundaries of the county.

All County Board meetings, regardless of location, shall comply with the applicable notice and open meeting requirements. Additionally, no such meeting may be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

If a fire, flood, earthquake, or other emergency renders the posted regular or special County Board meeting location unsafe and the deadline for posting the location has passed, the meeting shall be held at a location designated by the County Board president or designee, who shall so inform all news media who have requested notice of meetings pursuant to Government Cod 54956 by the most rapid available means of communication. (Government Code 54954)

~~**Traditional Teleconferencing**~~

~~A County Board member may participate in any meeting by teleconference, which includes both audio or video/audio so long as the following conditions are met (Government Code 54953):~~

~~1. All votes taken during the meeting are by roll call.~~

~~2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.~~

~~3. The location of the County Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the County Board member participating by teleconference, may hear/listen to the meeting to the same extent as the County Board member participating by teleconference, and may make public comment during~~

~~the same portion of the agenda as other members of the public from the same location as the County Board member participating by teleconference.~~

~~4. The location of the County Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the County Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting.~~

~~5. At least a quorum of the members is within MCOE boundaries. (~~

~~**Teleconferencing by Individual County Board Member Due to Just Cause**~~

~~Until January 1, 2026, when there is "just cause" preventing a County Board member from attending a County Board meeting in person, that County Board member may participate in that meeting by teleconference without: (Government Code 54953)~~

~~1. Including the location of the County Board member participating by teleconference in the agenda~~

~~2. Making the location of the County Board member participating by teleconference open and accessible to the public~~

~~3. Posting the agenda at the location of the County Board member participating by teleconference~~

~~A County Board member needing to participate by teleconference for just cause shall notify the County Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the need to appear by teleconference at the given meeting. (Government Code 54953)~~

~~For the County Board member to participate by teleconference under this section, all of the following are required (Government Code 54953):~~

~~1. All votes taken during the meeting are by rollcall~~

~~2. At least a quorum of the County Board participates in person from a singular physical location clearly identified on the agenda~~

~~3. The County Board member utilizes both audio and visual technology to participate in the meeting~~

~~4. The County Board member participating by teleconference publicly discloses, before any action is taken, whether any individuals 18 years of age or older are present at the County Board member's location and the general nature of the member's relationship~~

~~with each such individual~~

~~5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person~~

~~The platform or service may require members of the public to register in oder to make public comments so long as the platform or service is not controlled by the MCOE.~~

~~6. The agenda for the meeting includes information describing how members of the public can access the platform or service~~

~~If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the County Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)~~

~~A County Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year. (Government Code 54953)~~

~~For purposes of this section, "just cause" may exist for any of the following: (Government Code 54953)~~

~~A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a County Board member to participate remotely~~

~~1. A contagious illness prevents a County Board member from attending in person~~

~~2. A County Board member has a need related to a physical or mental disability not otherwise reasonably accommodated~~

~~3. A County Board member is traveling while on official business of the County Board or another state or local agency~~

~~**Teleconferencing by Individual County Board Member Due to Emergency Circumstances**~~

~~Until January 1, 2026, when a physical or family medical emergency would prevent a County Board member from attending a County Board meeting in person, that County Board member may request to participate in such meeting by teleconference. The County Board~~

~~member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The County Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)~~

~~If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the County Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the County Board. (Government Code 54953, 54954.2)~~

~~If the request is granted by the County Board, the County Board member may participate by teleconference without: (Government Code 54953):~~

~~1. Including the location of the County Board member participating by teleconference in the agenda~~

~~2. Making the location of the County Board member participating by teleconference open and accessible to the public~~

~~3. Posting the agenda at the location of the County Board member participating by teleconference~~

~~For the County Board member to participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953):~~

~~1. All votes taken during the meeting are by rollcall~~

~~2. At least a quorum of the County Board participates in person from a singular physical location clearly identified on the agenda~~

~~3. The County Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting~~

~~4. The County Board member participating by teleconference publicly discloses, before any action is taken, whether any individuals 18 years of age or older are present at the County Board member's location and the general nature of the member's relationship with each such individual~~

~~5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person~~

~~The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the COE.~~

~~6. The agenda for the meeting includes information describing how members of the public can access the platform or service~~

~~If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the County Board shall not take action on any agenda item until the disruption is resolved. (Government Code 54953)~~

~~In total, a County Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the County Board's regular meetings or for more than three consecutive months. If the County Board meets less than 10 times in a calendar year, a County Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)~~

~~**Teleconference Meetings During a Proclaimed State of Emergency**~~

~~The County Board may conduct a County Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)~~

~~1. For the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency~~

~~2. When the County Board has been determined, pursuant to Item #1 above, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency~~

~~The County Board may hold a meeting by teleconference during a proclaimed state of emergency without: (Government Code 54953):~~

MEETINGS AND NOTICES

~~1. Including the location of County Board members in the agenda~~

~~2. Making the locations of County Board members open and accessible to the public~~

~~3. Posting the agenda at the locations of County Board members~~

~~For the County Board to hold such meeting, all of the following are required: (Government Code 54953):~~

~~1. All votes taken during the meeting are by rollcall~~

~~2. The public is able to access the meeting via a call-in service or an internet-based platform or service, with real-time public comment being allowed via the platform or service~~

~~If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the COE.~~

~~3. The agenda for the meeting includes information describing how members of the public can access the platform or service~~

~~If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the County Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)~~

~~For any public comment period with a time limit, the County Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed. For any other public comment period, the County Board shall allow a reasonable amount of time to allow members of the public to provide public comment and to register to do so. (Government Code 54953)~~

~~The County Board may continue to conduct all meetings by teleconference throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the County Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the County Board to meet safely in person. (Government Code 54953)~~

MEETINGS AND NOTICES

Legal Reference:

EDUCATION CODE
1009 Annual organizational meeting, date, and notice
1011 Time and place of meetings
1012 Special meeting
1040-1042 Duties and responsibilities of County Boards
35140 Time and place of meetings
35143 Annual organizational meeting, date, and notice
35144 Special meeting
35145 Public meetings
35145.5 Agenda; public participation; regulations
35146 Closed sessions; student matters
35147 Open meeting laws exceptions

GOVERNMENT CODE
3511.1 Local agency executives
11135 Prohibition of discrimination
54950-54963 The Ralph M. Brown Act
54953 Oral summary of recommended salary and benefits of superintendent
54954 Time and place of regular meetings
54954.2 Agenda posting requirements, board actions
54956 Special meetings
54956.5 Emergency meetings
7920.000-7930.215 California Public Records Act
8625-8629 California Emergency Services Act
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications for individuals with disabilities
36.303 Nondiscrimination on the basis of disability, public accommodations, auxiliary aids and services
CALIFORNIA CONSTITUTION
Article 9, Section 3 County superintendents
COURT DECISIONS
Garnier v. Poway Unified School District, No. 17-ev-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)
Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)
Wolfe v. City of Fremont, (2006) 144 Cal.App. 533
ATTORNEY GENERAL OPINIONS
88 Ops.Cal.Atty.Gen. 218 (2005)
84 Ops.Cal.Atty.Gen. 181 (2001)
84 Ops.Cal.Atty.Gen. 30 (2001)
79 Ops.Cal.Atty.Gen. 69 (1996)
78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, rev. 20~~19~~23
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
The ABCs of Open Government Laws
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

MEETINGS AND NOTICES

Open and Public V: A Guide to the Ralph M. Brown Act, 2016
WEB SITES
CSBA: http://www.csba.org
CSBA, GAMUT Meetings:
http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy
California Attorney General's Office: http://www.ag.ca.gov
Institute for Local Government: http://www.ca-ilg.org
League of California Cities: http://www.cacities.org
CSBA District and County Office of Education Legal Services

Cross References:

0410	*Nondiscrimination in County Office Programs and Activities*
0420.4	*Charter School Authorization*
0420.43	*Charter School Revocation*
0420.44	*Appeals of District Decisions Regarding Charter Schools*
0450	*Comprehensive Safety Plan*
0460	*Local Control and Accountability Plan*
1113	*District and School Websites*
1114	*District-Sponsored Social Media*
1160	*Political Processes*
1220	*Citizen Advisory Committee*
1330	*Use of School Facilities*
1340	*Access to District Records*
1431	*Waivers*
2000	*Concepts and Roles*
2111	*Superintendent Governance Standards*
2120	*Superintendent Recruitment and Selection*
2121	*Superintendent's Contract*
2210	*Administrative Discretion Regarding Board Policy*
3100	*Budget*
3280	*Sale or Lease of District-Owned Real Property*
3311	*Bids*
3312	*Contracts*
3314	*Payment for Goods and Services*
3516	*Emergencies and Disaster Preparedness Plan*
4117.14	*Postretirement Employment*
4141.6	*Concerted Actions/Work Stoppage*
4241.6	*Concerted Action/Work Stoppage*
4312.1	*Contracts*
4317.14	*Postretirement Employment*
5113.12	*District School Attendance Review Board*
6112	*School Day*
6117	*Year-Round Schedules*
6173.1	*Education for Foster Youth*
7150	*Site Selection and Development*
7214	*General Obligation Bonds*
7310	*Naming of Facility*
9000	*Role of the Board*
9005	*Governance Standards*
9012	*Board Member Electronic Communications*
9100	*Organization*
9121	*President*
9130	*Board Committees*

MEETINGS AND NOTICES

9140	*Board Representatives*
9220	*Governing Board Elections*
9230	*Orientation*
9240	*Board Training*
9270	*Conflict of Interest*
9310	*Board Policies*
9320.1	*Remote Meetings and Attendance*
9321	*Closed Session*
9322	*Agenda/Meeting Materials*
9323	*Meeting Conduct*
9323.2	*Actions by the Board*
9324	*Minutes and Recordings*
9400	*Board Self-Evaluation*
9500	*County Superintendent's Remuneration*

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 9/17/12, 12/14/2020, 3/15/21, 6/9/2025 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

REMOTE MEETINGS AND ATTENDANCE

The Merced County Board of Education (County Board) recognizes the need, when permitted by law, to hold County Board meetings in which the County Board members meet remotely or in which individual County Board members attend and participate remotely.

Definitions

Local emergency means either of the following that impacts persons under the jurisdiction of the Merced County Office of Education (MCOE) or property within the boundaries of the MCOE: (Government Code 54953.8.2)

1. A condition of extreme peril proclaimed by a city, county, or city and county pursuant to Government Code 8630

2. A local health emergency proclaimed pursuant to Health and Safety Code 101080

Remote means not being physically present at the primary in-person location of a County Board meeting, and includes the terms "teleconference" and "virtual."

Remote attendance and participation means the ability to attend and participate in a County Board meeting by electronic means, through either audio or visual technology, or both.

Remote County Board Member means a County Board member, not physically present at the County Board meeting, who nonetheless seeks to attend and participating in a County Board meeting.

State of Emergency means state of emergency proclaimed pursuant to Government Code 8625.

Traditional Method of Remote Attendance

A remote County Board member may attend and participate in a County Board meeting so long as all of the following conditions are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall

2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the County Board

REMOTE MEETINGS AND ATTENDANCE

3. The physical location of the remote County Board member is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the remote County Board member; may hear, listen to, or watch the meeting to the same extent as the remote County Board member; and may make public comment during the same portion of the agenda as other members of the public from the same location as the remote County Board member

4. The location from which the remote County Board member will attend the meeting is noted in the agenda and the agenda is posted at that location in advance of the meeting as statutorily required based on the type of meeting

5. At least a quorum of the County Board is within MCOE boundaries

Remote Attendance as an Accommodation

A County Board member with a qualifying disability under the Americans with Disabilities Act that precludes the County Board member from attending a County Board meeting in person or from attending and participating remotely in a County Board meeting using the method specified in "Traditional Method of Remote Attendance" above may request to attend and participate remotely as a reasonable accommodation for the County Board member's disability.

If the request is granted based on the County Board's process for reviewing reasonable accommodations, the remote County Board member shall be permitted to attend and participate in the County Board meeting as long as the following requirements are met: (Government Code 54953)

1. All votes taken during the meeting are by rollcall

2. The remote County Board member utilizes both audio and visual technology to participate in the meeting, except no visual technology shall be required if a physical condition related to their disability results in a need to participate off camera

3. The remote County Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the County Board member's location and the general nature of the member's relationship with each such individual

REMOTE MEETINGS AND ATTENDANCE

In this circumstance, the following conditions are not required: (Government Code 54953)

1. Including the location of the remote County Board member in the agenda
2. Making the location of the remote County Board member open and accessible to the public
3. Posting the agenda at the location of the remote County Board member

Additionally, in this circumstance, the remote County Board member shall be considered to be attending in-person at the physical meeting location for all purposes, including any requirement that a quorum participate from any particular location. (Government Code 54953)

These requirements and conditions may be modified as required by law or another reasonable accommodation may be offered as appropriate.

Remote Attendance Due to Just Cause

Beginning July 1, 2026, a remote County Board member may attend and participate in a County Board meeting based on any of the following "just cause" reasons: (Government Code 54953.8.3)

1. A childcare or caregiving need of a County Board member's child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires the County Board member to attend and participate remotely
2. A contagious illness that prevents a County Board member from attending in person
3. A need related to a County Board member's physical or mental condition not otherwise reasonably accommodated
4. A County Board member is traveling while on official business of the County Board or another state or local agency
5. An immunocompromised child, parent, grandparent, grandchild, sibling, spouse, or domestic partner of a County Board member requires the County Board member to attend and participate remotely

REMOTE MEETINGS AND ATTENDANCE

6. A physical or family medical emergency prevents a County Board member from attending in person

7. Military service obligations that result in a County Board member being unable to attend in person because the County Board member is serving under official written orders for active duty, drill, annual training, or any other duty required as a member of the California National Guard or a United States Military Reserve organization that requires the County Board member to be at least 50 miles outside the boundaries of the MCOE

The remote County Board member shall notify the County Board at the earliest possible opportunity, including at the start of a County Board meeting, of the need to attend and participate remotely for just cause, including the general circumstances of the County Board member's need to attend and participate remotely. The remote County Board member need not disclose any medical diagnosis or disability, or any personal medical information that is otherwise exempt under existing law. The minutes for the County Board meeting shall identify the specific provision that is the basis for the just cause. (Government Code 54953, 54953.8.3)

Additionally, when a remote County Board member attends and participates in a County Board meeting based on just cause, all of the following conditions shall be met: (Government Code 54953, 54953.8, 54953.8.3)

1. All votes taken during the meeting are by rollcall

2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the County Board

3. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

   The platform or service may require members of the public to register in order to make public comments as long as the platform or service is not controlled by the MCOE.

REMOTE MEETINGS AND ATTENDANCE

4. The agenda for the meeting includes information describing how members of the public can access the platform or service and how members of the public can offer public comment

5. The minutes of the County Board meeting state that the remote County Board member attended and participated remotely

6. At least a quorum of the County Board participates in person from a singular physical location clearly identified on the agenda and which is within MCOE boundaries and is open to the public

7. The remote County Board member utilizes both audio and visual technology to participate in the meeting

8. The remote County Board member publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the County Board member's location and the general nature of the member's relationship with each such individual

In this circumstance, the agenda need not include the location of the remote County Board member or be posted at that location, and the location of the remote County Board member need not be open and accessible to the public. (Government Code 54953, 54953.8)

The County Board shall give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. (Government Code 54953.8)

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the County Board meeting may continue but the County Board may not take action on any agenda item until public access to the meeting is restored. (Government Code 54953.8)

A remote County Board member may attend and participate in no more than two Board meetings per year for just cause. (Government Code 54953.8.3)

REMOTE MEETINGS AND ATTENDANCE

Remote County Board Meetings During a Proclaimed State of Emergency

The County Board may conduct a remote County Board meeting during a proclaimed state of emergency or local emergency in either of the following circumstances: (Government Code 54953.8.2)

1. For the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency

2. When the County Board, pursuant to Item #1 above, has determined that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

In either such circumstance, the County Board may hold a remote County Board meeting without: (Government Code 54953.8, 54953.8.2)

1. Including the location of County Board members in the agenda

2. Making the locations of County Board members open and accessible to the public

3. Posting the agenda at the locations of County Board members

4. Having at least a quorum of the County Board members within the MCOE boundaries

When the County Board holds such a meeting, all of the following shall be followed: (Government Code 54953.8, 54953.8.2)

1. All votes taken during the meeting are by rollcall

2. The public is able to access the meeting via a call-in or audiovisual platform or service, with real-time observation of the meeting and public comment being allowed via the platform or service

   The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the MCOE.

REMOTE MEETINGS AND ATTENDANCE

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

The County Board may continue to conduct all County Board meetings remotely throughout one or more 45-day periods as long as, prior to the beginning of each 45-day period, the County Board has reconsidered the circumstances of the proclaimed state of emergency or local emergency and determined that it continues to directly impact the ability of the County Board to meet safely in person. (Government Code 54953.8.2)

Legal Reference:

EDUCATION CODE
35140 Time and place of meetings
35143 Annual organizational meeting, date, and notice
35144 Special meeting
35145 Public meetings
35145.5 Agenda; public participation; regulations
35146 Closed sessions; student matters
35147 Open meeting laws exceptions

GOVERNMENT CODE
3511.1 Local agency executives
11135 Prohibition of discrimination
54950-54963 The Ralph M. Brown Act
7920.000-7930.215 California Public Records Act
8625-8629 California Emergency Services Act
8630 Local emergency
HEALTH AND SAFETY CODE
101080 Local Health emergency
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications for individuals with disabilities
36.303 Nondiscrimination on the basis of disability, public accommodations, auxiliary aids and services
COURT DECISIONS
Garnier v. Poway Unified School District, No. 17-ev-2215-W (JLB), 2019 WL 4736208 (S.D. Cal. September 26, 2019)
Knight First Amendment Institute at Columbia University v. Trump, 928 F.3d 226 (2019)
Wolfe v. City of Fremont, (2006) 144 Cal.App. 533
ATTORNEY GENERAL OPINIONS
107 Ops.Cal.Atty.Gen. 107 (2024)
88 Ops.Cal.Atty.Gen. 218 (2005)
84 Ops.Cal.Atty.Gen. 181 (2001)
84 Ops.Cal.Atty.Gen. 30 (2001)
79 Ops.Cal.Atty.Gen. 69 (1996)
78 Ops.Cal.Atty.Gen. 327 (1995)

REMOTE MEETINGS AND ATTENDANCE

Management Resources:

CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, rev. 2023
INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS
The ABCs of Open Government Laws
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
Open and Public V: A Guide to the Ralph M. Brown Act, 2016
WEB SITES
CSBA: http://www.csba.org
CSBA, GAMUT Meetings:
http://www.csba.org/ProductsAndServices/AllServices/GamutMeetingsPolicy
California Attorney General's Office: http://www.ag.ca.gov
Institute for Local Government: http://www.ca-ilg.org
League of California Cities: http://www.cacities.org

Cross References:

0410	*Nondiscrimination in County Office Programs and Activities*
1113	*District and School Websites*
1114	*District-Sponsored Social Media*
1160	*Political Processes*
1220	*Citizen Advisory Committee*
1330	*Use of School Facilities*
1340	*Access to District Records*
2000	*Concepts and Roles*
3516	*Emergencies and Disaster Preparedness Plan*
4117.14	*Postretirement Employment*
4141.6	*Concerted Actions/Work Stoppage*
4241.6	*Concerted Action/Work Stoppage*
4312.1	*Contracts*
9000	*Role of the Board*
9005	*Governance Standards*
9012	*Board Member Electronic Communications*
9100	*Organization*
9121	*President*
9130	*Board Committees*
9140	*Board Representatives*
9230	*Orientation*
9240	*Board Training*
9310	*Board Policies*
9320	*Meetings and Notices*
9321	*Closed Session*
9322	*Agenda/Meeting Materials*
9323	*Meeting Conduct*
9323.2	*Actions by the Board*
9324	*Minutes and Recordings*
9400	*Board Self-Evaluation*

Bylaw Adopted: **MERCED COUNTY BOARD OF EDUCATION**
FOR REVIEW 10/19/26 & APPROVAL 11/16/26 Merced, California

CLOSED SESSION PURPOSES AND AGENDA

The County Board is committed to complying with state open meeting laws and modeling transparency in its conduct of Merced County Office of Education (MCOE) business. The County Board shall hold a closed session during a regular, special, or emergency meeting only for purposes authorized by law. (Government Code 54950-54963)

Each agenda shall contain a general description of each closed session item to be discussed at the meeting, as required by law and specified in the accompanying Exhibit (1). (Education Code 35145; Government Code 54954.2, 54954.5, 54957)

In the open session preceding a closed session, the County Board shall disclose the items to be discussed in closed session as specified by this bylaw. The County Board chair, who is either the County Board president or the County Board member chairing the meeting at the time if the County Board president is absent, shall either verbally state ~~by stating~~ the closed session items listed in the agenda ~~information on the agenda~~ or referring the public to the closed session item(s) as listed by number or letter on the agenda. In the closed session, the County Board ~~may~~shall consider only those items covered in its statement. (Government Code 54957, 54957.7)

Prior to closed session, members of the public shall be given an opportunity to address the County Board on any closed session item in the agenda in accordance with County Board Bylaw 9322 – Agenda/Meeting Materials and County Board Bylaw 9323 – Meeting Conduct. (Government Code 54954.3)

After the closed session, the County Board shall reconvene in open session before adjourning the meeting and, when applicable, shall ~~publicly~~ disclose any actions taken in the closed session, the votes or abstentions thereon, and other ~~applicable~~ disclosures as specified in this bylaw or the accompanying Exhibit (2). Such reports may be made in writing or orally at the location announced in the agenda for the closed session as required by law and provided in the accompanying Exhibit 2~~, so long as the location is open to the public at the time of announcement~~. (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document, such as a contract or settlement agreement, that becomes public upon approval or adoption, any person present at the conclusion of the closed session who submitted a written request or has made a standing request for all documentation as part of a request for notice of meetings shall be immediately provided a copy of the document. (Government Code 54957.1)

If when adopting or approving a document during closed session, ~~the action taken results in one or more~~ substantive amendments are required to finalize the document, the document shall be made available as soon as ~~the next business day or when~~ the necessary changes to the document are completed. Whenever ~~copies of an approved agreement~~such a document will not be immediately released ~~due to an amendment~~, the County Board chairperson shall

orally summarize the substance of the amendment ~~for those present at the end of the closed~~open session as part of the required disclosures. (Government Code 54957.1)

Attendance in Closed Session

Each County Board member may attend closed session for each agenda item except if the County Board member is required to recuse themselves or is prohibited by law from attending. Additionally, the County Superintendent of Schools may attend closed session for each agenda item, except for personnel matters, complaints, or charges regarding the County Superintendent under Government Code 54957, if applicable, or to discuss the County Superintendent's compensation under Government Code 54957.6, if applicable.

In addition, the County Board secretary or designee shall attend closed session for each agenda item to keep minutes of topics discussed and decisions made. (Government Code 54957.2)

Except as prohibited by law, the following individuals may attend closed session for a particular item upon invitation by the County Board chair or the County Superintendent:

1. Legal counsel, labor negotiators, or other MCOE staff authorized by statute to attend for the particular item

2. Any other individual whose attendance is essential to the County Board's ability to conduct its closed-session business with respect to the particular item

Any other individual shall not attend closed session.

Confidentiality

Any person in attendance in closed session shall not disclose information received in closed session except as permitted by County Board Bylaw 9011 – Disclosure of Confidential/Privileged Information

A County Board member shall not disclose confidential information received in a closed session unless the County Board authorizes the disclosure of that information or, as authorized by the County Board, the information has been publicly reported by the County Board or the County Superintendent of Schools. (Government Code 54963)

The County Board shall not disclose any information that is protected by state or federal law. ~~In a~~Additionally, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any County Board agenda, notice, announcement, disclosure, or report required by the Brown Act, unless the identity of the person has previously been publicly

disclosed. (Government Code 54957.7, 54961)

Matters Related to Students

The County Board shall meet in closed session to consider the appeal of an expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. Regardless of whether the expulsion hearing is conducted in open or closed session, the County Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 35146, 48912, 48918, 48920, 49070)

Agenda items related to student matters shall briefly describe the reason for the closed session, such as "student expulsion hearing," without violating the confidentiality rights of individual students. The student shall not be named on the agenda, but a number may be assigned to the student in order to facilitate record keeping. The agenda shall also state that the Education Code requires closed sessions in these cases in order to prevent the disclosure of confidential student record information.

In taking final action, the County Board shall not release any information in violation of student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion appeal, the County Board shall refer to the student number or other identifier and shall not disclose the student's name.

The County Board shall meet in closed session to address any student matter over which it has statutory authority, when the matter may involve disclosure of confidential student information.

Real Property Negotiations

The County Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for MCOE in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the County Board shall hold an open and public session to identify its negotiator(s) and the property under negotiation and to specify the person(s) with whom the negotiator may negotiate. (Government Code 54956.8)

For purposes of real property transactions, negotiators may include members of the County Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall specify the MCOE negotiator

attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the negotiating parties and the street address of the real property under negotiation. If there is no street address, the agenda item shall specify the parcel number or another unique reference of the property. The agenda item shall also specify whether instruction to the negotiator will concern price, terms of payment, or both. (Government Code 54954.5)

When the County Board approves a final agreement concluding real estate negotiations pursuant to Government Code 54956.8, it shall report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held. If final approval rests with the other party to the negotiations, the County Superintendent or designee shall disclose the fact of that approval and the substance of the agreement upon inquiry by any person, as soon as the other party or its agent has informed the MCOE of its approval. (Government Code 54957.1)

~~Pending~~Anticipated Litigation/Initiation of Litigation

Based on the advice of its legal counsel, the County Board may hold a closed session to confer with or receive advice from its legal counsel regarding ~~pending~~anticipation litigation or whether to initiate litigation when a discussion of the matter in open session would prejudice MCOE's position with respect to such ~~in the~~ litigation. For this purpose, "litigation" ~~means~~includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Litigation is considered to be "~~pending~~anticipated" when, in the County Board's opinion on the advice of legal counsel regarding the existing facts and circumstances, there is significant exposure to litigation against the County Board based on prior or prospective activities or alleged activities during and potentially during the course and scope of that office or employment~~any of the following circumstances exist:~~. (Government Code 54956.9)

1. Litigation to which MCOE is a "party" has been initiated formally; (Government Code 54956.9(d)(1))

2. A point has been reached where, in the County Board's opinion based on the advice of legal counsel and on the "existing facts and circumstances," there is a "significant exposure to litigation" against MCOE, or the County Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized; (Government Code 54956.9(d)(2), (3))

Existing facts and circumstances ~~for these purposes~~ are limited to the following: (Government Code 54956.9)

CLOSED SESSION PURPOSES AND AGENDA

~~a.~~ 1.Facts and circumstances that might result in litigation against MCOE but which the administration believes are not yet known to potential plaintiffs and which do not need to be disclosed.

~~b.~~ 2.Facts and circumstances including, but not limited to, an accident, disaster, incident or transactional occurrence which might result in litigation against MCOE, which are already known to potential plaintiffs and which must be publicly disclosed before the closed session or specified on the agenda.

~~c.~~ 3.The receipt of a claim pursuant to the Government Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.

~~d.~~ 4.A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the County Board;

~~e.~~ 5.A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the County Board, provided that the MCOE official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on ~~his/her~~the victim's behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.

~~3. Based on existing facts and circumstances, the County Board has decided to initiate or is deciding whether to initiate litigation. (Government Code 54956.9(d)(4)).~~

Each agenda item related to anticipated, or initiation of, litigation shall only contain one such matter. For an anticipated litigation item that is anticipated based on Items #2, #3, or #5 above, the agenda item shall also include the facts or circumstances that might result in litigation, the claim or written threat of litigation, or the record of the threat. However, the agenda item shall not identify the alleged victim of unlawful or tortious sexual conduct or anyone making the threat on the alleged victim's behalf, or identify a public employee who is the alleged perpetrator of any unlawful or tortious conduct upon which a threat of litigation is based, unless the identity of the person has been publicly disclosed. (Government Code 54956.9)

Before holding a closed session pursuant to the pending litigation exception, the County Board shall state on the agenda or publicly announce the subdivision of Government Code 54956.9 under which the closed session is being held. If authority is based on Government Code 54956.9(d)(1), the County Board shall either state the title or specifically identify the litigation to be discussed or state that doing so would jeopardize the MCOE's ability to effectuate service of process upon unserved parties or to conclude existing settlement

negotiations to its advantage. (Government Code 54956.9)

Existing Litigation

Based on the advice of its legal counsel, the County Board may meet in closed session to confer with or receive advice from its legal counsel regarding existing litigation when discussion of the matter in open session would prejudice the County Board's position with respect to such litigation. Litigation is considered to be "existing" when the County Board has been named a party to the litigation or a County Board member has been named a party to the litigation based on prior or prospective activities or alleged activities during the course and scope of that office or employment, including litigation which involves whether an activity is outside the course and scope of the office or employment. For this purpose, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator. (Government Code 54956.9)

Agenda items related to pending litigation shall be described as a conference with legal counsel regarding "existing litigation" or "anticipated litigation." (Government Code 54954.5)

"**Existing litigation**" items shall identify the name of the case specified by either the claimant's name, names of parties and case or claim number, unless the County Board states that to identify the case would jeopardize service of process or existing settlement negotiations. (Government Code 54954.5)

"**Anticipated litigation**" items shall state that there is significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3) and shall specify the potential number of cases. When the MCOE expects to initiate a suit, items related to anticipated litigation shall state that the discussion relates to the initiation of litigation pursuant to Government Code 54956.9(d)(4) and shall specify the potential number of cases. The agenda or an oral statement before the closed session may be required to provide additional information regarding existing facts and circumstances ~~described in item #2 b-e above~~. (Government Code 54954.5)

Following the closed session, the County Board shall publicly report, as applicable: (Government Code 54957.1)

1. Approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation. This report shall identify the adverse parties, if known, and the substance of the litigation.

2. Approval to legal counsel to initiate or intervene in a lawsuit. This report shall state that directions to initiate or intervene in the action have been given and that the action, defendants, and other details will be disclosed to inquiring parties after the lawsuit is

commenced unless doing so would jeopardize the ability to serve process on unserved parties or the ability to conclude existing settlement negotiations to its advantage.

3. Acceptance of a signed offer from the other party or parties which finalizes the settlement of pending litigation. This report shall state the substance of the agreement.

If approval is given to legal counsel to settle pending litigation and if final approval rests with the other party or with the court, the County Board shall report the fact of approval, and the substance of the agreement to persons who inquire once the settlement is final. (Government Code 54957.1)

Review of Student Assessment Instruments

The County Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the County Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

Agenda items related to the review of student assessment instruments shall state that the County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program and that Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

~~**Other Matters for Closed Session**~~

Security Matters

The County Board may meet in closed session with the Governor, Attorney General, MCOE attorney, legal counsel, sheriff or chief of police, or ~~their respective deputies~~other law enforcement, or ~~a~~ security personnel~~consultant or a security operations manager,~~ on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities; and critical infrastructure controls or critical infrastructure information relating to cybersecurity. Such discussions may be held in closed session during an emergency meeting called pursuant to Government Code 54956.5 if agreed to by a two-thirds vote of the County Board members present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 545956.5, 54957)

Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer, or name of applicable agency representative and title, with whom the County Board will consult. (Education Code 32281; Government Code 54957)

Tactical Response Plan

CLOSED SESSION PURPOSES AND AGENDA

The County Board may meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. Following the closed session, the County Board shall report any action taken to approve the plan, but need not disclose the MCOE's plan for tactical responses. (Education Code 32281)

Joint Powers Agency Issues

The County Board may meet in closed session in order to receive, discuss, and take action concerning information that has direct financial or liability implications for the County Board and that was obtained in a closed session of a joint powers agency (JPA) of which the County Board is a member. ~~a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the MCOE is a member~~However, a County Board member serving on the JPA board may only disclose confidential information acquired during a closed session of the JPA to fellow County Board members if the governing board of the JPA has so authorized and upon advice of legal counsel. (Government Code 54956.95)

~~Closed session agenda items related to liability claims shall specify the claimant's name and the name of the agency against which the claim is made. (Government Code 54954.5)~~

~~When the board of the JPA has so authorized and upon advice of district legal counsel, the County Board may meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA that has direct financial liability implications for the MCOE. During the County Board's closed session, a County Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow County Board members. (Government Code 54956.96)~~

~~The County Board member may also disclose the confidential JPA information to MCOE legal counsel in order to obtain advice on whether the matter has direct financial or liability implications for the MCOE. (Government Code 54956.96)~~

~~Closed session agenda items related to conferences involving a JPA shall specify the closed session description used by the JPA and the name of the County Board member representing MCOE on the JPA board. Additional information listing the names of agencies or titles of representatives attending the closed session as consultants or other representatives shall also be included. (Government Code 54954.5)~~

~~The County Board shall report the disposition of joint powers agency or self-insurance claims, including the name of the claimant(s), the name of the agency claimed against, the substance of the claim, and the monetary settlement agreed upon by the claimant. (Government Code 54957.1)~~

CLOSED SESSION PURPOSES AND AGENDA

Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office and before the report has been made public, the County Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any County Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall state "Audit by California State Auditor's Office." (Government Code 54954.5)

Following the closed session, the County Board shall publicly confirm that the report was reviewed and a response was prepared.

CLOSED SESSION PURPOSES AND AGENDA

Legal Reference:

EDUCATION CODE
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
1700 County school service fund
1703 Coordination services
1730 Supervision of instruction
1740 Supervision of attendance
1750 Supervision of health
1760 Provision of guidance services
32281 Comprehensive school safety plans
35012 Restorative justice
35145 Public meetings
35145.5 Public Comment
35146 Closed session for student suspension or disciplinary action
41020 Annual audit
44929.21 Notice of reelection decisions; districts with ADA of 250 or more
48912 Governing board suspension
48918 Rules governing expulsion procedures; hearings and notice
49070 Challenging student records
49073-49079 Privacy of student records
60617 Closed session (re-review of contents of statewide assessment)
GOVERNMENT CODE
815-818.9 California Government Claims Act
3540-3549.3 Educational Employment Relations Act
6252-6270 California Public Records Act
54950 Brown Act: Meetings
54950-54963 The Ralph M. Brown Act
7920.000-7930.215 California Public Records Act
CALIFORNIA CONSTITUTION
Article 1, Section 3 Public right to access information
UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act (FERPA) of 1974
CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 Family Educational Rights and Privacy
COURT DECISIONS
Moreno v. City of King, (2005) 127 Cal.App.4th 17
Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners (2003) 107 Cal.App.4th 860
Rim of the World Unified School District v. San Bernardino County Superior Court, (2002) 104 Cal.App.4th 1393
Bell v. Vista Unified School District (2000) 82 Cal.App. 4th 672
Fischer v. Los Angeles Unified School District (1999) 70 Cal.App. 4th 87
Kleitman v. Superior Court of Santa Clara County, (1999) 87 Cal Rptr. 2d 813
Furtado v. Sierra Community College District (1998) 68 Cal. App. 4th 876
Gillespie v. San Francisco Public Library Commission, (1998) 67 Cal.App.4th 1165
Roberts v. City of Palmdale (1993) 5 Cal.4th 363
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors, (1968) 263 Cal.App. 2d 41
San Diego Union v. City Council, (1983) 146 Cal.App. 3d 947
Fowler v. City of Lafayette (2020) 45 Cal.App.5th 68
ATTORNEY GENERAL OPINIONS
105 Ops.Cal.Atty.Gen. 89 (2022)

CLOSED SESSION PURPOSES AND AGENDA

98 Ops.Cal.Atty.Gen. 41 (2015)
94 Ops.Cal.Atty.Gen. 82 (2011)
89 Ops.Cal.Atty.Gen. 110 (2006)
86 Ops.Cal.Atty.Gen. 210 (2003)
85 Ops.Cal.Atty.Gen. 77 (2002)
78 Ops.Cal.Atty.Gen. 218 (1995)
59 Ops.Cal.Atty.Gen. 532 (1976)
57 Ops.Cal.Atty.Gen. 209 (1974)

Management Resources:

CSBA PUBLICATIONS
The Brown Act: School Boards and Open Meeting Laws, rev. 2014
CALIFORNIA ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, 2003
LEAGUE OF CALIFORNIA CITIES PUBLICATIONS
Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010
Open and Public IV: A Guide to the Ralph M. Brown Act Supplement, September 2013
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: http://www.oag.ca.gov
League of California Cities: http://www.cacities.org
CSBA District and County Office of Education Legal Services

Cross References:

0430	*Comprehensive Local Plan for Special Education*
0450	*Comprehensive Safety Plan*
1160	*Political Processes*
1220	*Citizen Advisory Committees*
1312.1	*Complaints Concerning District Employees*
1312.3	*Uniform Complaint Procedures*
1340	*Access to District Records*
2120	*Superintendent Recruitment and Selection*
2121	*Superintendent's Contract*
2140	*Evaluation of the Superintendent*
3280	*Sale or Lease of District-Owned Real Property*
3320	*Claims and Actions Against the County Office of Education*
3515	*Campus Security*
3516	*Emergencies and Diaster Preparedness Plan*
3530	*Risk Management/Insurance*
3555	*Nutrition Program Compliance*
4030	*Nondiscrimination in Employment*
4112.6	*Personnel Files*
4112.9	*Employee Notifications*
4115	*Evaluation/Supervision*
4118	*Dismissal/Suspension/Disciplinary Action*
4119.23	*Unauthorized Release of Confidential/Privileged Information*
4140	*Bargaining Units*
4143	*Negotiations/Consultation*
4143.1	*Public Notice – Personnel Negotiations*
4144	*Complaints*
4212.6	*Personnel Files*
4212.9	*Employee Notifications*
4215	*Evaluation/Supervision*

CLOSED SESSION PURPOSES AND AGENDA

4218	*Dismissal/Suspension/Disciplinary Action*
4219.23	*Unauthorized Release of Confidential/Privileged Information*
4240	*Bargaining Units*
4243	*Negotiations/Consultation*
4243.1	*Public Notice – Personnel Negotiations*
4244	*Complaints*
4312.1	*Contracts*
4312.6	*Personnel Files*
4312.9	*Employee Notifications*
4315	*Evaluation/Supervision*
4319.23	*Unauthorized Release of Confidential/Privileged Information*
4340	*Bargaining Unit*
4344	*Complaints*
5113.12	*County School Attendance Review Board*
5117	*Interdistrict Attendance*
5117.1	*Interdistrict Attendance Appeals*
5119	*Students Expelled From Other Districts*
5125	*Student Records*
5125.3	*Challenging Student Records*
5144	*Discipline*
5144.1	*Suspension and Expulsion/Due Process*
5144.2	*Suspension and Expulstion/Due Process (Students With Disabilities)*
5144.3	*Student Expulsion Appeals*
6162.5	*Student Assessment*
6162.51	*State Academic Achievement Tests*
9011	*Disclosure of Confidential/Privileged Information*
9121	*President*
9124	*Attorney*
9130	*Board Committees*
9150	*Student Board Members*
9270	*Conflict of Interest*
9320	*Meetings and Notices*
9320.1	*Remote Meetings and Attendance*
9322	*Agenda/Meeting Materials*
9323	*Meeting Conduct*
9323.2	*Actions By The Board*
9500	*County Superintendent's Remuneration*

Bylaw Adopted: 7/19/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 2/19/13, 6/15/15, 10/18/16, 11/16/2020, 6/9/2025 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

CLOSED SESSION PURPOSES AND AGENDA

BOARD MEETING AGENDA DESCRIPTIONS FOR CLOSED SESSION ITEMS

The Merced County Board of Education meeting agenda shall include the following description of a closed session item, as applicable:

Matters Related to Students

CONFIDENTIAL STUDENT MATTER
Education Code 35146, 48918

Action under consideration: _____
(Specify type of action, e.g., expulsion appeal, etc.)

Student identification number: _____
(It is recommended that the student's name not be listed. The Merced County Office of Education (MCOE) may use other means to identify the student for record-keeping purposes.)

Security Matters

THREAT TO PUBLIC SERVICES OR FACILITIES
Government Code 54957

Consultation with: _____
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

DEVELOPMENT/APPROVAL OF TACTICAL RESPONSE PLAN
Education Code 32281

Consultation with: _____
(Specify name of law enforcement agency and title of officer, or name of applicable agency representative and title, with whom the County Board will consult.)

Real Property Negotiations

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code 54956.8

Property:

_____
(Specify street address, or if no street address, the parcel number or other unique reference, of the real property under negotiation.)

CLOSED SESSION PURPOSES AND AGENDA

MCOE negotiator: _____

(Specify names of negotiators attending the closed session. If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator as long as the name of the agent or designee is announced at an open session held prior to the closed session.)

Negotiating parties: _____

(Specify name of party; not agent.)

Under negotiation: _____

(Specify whether instruction to negotiator will concern price, terms of payment, or both.)

~~Pending~~Anticipated **Litigation**/Initiation of Litigation

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Government Code 54956.9(d)(2) or (3)

Significant exposure to litigation pursuant to Government Code 54956.9(d)(2) or (3).
Number of potential cases: _____

or

Initiation of litigation pursuant to Government Code 54956.9(d)(4).
Number of potential cases:_____

If applicable, facts and circumstances: _____

(The MCOE may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to Government Code 54956.9(e)(2)-(5). These include facts and circumstances, such as an accident, disaster, incident, or transactional occurrence that might result in litigation against the MCOE and that are known to potential plaintiff(s).)

Existing Litigation

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Government Code 54956.9(d)(1)

Name of case: _____

(Specify by reference to claimant's name, names of parties, or case or claim numbers.)

or

Case name unspecified, as identification of the case would jeopardize service of process or existing settlement negotiations.

Joint Powers Authority (JPA) Issues

~~LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY~~

CLOSED SESSION PURPOSES AND AGENDA

~~Government Code 54956.95~~

~~Name of claimant(s): _____~~
~~*(Specify name, except pursuant to Government Code 54961 when the claimant is a victim or alleged victim of tortious sexual conduct or child abuse unless the identity of the person has been publicly disclosed.)*~~

~~Name of agency against which the claim is made: _____~~

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR MCOE
Government Code 54956.96

Name of JPA: _____

Discussion will concern: _____
(Specify closed session description used by the JPA.)

Name of MCOE representative on JPA board: _____

Names of agencies or titles of representatives attending the closed session as consultants or other representatives, if applicable:

Review of Audit from State Auditor's Office

AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE
Government Code 54956.75

(No additional information is required.)

Review of Assessment Instruments

REVIEW OF STUDENT ASSESSMENT INSTRUMENT
Education Code 60617

The County Board is reviewing the contents of an assessment instrument approved or adopted for the statewide testing program. Education Code 60617 authorizes a closed session for this purpose in order to maintain the confidentiality of the assessment under review.

CLOSED SESSION PURPOSES AND AGENDA

REPORTS OF CLOSED SESSION ACTIONS

Following a closed session during any meeting of the Merced County Board of Education, the County Board shall reconvene in open session to present, orally or in writing, a report of any of the following actions taken during the closed session, as applicable:

Matters Related to Students

Action taken: _____

(Final action must be taken in open session, not just announced in public. It is recommended that the student's name not be disclosed. The County Board that has tentatively decided a student's case in closed session should reconvene in open session and vote publicly) (Education Code 35146, 48918)

Board member votes/abstentions: _____

Security Matters

Action taken: _____

(e.g., consultation with law enforcement; approval of contract or memorandum of understanding; approval of tactical response plan, without disclosing the details of the plan) (Education Code 32281, Government Code 54957)

Board member votes/abstentions: _____

Real Property Negotiations

Action taken: _____

(Report if County Board approves a final agreement concluding real estate negotiations. If final approval rests with the other party, report as soon as the other party has approved the agreement.) (Government Code 54956.8)

Substance of the agreement: _____

Board member votes/abstentions: _____

CLOSED SESSION PURPOSES AND AGENDA

Anticipated Litigation

Action taken: The County Board has given approval to legal counsel to initiate or intervene in a lawsuit. The action, defendants, and other details will be disclosed to any person upon request after the lawsuit is commenced, unless doing so would jeopardize the Merced County Office of Education's (MCOE) ability to serve process on unserved parties or its ability to conclude existing settlement negotiations to its advantage.
(The report need not initially identify the action, defendants, or other details.) (Government Code 54956.9(d)(2) or (3))

Board member votes/abstentions: _____

Existing Litigation

Action taken related to existing litigation: _____
(e.g., approval to legal counsel to defend, appeal or not appeal, or otherwise appear in litigation; or approval to legal counsel of a settlement of pending litigation at any stage prior to or during a judicial or quasi-judicial proceeding. If final approval of settlement rests with the other party, report to any person upon request once the settlement is final.) (Government Code 54956.9(d)(1))

Adverse party/parties, if known: _____

Substance of the litigation: _____

Board member votes/abstentions: _____

Joint Powers Agency Issues

LIABILITY CLAIMS FOR INSURANCE-RELATED JOINT POWERS AGENCY
(Government Code 54956.95)

Name of claimant(s): _____

Name of agency against which the claim is made: _____

Substance of the claim: _____

Monetary settlement agreed upon by the claimant: _____

Board member votes/abstentions: _____

CLOSED SESSION PURPOSES AND AGENDA

CONFERENCE INVOLVING INFORMATION FROM A JOINT POWERS AGENCY WITH DIRECT FINANCIAL OR LIABILITY IMPLICATIONS FOR COE
(Government Code 54956.95)

Name of JPA: _____

Action taken: _____
(Law does not include any specific disclosures to be reported.)

Board member votes/abstentions: _____

Review of Audit from State Auditor's Office

Action taken: The County Board reviewed the confidential final draft audit report received from the California State Auditor's Office and has prepared a response.
(No additional information is required. Unless otherwise exempted by law, after the audit report is subsequently released to the public, any County Board discussion of the report must be conducted in open session.) (Government Code 54956.75)

Review of Assessment Instruments
(Government Code 60617)

Action taken: The County Board reviewed the contents of a student assessment instrument approved or adopted for the statewide testing system.

AGENDA/MEETING MATERIALS

~~**Agenda Content**~~

County Board meeting agendas shall reflect the Merced County Office of Education's (MCOE) vision and goals and its focus on student learning and well-being.

County Board meeting agendas shall state the meeting time and place and shall briefly describe each ~~business~~ item listed in the agenda~~to be transacted or discussed~~, including items to be discussed in closed session in accordance with County Board Bylaw 9321 – Closed Session. (Government Code 54954.2)

For regular meeting, the County Board may consider an item not included in the posted agenda in accordance with County Board Bylaw 9323.2 – Actions by the Board.

Public Comment

The agenda shall provide members of the public the opportunity to address the County Board on any agenda item~~, including any consent agenda item,~~ before or during the County Board's consideration of the item, items to be considered in closed session in accordance with County Board Bylaw 9321 – Closed Session and items listed on the consent agenda.

Before any other open session agenda item, there shall be one public comment item on every meeting agenda to give members of the public the opportunity to address the County Board on any item on the open session agenda. Each individual is limited to five minutes on each agenda item and the public comment period shall last no more than 20 minutes total for each agenda item unless extended in accordance with County Board Bylaw 9323 – Meeting Conduct. No member of the public may be permitted to speak more than once during this item.

~~However, t~~The agenda need not provide an opportunity for public comment on an agenda item that has previously been considered at an open meeting by a committee comprised exclusively of County Board members, provided that all the following conditions were met: (Government Code 54954.3)

1. ~~m~~Members of the public were afforded an opportunity to comment on the item, before or during the committee's consideration of the item~~, and~~

2. ~~t~~The item has not been substantially changed since the committee considered it~~.~~ ~~(Government Code 54954.3)~~

3. A qorum of the committee attended and participated in the committee meeting at which the item was considered from a singular physical location that was clearly identified on the agenda, open to the public, and situated within the boundaries of the MCOE

4. Any other applicable provisions of Government Code 54954.3

Additionally, ~~T~~the agenda for a regular County Board meeting shall also provide members of the public an opportunity to address the County Board regarding ~~provide comment on~~ matters ~~which are not on the agenda but which are~~ within the subject matter jurisdiction of the County Board, which are not on the agenda. (Education Code 35145.5; Government Code 54954.3)

The notice and agenda shall include information describing how members of the public can access the platform or service and how members of the public can offer public comment if required pursuant to County Board Bylaw 9320.1 – Remote Meetings and Attendance.

Disability-Related Accommodations or Modifications

The agenda shall include information regarding how, when, and to whom a request for disability-related accommodations or modifications, including auxiliary aids and services, may be made by an individual who requires accommodations or modifications in order to participate in the County Board meeting as well as the procedure for receiving and resolving such requests as required by law. Individuals should contact the County Superintendent or designee at least 48 hours prior to the meeting. (Government Code 54953, 54954.2)

Each agenda for a regular meeting shall list the address designated by the County Superintendent or designee for public inspection of agenda documents related to an open session item, or for records of a statement threatening litigation against the MCOE to be discussed in closed session, when such documents have been distributed to the County Board less than 72 hours before the meeting. (Government Code 54956.9, 54957.5)

Each agenda shall include a statement regarding the option for students and parents/guardians to request that directory information or personal information of the student or parent/guardian, as defined in Education Code 49061 and/or 49073.2, be excluded from the minutes. Additionally, ~~T~~the agenda shall ~~also~~ state that the request must be made in writing to the secretary or clerk of the County Board.

Agenda Preparation

The County Board chairperson and the County Superintendent, as secretary to the County Board, may work together to develop the agenda for each regular and special meeting, including whether an item requires County Board action and whether an item shall be considered in open or closed session.

Any County Board member or member of the public may request that a matter within the subject matter jurisdiction of the County Board be placed on the agenda of a regular meeting. The request shall be in writing and be submitted to the County Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled

meeting date. The agenda item information provided must be of sufficient content to adequately describe the item to the County Board and public. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The County Board chairperson or County Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the County Board. Items not within the subject matter jurisdiction of the County Board may not be placed on the agenda. In addition, the County Board chairperson or County Superintendent shall determine that the request ~~if the item~~ is merely a request for information, and if so, respond accordingly or whether the issue is covered by an existing policy or regulation before placing the item on the agenda.

The County Board chairperson or County Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to County Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

Any County Board action that involves borrowing $100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

All public communications with the County Board are subject to requirements of relevant policies and regulations.

In order to promote efficient meetings, the County Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall address matters of a routine nature for which County Board discussion is not anticipated and for which the County Superintendent recommends approval. When any County Board member request the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

Agenda Dissemination to County Board Members

At least 72 hours before each regular meeting, a copy of the agenda and agenda packet shall be forwarded to each County Board member, including any reports from the County Superintendent or designee; minutes to be approved; copies of communications; reports from committees, staff, citizens, and others; and other available documents pertinent to the meeting.

When special meetings are called, County Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

AGENDA/MEETING MATERIALS

County Board members shall review agenda materials before each meeting. Individual members may confer directly with the County Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of County Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the County Board.

Regular Agenda Dissemination to Members of the Public

The ~~A~~agenda and related materials distributed to the County Board shall be made available to the public upon request without delay. However, only those documents which are public records under the California Public Records Act (CPRA) and which relate to an agenda item scheduled for the open session portion of a regular meeting or which contain a claim or written threat of litigation which will be disclosed in closed session shall be made available to the public. (Government Code 54956.9, 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the agenda shall be posted on the homepage of the MCOE web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the MCOE's agenda management platform in accordance with Government Code 54954.2. When the MCOE utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the County Board meeting agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item, or which contains a claim or written threat of litigation which will be discussed in closed session during ~~of~~ a regular County Board meeting is distributed to the County Board less than 72 hours prior to ~~a~~the meeting, the County Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the County Board. However, if the document is distributed to at least a majority of the County Board at a time when the designate location is closed to the public, this requirement may be satisfied by posting the writing on the MCOE website if the following conditions are met: (Government Code 54957.5)

1. An initial staff report or similar document containing an executive summary and any staff recommendations related to the agenda item is made available for public inspection at the designated location at least 72 hours before the meeting

2. The writing is immediately posted on the MCOE's website in a position and manner that makes it clear that the writing relates to an agenda item for the upcoming meeting

3. The MCOE lists the website address where such writings may be accessed on all County Board meeting agendas

4. A physical copy of the document is made available for public inspection at the designated location at the beginning of the next regular business hours, but not less than 24 hours before the meeting

The County Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the County Board, whichever occurs first. (Government Code 54954.1)

The County Superintendent or designee shall email a copy of, or a website link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the County Superintendent or designee determines that it technologically infeasible to do so, a copy of the agenda or a website link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the County Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by MCOE or the County Board and distributed during an ~~public~~open meeting shall be made available for public inspection at the meeting. Any documents prepared by another person and presented at the meeting shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the ~~Public Records Act~~CPRA. (Government Code 54957.5)

Upon request, the County Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Special Meeting Agenda Dissemination to Members of the Public

The requirements for the dissemination of regular meeting agendas and related materials and writings to members of the public found in "Regular Meeting Agenda Dissemination to

AGENDA/MEETING MATERIALS

Members of the Public" shall be applicable to the dissemination of special meeting agendas and related materials and writings to members of the public except that the 24-hour requirement shall apply rather than the 72-hour requirement.

Legal Reference:

EDUCATION CODE
35144 Special meetings
35145 Public meetings
35145.5 Agenda; public participation and regulations
49061 Student records; definitions
49073.2 Privacy of student and parent/guardian personal information; minutes of board meeting
GOVERNMENT CODE
6250-6270 Public Records Act
53635.7 Separate item of business
54950-54963 The Ralph M. Brown Act
54953 Meetings; Americans with Disabilities Act accessibility
54953.8 Remote Meetings and Attendance
54953.8.2 State of emergency
54953.8.3 Just cause
54954.1 Mailed notice to property owners
54954.2 Agenda posting requirements; board actions
54954.3 Opportunity for public to address legislative body
54954.5 Closed session item descriptions
54956 Special meetings
54956.5 Emergency meetings
54956.9 Lawyer client privilege for purpose of conducting closed session
54957.5 Public records
54960.2 Challenging board actions; cease and desist
7920.000-7930.170 California Public Records Act
7920.000-7930.215 California Public Records Act
95000-95029 California Early Intervention Services Act
UNITED STATES CODE, TITLE 42
12101-12213 Equal opportunity for individuals with disabilities
CODE OF FEDERAL REGULATIONS, TITLE 28
35.160 Effective communications
36.303 Nondiscrimination on the basis of disability; public accommodations; auxiliary aids and services
COURT DECISIONS
Fowler v. City of Lafayette (2020) 45 Cap.App.5th 68
Sierra Watch v. County of Placer (2022) 69 Cal.App.5th 86
Mooney v. Garcia, (2012) 207 Cal.App.4th 229
Caldwell v. Roseville Joint Union HSD, 2007 U.S. Dist. LEXIS 66318
ATTORNEY GENERAL OPINIONS
99 Ops.Cal.Atty.Gen. 11 (2016)
99 Ops.Cal.Atty.Gen. 18 (2016)
78 Ops.Cal.Atty.Gen. 327 (1995)

Management Resources:

CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2018

AGENDA/MEETING MATERIALS

The Brown Act: School Boards and Open Meeting Laws, rev. 2019
ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Legislative Bodies, California Attorney General's Office, rev. 2003
WEB SITES
CSBA, Agenda Online: http://www.csba.org
California Attorney General's Office: http://www.oag. ca.gov
CSBA District and County Office of Education Legal Services

Cross References:

0000 Vision
0200 Goals for the School District
0410 Nondiscrimination in County Office Programs and Activities
0420.44 Appeals of District Decisions Regarding Charter Schools
1100 Communication with the Public
1112 Media Relations
1113 County Office of Education and School Websites
1312.1 Complaints Concerning District Employees
1312.2 Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures
1312.4 Williams Uniform Complaint Procedures
1340 Access to County Office Records
1400 Relations Between Other Governmental Agencies and the Schools
2210 Administrative Discretion Regarding Board Policy
3100 Budget Adoption and Revision
3312 Contracts
3320 Claims and Actions Against the County Office of Education
3460 Financial Reports and Accountability
4312.1 Contracts
5113.12 County School Attendance Review Board
5144.1 Suspension and Expulsion/Due Process
6161.1 Selection and Evaluation of Instructional Materials
9012 Board Member Electronic Communications
9121 President
9122 Secretary
9130 Board Committees
9150 Student Board Members
9200 Limits of Board Member Authority
9310 Board Policies
9320 Meetings and Notices
9320.1 Remote Meetings and Attendance
9321 Closed Session
9323 Meeting Conduct
9323.2 Actions by the Board
9324 Minutes and Recordings

Bylaw Adopted: 8/16/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 12/16/13, 11/16/2020, 6/21/22, 6/9/2025 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

MEETING CONDUCT

The County Board endeavors to conduct its business efficiently and in a manner that promotes a full and fair consideration of the issues before it, and allows for meaningful participation of members of the public.

Notices and Agenda

The Merced County Office of Education (MCOE) shall forward by mail, email, fax or other means, the agenda and supporting materials.

When a special meeting is called, the County Superintendent and County Board chairperson shall make every effort to distribute the agenda and support materials to County Board members as soon as possible.

At least 72 hours prior to a regular meeting, the County Superintendent shall post the agenda at one or more locations freely accessible to the public. (Government Code 54954.2)

At least 24 hours prior to a special meeting, the County Superintendent shall post the call and notice for the special meeting at one or more locations freely accessible to the public. (Government Code 54956)

The County Board may hold an emergency meeting without complying with the 24-hour notice requirement in the following cases: (Government Code 54956.5)

1. A work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the County Board;

2. A crippling disaster which severely impairs public health, safety, or both, as determined by a majority of the members of the County Board.

The County Board chairperson or designee shall give notice of the emergency meeting to the local media which have requested notice of special meetings, by telephone, at least one hour before the meeting. If telephone services are not functioning, the one-hour notice requirement is waived, and as soon after the meeting as possible, the County Board shall notify those media representatives, of the emergency meeting and shall describe the purpose of the meeting and any action taken by the County Board. (Government Code 54956.5)

In the event of an emergency, or where a majority of County Board members will not be able to attend a regular meeting due to a reason approved by resolution of the County Board, the County Board chairperson may change the date and/or time for the regular meeting. Such situations shall include but not be limited to, fire, flood, earthquake, absence of County Board members due to attendance at a County Board-sanctioned conference, or illness/injury. Where the schedule for a regular meeting is to be changed, the County Superintendent shall

inform all County Board members and the public by the most rapid means of communication available.

If a fire, flood, earthquake or other emergency renders the regular meeting place unsafe, meetings may temporarily be held at a place designated by the chairperson or designee, who shall so inform all news media that have requested notice of special meetings, by the most rapid means of communication available. (Government Code 54954)

Meeting Procedures

All County Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with County Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The County Board Chairperson shall conduct County Board meetings in accordance with County Board bylaws and procedures that enable the County Board to efficiently consider issues and carry out the will of the majority.

The County Board believes that late night meetings deter public participation, can affect the County Board's decision-making ability, and can be a burden to staff. Regular County Board meetings shall be adjourned at 10:30 p.m. unless extended to a specific time determined by a majority of the County Board. The meeting shall be extended no more than once and, if necessary, may subsequently be adjourned to a later date.

When any County Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a separate agenda item. The County Board chair shall determine where on the agenda the former consent item is placed.

Quorum and Abstentions

The County Board shall act by majority vote of all of the membership constituting the County Board. (Education Code 35164)

A majority of the members of the County Board shall constitute a quorum for the transaction of business. (Education Code 1013)

Unless otherwise provided by law, an affirmative vote by a majority of all the membership of the County Board are required to approve any action under consideration, regardless of the number of members present. At least a majority (three) of the members must vote in the affirmative in order to approve action.

On a call by any County Board member, a voice vote shall be taken upon any proposition and the vote shall be recorded in the minutes. (Education Code 1015)

MEETING CONDUCT

Votes taken during a teleconference shall only be by roll call. (Government Code 54953)

Teleconference is a meeting of the County Board in which County Board members are at different locations and are connected by electronic means through video and/or audio.

Direct communication, personal intermediaries, and technological devices shall not be used by a majority of County Board members to develop a collective concurrence as to an action that members will take on any item of County Board business. (Government Code 54952.2)

The County Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains for any reason other than conflict of interest, the abstention shall be considered to concur with the action taken by the majority of those who vote, whether affirmatively or otherwise.

Public Participation

Members of the public are encouraged to attend County Board meetings and to address the County Board concerning any item on the agenda or within the County Board's jurisdiction. So as not to inhibit public participation, persons attending County Board meetings shall not be required to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending the meeting, except that if the meeting is conducted with remote public participation or a County Board member attending remotely pursuant to Government Code 54953, a member of the public desiring to provide comment through the use of a third party internet website or online platform may be required to register as required by the third party provider.

To facilitate public comment, ~~T~~the County Board Chairperson may ~~ask any speaker~~request that members of the public who wish to give public comment provide their names or other ~~to~~ identifying information to determine speaking order ~~themself for proper recording of the minutes~~.

In order to conduct the County Board's business in an orderly and efficient manner, ~~the County Board requires that public presentations to the County Board comply~~public comment shall occur with the following procedures:

1. The County Board shall ~~give members of the public an opportunity to address the County Board on any item of interest to the public that is within the subject matter jurisdiction of the County Board, either before or during the County Board's consideration of the item~~undertake no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (~~Education Code 35145.5,~~ Government Code 54954.~~3~~2)

MEETING CONDUCT

2. ~~At a time so designated on the agenda at a regular meeting, members of the public may bring before the County Board matters that are not listed on the agenda, but are within the County Board's jurisdiction. The County Board may refer such a matter to the County Superintendent or take it under advisement, but shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. The matter may be placed on the agenda of a subsequent meeting for action or discussion by the County Board. (Education Code 35145.5; Government Code 54954.2, 54954.3)~~County Board members or MCOE staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. (Government Code 54954.2)

Additionally, on their own initiative or in response to questions posed by the public, County Board members or MCOE staff may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)

In addition, the County Board or a County Board member may provide a reference to MCOE staff or other resources for factual information, ask MCOE staff to report back to the County Board at a subsequent meeting concerning any matter, or take action to direct that a matter of business be place on a future agenda. (Government Code 54954.2)

~~3. Without taking action, County Board members, the County Superintendent and/or staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, a County Board member, the County Superintendent or a staff member may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2)~~

~~Furthermore, the County Board or a County Board member may provide a reference to the County Superintendent or other resources for factual information, ask the County Superintendent to report back to the County Board at a subsequent meeting concerning any matter, or take action directing the County Superintendent to place a matter of business on a future agenda. (Government Code 54954.2)~~

~~4. The County Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of County Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the County Board determines that the item has been substantially changed since the committee heard it, the County Board shall provide an opportunity for the public to speak. (Government Code 54954.3)~~

MEETING CONDUCT

3. A person wishing to be heard by the County Board shall first be recognized by the Chairperson and shall then proceed to comment as briefly as the subject permits.

Individual speakers shall be allowed five minutes to address the County Board on each agenda or nonagenda item. The County Board shall limit the total time for public input on each item to 20 minutes. With County Board consent, the chairperson may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. Any such adjustment shall be done equity so as to allow a diversity of viewpoints. The Chairperson may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add.

In order to ensure that non-English speakers receive the same opportunity to directly address the County Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the County Board, unless simultaneous translation equipment is used to allow the County Board to hear the translated public testimony simultaneously. (Government Code 54954.3)"

"

An individual speaker may give some or all of the speaker's time to another speaker, provided that no individual speaker is permitted to speak more than the maximum time permitted per individual speaker pursuant to County Board Bylaw 9322 – Agenda/Meeting Materials"

4. For any public comment period with a time limit when a remote County Board member is attending and participating based on just cause pursuant to County Board Bylaw 9320.1 – Remote Meetings and Attendance, the County Board may not close that public comment period or the opportunity to register to provide public comment via the two-way audiovisual platform or two-way audio service until the full time for public comment has elapsed (Government Code 54953.8)

5. For any other public comment period when a remote County Board member is attending and participating based on just cause pursuant to County Board Bylaw 9320.1 – Remote Meetings and Attendance, the County Board shall allow a reasonable amount of time to permit members of the public to provide public comment and to register to do so via the two-way audiovisual platform or two-way audio service. (Government Code 54953.8)

6. The County Board Chairperson ~~may rule on the appropriateness of a topic~~shall determine whether an individual's public comment is within the scope of the public comment period, subject to the following conditions:

   a. If the public comment is within the scope of a different public comment period, Chairperson shall so indicate~~topic would be more suitably addressed at a later~~

~~time, the Chairperson may indicate the time and place when it should be presented~~.

b. ~~The County Board shall not prohibit p~~Public criticism of the County Board, individual County Board members, the MCOE, its policies, procedures, programs, services, acts or omissions shall not be prohibited. (Government Code 54954.3)

c. The County Board shall not prohibit public criticism against MCOE employees. However, whenever a member of the public initiates specific complaints against an individual MCOE employee, the County Board Chairperson shall inform the complainant that employment matters are the jurisdiction of the County Superintendent and shall advise the complainant to address the complaint to the County Superintendent using the appropriate MCOE complaint procedure.

Disruptions

~~7.~~ The County Board Chairperson shall not permit any disturbance or willful interruption of County Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the County Board Chairperson to terminate the privilege of addressing the County Board for that meeting and remove the individual from the meeting. (Government Code 54957.95)

The County Board Chairperson or designee may remove an individual for actually disrupting the meeting. Prior to removal, the individual shall be warned that their behavior is disrupting the meeting and that failure to cease the disruptive behavior may result in removal. If, after being warned, the individual does not promptly cease the disruptive behavior, the County Board Chairperson, or designee, may then remove the individual from the meeting. (Government Code 54957.95)

When an individual's behavior constitutes the use of force or a true threat of force, the individual shall be removed from a County Board meeting without a warning. (Government Code 54957.95)

When such disruptive conduct occurs, the County Superintendent or designee shall contact local law enforcement as necessary.

Any person who willfully disturbs any public school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than $500.

Disrupting means engaging in behavior during a County Board meeting that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, failure to comply with reasonable and lawful regulations

adopted by a legislative body pursuant to Section 54954.3 or any other law, or engaging in behavior that constitutes use of force or a true threat of force. (Government Code 54957.95)

True threat of force means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat. (Government Code 54957.95)

Additionally, the County Board Chairperson may have disruptive individuals removed and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individual(s) not participating in such disturbances may be allowed to remain at the discretion of the County Board. When the room is ordered cleared due to a disturbance, further County Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When disruptive conduct occurs, the County Board may decide to recess the meeting to help restore order, or if removing the disruptive individual(s) or clearing the room is infeasible, move the meeting to another location. Law enforcement shall be contacted as necessary. (Government Code 54955, 54957.9, 54957.95, 54957.96)

Recording by the Public

Members of the public may record an open County Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The County Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the County Board finds that noise, illumination or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the County Board. (Government Code 54953.5, 54953.6)

MEETING CONDUCT

Legal Reference:

EDUCATION CODE
1013 Quorum
1015 Voting
1040 Duties and responsibilities; county boards of education
1042 County boards; authority
1090 County board member compensation
5095 Powers of remaining board members and new appointees
32210 Willful disturbance of public school or meeting a misdemeanor
35010 Control of district; prescription and enforcement of rules
35145.5 Agenda; public participation; regulations
35163 Official actions, minutes and journal
35164 Actions by majority vote
35165 Effect of vacancies upon majority and unanimous votes by seven member board
CODE OF CIVIL PROCEDURE
527.8 Workplace Violence Safety Act
ELECTION CODE
18430 Prevention or hinderance of electors assembling in public meeting
GOVERNMENT CODE
54950-54963 The Ralph M. Brown Act
54953.3 Meetings to be open and public; remote attendance
54953.5 Audio or video tape recording of proceedings
54953.6 Broadcasting of proceedings
54954.2 Agenda posting requirements; board actions
54954.3 Opportunity for public to address legislative body
54957 Closed session personnel matters
54957.9 Disorderly conduct of general public during meeting; clearing of room
54957.95 Opening meetings; orderly conduct
PENAL CODE
403 Disruption of assembly or meeting
COURT DECISIONS
City of San Jose v. William Garbett, (2019) 190 Cal.App.4th 526
Norse v. City of Santa Cruz, (9th Cir. 2010) 629 F3d 966
McMahon v. Albany Unified School District, (2002) 104 Cal.App.4th 1275
Rubin v. City of Burbank, (2002) 101 Cal.App.4th 1194
Baca v. Moreno Valley Unified School District, (1996) 936 F.Supp. 719
Berkeley People's Alliance v. City of Berkeley (2025) 114 Cal.App.5th 984
ATTORNEY GENERAL OPINIONS
90 Ops.Cal.Atty.Gen. 47 (2007)
76 Ops.Cal.Atty.Gen. 281 (1993)
66 Ops.Cal.Atty.Gen. 336 (1983)
63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
59 Ops.Cal.Atty.Gen. 532 (1976)
55 Ops.Cal.Atty.Gen. 26 (1972)

Management Resources:

CSBA PUBLICATIONS
Call to Order: A Blueprint for Great Board Meetings, 2018
The Brown Act: School Boards and Open Meeting Laws, rev. 2019

MEETING CONDUCT

ATTORNEY GENERAL PUBLICATIONS
The Brown Act: Open Meetings for Local Legislative Bodies, 2003
WEB SITES
CSBA: http://www.csba.org
California Attorney General's Office: https://oag.ca.gov

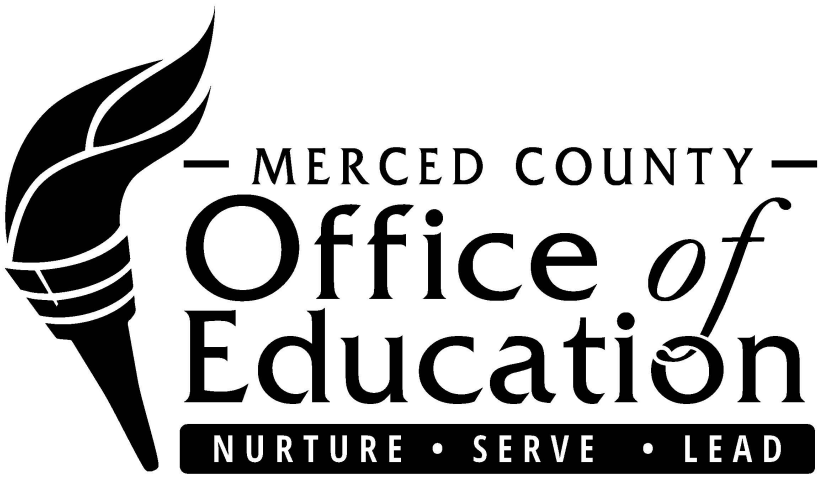
Cross References:

1000	*Concepts and Roles*
1100	*Communication with the Public*
1220	*Citizen Advisory Committees*
1312.1	*Complaints Concerning District Employees*
1313	*Civility*
3100	*Budget Adoption and Revision*
3270	*Sale and Disposal of Books, Equipment and Supplies*
3312	*Contracts*
9005	*Governance Standards*
9100	*Organization*
9121	*President*
9130	*Board Committees*
9200	*Limits of Board Member Authority*
9230	*Orientation*
9270	*Conflict of Interest*
9310	*Board Policies*
9320	*Meetings and Notices*
9320.1	*Remote Meetings and Attendance*
9321	*Closed Session*
9322	*Agenda/Meeting Materials*
9323.2	*Actions by the Board*
9324	*Minutes and Recordings*

Bylaw Adopted: 8/16/2010; **MERCED COUNTY BOARD OF EDUCATION**
Revised: 8/21/17, 11/16/2020, 6/9/2025 Merced, California
FOR REVIEW 10/19/26 & APPROVAL 11/16/26

Merced County Board of Education

Business Items for Action



Steve M. Tietjen, Ed.D. | County Superintendent of Schools

Merced County Board of Education
Geneva Brett, Chairperson
Ryan Heller, Vice Chairperson
Dennis Hanks, Member
Frank Fagundes, Member
Joseph Oliveira, Member

Resolution No. 2026-29
For Adopting the "Gann" Limit

(Normal, no increase to Limit pursuant to Government Code 7902.1)

Whereas, in November 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIIB to the California Constitution; and

Whereas, the provisions of that Article establish maximum appropriate limitations, commonly called "Gann Limits," for public agencies, including school districts; and

Whereas, the district must establish a revised Gann Limit for the 2025-2026 fiscal year and a projected Gann Limit for the 2026-2027 fiscal year in accordance with the provisions of Article XIIB and applicable statutory law; and

Now Therefore Be It Resolved, that this Board does provide public notice that the attached calculations and documentation of the Gann Limits for the 2025-2026 and 2026-2027 years are made in accordance with applicable constitutional and statutory law;

And Be It Further Resolved, that this Board does hereby declare that the appropriations in the Budget for the 2025-2026 and 2026-2027 fiscal years do not exceed the limitations imposed by Proposition 4;

And Be It Further Resolved, that the Superintendent provide copies of this resolution, along with the appropriate attachments, to interested citizens of this district.

ADOPTED October 19, 2026

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Steve M. Tietjen, Ed.D., Secretary to the Board
Merced County Superintendent of Schools

	2025-26 Calculations			2026-27 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
A. PRIOR YEAR DATA	**2024-25 Actual**			**2025-26 Actual**		
Actual Appropriations Limit and Gann ADA are from COE's prior year Gann data reported to the CDE. LCFF data are from the prior year Annual County LCFF Calculation funding exhibit.						
PRIOR YEAR APPROPRIATIONS LIMIT						
1. Program Portion of Prior Year Appropriations Limit (A3 times [A6 divided by (A6 plus A7)], not to exceed A6) Excess is added to Other Services portion.	7,041,051.02		7,041,051.02			6,839,748.78
2. Other Services Portion of Prior Year Appropriations Limit (A3 minus A1)	13,409,505.97		13,409,505.97			13,026,130.87
3. TOTAL PRIOR YEAR APPROPRIATIONS LIMIT (Preload/Line D16, PY column)	20,450,556.99		20,450,556.99			19,865,879.65
PRIOR YEAR GANN ADA						
4. Program ADA (Preload/Line B3, PY column)	272.74		272.74			207.63
5. Other ADA (Preload/Line B4, PY column)	55,240.00		55,240.00			54,806.17
PRIOR YEAR LCFF						
6. LCFF Alternative Education Grant (Preload/Line A28, Alternative Education Grant, prior year Annual County LCFF Calculation)	7,171,100.00		7,171,100.00			7,171,100.00
7. LCFF Operations Grant, (Preload/Line A1, Operations Grant, prior year Annual County LCFF Calculation)	13,657,181.00		13,657,181.00			13,657,181.00
ADJUSTMENTS TO PRIOR YEAR LIMIT AND ADA	**Adjustments to 2024-25**			**Adjustments to 2025-26**		
ADJUSTMENTS TO PRIOR YEAR LIMIT						
8. Reorganizations and Other Transfers						
9. Temporary Voter Approved Increases						
10. Less: Lapses of Voter Approved Increases						
11. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT (Lines A8 plus A9 minus A10)			0.00			0.00
12. Adjustments to Program Portion ([Lines A1 divided by A3] times Line A11)	0.00		0.00	0.00		0.00
13. Adjustments to Other Services Portion (Lines A11 minus A12)			0.00			0.00
ADJUSTMENTS TO PRIOR YEAR ADA (Only for reorganizations and other transfers, and only if adjustments to the appropriations limit amounts are entered in Line A8 or A12 above)						
14. Adjustments to Program ADA						
15. Adjustments to Other ADA						
B. CURRENT YEAR GANN ADA						

	2025-26 Calculations			2026-27 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
CURRENT YEAR PROGRAM ADA	2025-26 Annual Report			2026-27 Annual Estimate		
Unaudited actuals data should tie to Principal Apportionment Data Collection attendance reports and include ADA for charter schools reporting with the COE						
1. Total County Program ADA (Form A, Line B1d)	207.63		207.63	225.00		225.00
2. Total Charter Schools ADA (Form A, Line C2d plus C6d)	0.00		0.00	0.00		0.00
3. Total Current Year ADA (Lines B1 through B2)	207.63	0.00	207.63	225.00	0.00	225.00
	2025-26 P2 Report			2026-27 P2 Estimate		
CURRENT YEAR DISTRICT ADA						
4. Total District Gann ADA (Sum of all District Form GANN, Line B3)			54,806.17			55,263.17
C. CURRENT YEAR LOCAL PROCEEDS OF TAXES/STATE	2025-26 Actual			2026-27 Budget		
AID RECEIVED						
TAXES AND SUBVENTIONS (Funds 01, 09, and 62)						
1. Homeowners' Exemption (Object 8021)	108,189.77		108,189.77	112,206.00		112,206.00
2. Timber Yield Tax (Object 8022)	15.89		15.89	7.00		7.00
3. Other Subventions/In-Lieu Taxes (Object 8029)	8,815.82		8,815.82	0.00		0.00
4. Secured Roll Taxes (Object 8041)	16,992,013.72		16,992,013.72	17,571,330.00		17,571,330.00
5. Unsecured Roll Taxes (Object 8042)	1,334,191.60		1,334,191.60	1,290,739.00		1,290,739.00
6. Prior Years' Taxes (Object 8043)	40,433.53		40,433.53	41,265.00		41,265.00
7. Supplemental Taxes (Object 8044)	314,941.43		314,941.43	351,388.00		351,388.00
8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)	240,187.98		240,187.98	381,929.00		381,929.00
9. Penalties and Int. from Delinquent Taxes (Object 8048)	0.00		0.00	0.00		0.00
10. Receipts from County Bd. of Supervisors (Object 8070)	0.00		0.00	0.00		0.00
11. Other In-Lieu Taxes (Object 8082)	0.00		0.00	0.00		0.00
12. Comm. Redevelopment Funds (Objects 8047 & 8625)	1,453,262.66		1,453,262.66	1,717,792.00		1,717,792.00
13. Parcel Taxes (Object 8621)	0.00		0.00	0.00		0.00
14. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)	0.00		0.00	0.00		0.00
15. Penalties and Int. from Delinquent Non-LCFF Taxes (Object 8629) (Only those for the above taxes)	0.00		0.00	0.00		0.00
16. Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)						
17. TOTAL TAXES AND SUBVENTIONS (Lines C1 through C16)	20,492,052.40	0.00	20,492,052.40	21,466,656.00	0.00	21,466,656.00

		2025-26 Calculations			2026-27 Calculations		
		Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
	OTHER LOCAL REVENUES (Funds 01, 09, and 62)						
18.	To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)						
19.	TOTAL LOCAL PROCEEDS OF TAXES (Lines C17 plus C18)	20,492,052.40	0.00	20,492,052.40	21,466,656.00	0.00	21,466,656.00
	EXCLUDED APPROPRIATIONS						
20a.	Medicare (Enter federally mandated amounts only from objs. 3301 and 3302; do not include negotiated amounts)			990,228.80			1,114,362.00
20b.	Qualified Capital Outlay Projects						
	OTHER EXCLUSIONS						
21.	Americans with Disabilities Act						
22.	Unreimbursed Court Mandated Desegregation Costs						
23.	Other Unfunded Court-ordered or Federal Mandates						
24.	TOTAL EXCLUSIONS (Lines C20 through C23)			990,228.80			1,114,362.00
	STATE AID RECEIVED (Funds 01, 09, and 62)						
25.	LCFF - CY (objects 8011 and 8012)	19,383,277.00		19,383,277.00	21,734,492.00		21,734,492.00
26.	LCFF State Aid - Prior Years (Object 8019)	639.00		639.00	0.00		0.00
27.	TOTAL STATE AID RECEIVED (Line C25 plus C26)	19,383,916.00	0.00	19,383,916.00	21,734,492.00	0.00	21,734,492.00
	DATA FOR INTEREST CALCULATION						
28.	Total Revenues (Funds 01, 09 & 62, objects 8000-8799)	146,610,433.83		146,610,433.83	162,562,492.00		162,562,492.00
29.	Total Interest and Return on Investments (Funds 01, 09, and 62, objects 8660 and 8662)	2,390,217.22		2,390,217.22	1,914,000.00		1,914,000.00
D.	**APPROPRIATIONS LIMIT CALCULATIONS**	**2025-26 Actual**			**2026-27 Budget**		
	PRELIMINARY APPROPRIATIONS LIMIT						
1.	Revised Prior Year Program Limit (Lines A1 plus A12)			7,041,051.02			6,839,748.78
2.	Inflation Adjustment			1.0644			1.0495
3.	Program Population Adjustment (Lines B3 divided by [A4 plus A14]) (Round to four decimal places)			0.7613			1.0837
4.	PRELIMINARY PROGRAM LIMIT (Lines D1 times D2 times D3)			5,705,558.82			7,779,141.42
5.	Revised Prior Year Other Services Limit (Lines A2 plus A13)			13,409,505.97			13,026,130.87

	2025-26 Calculations			2026-27 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
6. Inflation Adjustment			1.0644			1.0495
7. Other Services Population Adj. (Lines B4 divided by [A5 plus A15]) (Round to four decimal places)			0.9921			1.0083
8. PRELIMINARY OTHER SERVICES LIMIT (Lines D5 times D6 times D7)			14,160,320.83			13,784,393.02
9. PRELIMINARY TOTAL APPROPRIATIONS LIMIT (Lines D4 plus D8)			19,865,879.65			21,563,534.44
APPROPRIATIONS SUBJECT TO THE LIMIT						
10. Local Revenues Excluding Interest (Line C19)			20,492,052.40			21,466,656.00
11. Preliminary State Aid Calculation						
a. Maximum State Aid in Local Limit (Lesser of Line C27 or [Lines D9 minus D10 plus C24]; if negative, then zero)			364,056.05			1,211,240.44
12. Local Revenues in Proceeds of Taxes						
a. Interest Counting in Local Limit (Lines C29 divided by [C28 minus C29] times [D10 plus D11a])			345,656.32			270,189.24
b. Total Local Proceeds of Taxes (Lines D10 plus D12a)			20,837,708.72			21,736,845.24
13. State Aid in Proceeds of Taxes (lesser of Line D11a or [Lines D9 minus D12b plus C24]; if negative, then zero)			18,399.73			941,051.20
14. Total Appropriations Subject to the Limit						
a. Local Revenues (Line D12b)			20,837,708.72			
b. State Subventions (Line D13)			18,399.73			
c. Less: Excluded Appropriations (Line C24)			990,228.80			
d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D14a plus D14b minus D14c)			19,865,879.65			
15 Adjustments to the Limit Per Government Code Section 7902.1 (Line D14d minus D9)			0.00			
SUMMARY	**2025-26 Actual**			**2026-27 Budget**		
16 Adjusted Appropriations Limit (Lines D9 plus D15)			19,865,879.65			21,563,534.44
17 Appropriations Subject to the Limit (Line D14d)			19,865,879.65			

	2025-26 Calculations			2026-27 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
* Please provide below an explanation for each entry in the adjustments column.						

Rosa Casillas	rcasillas@mcoe.org	(209) 381-6732
Gann Contact Person	Contact Email Address	Contact Phone Number

Merced County Board of Education
Geneva Brett, Chairperson
Ryan Heller, Vice Chairperson
Dennis Hanks, Member
Frank Fagundes, Member
Joseph Oliveira, Member

RESOLUTION NO. 2026-30

MERCED COUNTY BOARD OF EDUCATION AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT EXERCISE OF POWERS AGREEMENT FOR THE ESTABLISHMENT OF THE MERCED COUNTY BOARD OF EDUCATION-CITY OF MERCED JOINT POWERS FINANCING AUTHORITY

WHEREAS, California Constitution Article IX, Section 7 requires the California Legislature to provide for a board of education in each county; and

WHEREAS, the California Legislature has provided for county boards of education in Chapter 1 of Part 2 of Division 1 of Title 1 of the California Education Code; and

WHEREAS, the Merced County Board of Education (the "Board of Education") serves as the board of education for the County of Merced and the governing board of the Merced County Office of Education (the "Office of Education"); and

WHEREAS, Education Code Section 35160 authorizes the Board of Education to initiate and carry on any program or activity or otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which boards of education are established; and

WHEREAS, the Board of Education is authorized to establish, construct, own and operate a charter school for grades TK-12 pursuant to Education Code Sections 47614 and 1042; and

WHEREAS, the Joint Exercise of Powers Act (Chapter 5 of Division 7 of Title 1 of the California Government Code, commencing with Section 6500) authorizes two or more public agencies (including cities and county boards of education), by agreement, to jointly exercise any power common to the public agencies and to provide for the creation of an agency or entity that is separate from the parties to the agreement (a "joint powers authority") and is responsible for the administration of the agreement between the two public agencies (a "joint exercise of powers agreement"); and

WHEREAS, any such joint powers authority will also have the powers granted to it by the Joint Exercise of Powers Act and, among other laws, the Mello-Roos Community Facilities Act of 1982, as amended (the "Mello-Roos Act"); the Mello-Roos Act authorizes local agencies, including joint powers authorities, to establish a community facilities district; and

WHEREAS, the Board of Education and the City of Merced (the "City") wish to form a joint powers authority under the Joint Exercise of Powers Act for the purpose of creating a public agency that can (i) provide assistance to the Board of Education and the City in their respective financing undertakings, (ii) establish a community facilities district ("CFD") under the Mello-Roos Act to finance certain real property and improvements to be owned by the Board of Education (including a charter school and related public improvements) and the City related to the development of the property included in the Specific Plan for UCP Villages No. 1 and No. 2 (the "Project") to be developed by the Virginia Smith Trust

("Developer") and (iii) from time to time, establish one or more CFDs to finance real property and improvements to be owned by the Board of Education, the City or another public agency identified in accordance with the Mello-Roos Act; and

WHEREAS, the Board of Education wishes at this time to approve the execution and delivery of a Joint Exercise of Powers Agreement (the "Agreement") between the Board of Education and the City, establishing the Merced County Board of Education-City of Merced Joint Powers Financing Authority (the "Authority") as a joint powers authority under the Joint Exercise of Powers Act;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Education hereby approves the establishment of the Authority under the Joint Exercise of Powers Act, pursuant to the Agreement, in the form on file with the Secretary; the Chairperson (or designee) is hereby authorized and directed to execute, and the Secretary is hereby authorized to attest to, the Agreement in the name and on behalf of the Board of Education; and

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Education hereby authorizes and directs the firm of Jones Hall LLP, to cause to be prepared, executed, and filed any and all reports, statements, and other documents as may be required in order to implement the establishment of the Authority; and

NOW, THEREFORE, BE IT RESOLVED THAT, this Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED by the Merced County Board of Education, of the Merced County Office of Education, City of Merced at a regular meeting held on the day of the 19th of October, year of 2026, by the following vote:

AYES: NOES: ABSENT: ABSTAIN:

_____

Steve M. Tietjen, Ed.D., Secretary to the Board
Merced County Superintendent of Schools

_____

Board Member – **Geneve Brett**, Chairperson

JOINT EXERCISE OF POWERS AGREEMENT

Merced County Board of Education-City of Merced
Joint Powers Financing Authority

This JOINT EXERCISE OF POWERS AGREEMENT (this "Agreement"), dated as of October 19, 2026, is between the MERCED COUNTY BOARD OF EDUCATION, a county board of education duly organized and existing under the laws of the State of California (the "Board of Education"), and the CITY OF MERCED, a chartered city duly organized and existing under the Constitution of the State of California (the "City"). The Board of Education and the City are referred to herein as the "Members."

W I T N E S S E T H :

WHEREAS, agencies formed under Article 1 (commencing with Section 6500) of Chapter 5, Division 7, Title 1 of the Government Code of the State of California (the "Joint Exercise of Powers Act") are authorized to jointly exercise the common powers of their members and to exercise other powers granted to them under California law; and

WHEREAS, the Board of Education and the City wish to form an agency under the Joint Exercise of Powers Act, to be known as the Merced County Board of Education-City of Merced Joint Powers Financing Authority (the "Joint Powers Authority"), for the purpose of providing an entity that can (i) provide assistance to the Board of Education and the City in their respective financing undertakings, (ii) establish a community facilities district (a "CFD") under the Mello-Roos Community Facilities Act of 1982, as amended (the "Mello-Roos Act") to finance certain real property and improvements to be owned by the Board of Education and the City related to the development of the property included in the Specific Plan for UCP Villages No. 1 and No. 2 (the "Project") to be developed by the Virginia Smith Trust ("Developer") and (iii) from time to time, establish one or more CFDs to finance real property and improvements to be owned by the Board of Education, the City or another public agency identified by the Joint Powers Authority in accordance with the Mello-Roos Act; and

WHEREAS, in connection with the formation of the CFD for the Project, the Board of Education and the City anticipate that the Joint Powers Authority, under Section 53316.2 of the Mello-Roos Act, will enter into (i) a joint community facilities agreement with the City and the Developer and (ii) a joint community facilities agreement with the Board of Education and the Developer;

NOW, THEREFORE, in consideration of the above premises and of the mutual promises herein contained, the Board of Education and the City do hereby agree as follows:

ARTICLE I

GENERAL PROVISIONS

Section 1.01. Purpose. This Agreement is entered into pursuant to the Joint Exercise of Powers Act. The purposes of this Agreement are to (i) provide assistance to the Members from time to time in connection with their financing programs, (ii) provide for the establishment of a CFD under the Mello-Roos Act related to the Project and (iii) from time to time, establish one or more CFDs to finance real property and improvements to be owned by the Board of Education, the City or another public agency identified by the Joint Powers Authority in accordance with the Mello-Roos Act. In furtherance of the purposes of this Agreement, the Members wish to authorize the Joint Powers Authority to exercise the common powers of the Members, to exercise the powers granted to it under the Mello-Roos Act and to exercise the powers granted to it under Article 4 of the Joint Exercise of Powers Act (commencing with Section 6584) (the "Bond Act").

The Members hereby agree that the Joint Powers Authority is not being formed for the purpose of providing municipal services as that term is used in the Joint Exercise of Powers Act.

Section 1.02. Creation of Authority. Pursuant to the Joint Exercise of Powers Act, the Members hereby establish the Joint Powers Authority. The Joint Powers Authority is a public entity separate and apart from the Members and shall administer this Agreement. The Joint Powers Authority shall be deemed to be created and to exist as an entity which is authorized to transact business and exercise its powers, upon the adoption of a resolution approving the execution and delivery of this Agreement by the City Council of the City and the Board of Education.

Section 1.03. Board.

(a) Composition of Board; Chair. The Joint Powers Authority shall be governed by a Board of Directors (the "Joint Powers Authority Board") consisting of four (4) directors (each, a "Director"). Two (2) Directors of the Joint Powers Authority Board shall be appointed by the Board of Education, and two (2) Directors of the Joint Powers Authority Board shall be appointed by the City Council of the City.

Each of the Board of Education and the City Council may appoint an alternate Director ("Alternate Director"). Each Alternate Director shall have the authority to attend, participate in, and vote at any meeting of the Joint Powers Authority Board when a related Director is absent, as described in the two succeeding paragraphs. All references to a Director in this Agreement refer to an Alternate Director when acting in place of an absent Director.

The Alternate Director, appointed by the Board of Education, may act in the absence of one of the Directors appointed by the Board of Education.

The Alternate Director appointed by the City Council of the City may act in the absence of one of the Directors appointed by the City Council.

All voting power of the Joint Powers Authority shall reside in the Joint Powers Authority Board.

At the first meeting of the Joint Powers Authority Board in each calendar year, the directors of the Joint Powers Authority Board shall appoint the Chair and the Vice Chair of the Joint Powers Authority Board by a majority vote. The Chair and the Vice Chair shall perform the duties normal to said office and such duties as may be imposed by the Joint Powers Authority Board.

(b) Call, Notice and Conduct of Meetings. All meetings of the Joint Powers Authority Board, including without limitation, regular, adjourned regular and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act of the State of California (constituting Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California).

(c) Quorum. A majority of the Directors of the Joint Powers Authority Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time. The affirmative votes of at least a majority of the Joint Powers Authority Board members present at any meeting at which a quorum is present are required to take any action by the Joint Powers Authority Board.

(d) Time and Place of Regular Meetings. Unless otherwise provided by a resolution of the Joint Powers Authority Board, the Joint Powers Authority Board shall conduct a regular meeting on (1) December 21, 2026, (2) February 1, 2027, (3) February 15, 2027, and (4) thereafter, the second Monday of each month, beginning March 8, 2027, in each case at the hour of 5:30 p.m. at 632 W 13th St, Merced, CA 95341. If the Secretary does not post an agenda for a regular meeting pursuant to Government Code Section 54954.21, then such failure to post shall be deemed to be a determination by the Chair that no items require discussion and, therefore, that the regular meeting should be cancelled, except as otherwise provided in Section 54954.2.

(e) Minutes. The Secretary shall cause to be kept minutes of the meetings of the Joint Powers Authority Board and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each Director and to the Members.

(f) Bylaws. The Joint Powers Authority Board may adopt, from time to time, such bylaws, rules and regulations for the conduct of its meetings as are necessary for the purposes hereof.

Section 1.04. Treasurer. Pursuant to Section 6505.5 of the Joint Exercise of Powers Act, the Merced County Office of Education's chief business official is hereby designated as the initial Treasurer of the Joint Powers Authority and, as such, shall perform the functions of the treasurer of the Joint Powers Authority, as such functions are set forth in Section 6505.5 of the Joint Exercise of Powers Act. Pursuant to Section 6505.1 of the Joint Exercise of Powers Act, the Treasurer shall have charge of, handle, and have access to all accounts, funds, and money of the Joint Powers Authority and all records of the Joint Powers Authority relating thereto. As treasurer of the Joint Powers Authority, the Treasurer has custody of all of the accounts, funds and money of the Joint Powers Authority from whatever source.

In the event, but only in the event, that the Treasurer holds moneys for the account of the Joint Powers Authority or the Members, the Treasurer shall verify and report in writing at least quarterly to the Joint Powers Authority Board and the Members

the amount of money so held, the amount of receipts since the last such report, and the amount paid out since the last such report.

The Joint Powers Authority Board, by resolution, may authorize the Treasurer to sign contracts on behalf of the Joint Powers Authority.

Section 1.05. Auditor. Pursuant to Section 6505.5 of the Joint Exercise of Powers Act, the Merced County Office of Education's chief business official is hereby designated as the initial Auditor of the Joint Powers Authority and, as such, shall perform the functions of the auditor of the Joint Powers Authority, as such functions are set forth in Sections 6505 and 6505.5 of the Joint Exercise of Powers Act.

As auditor of the Joint Powers Authority, the Auditor shall draw warrants to pay demands against the Joint Powers Authority when the demands have been approved by the Joint Powers Authority Board and shall assure that there is strict accountability of all funds and reporting of all receipts and disbursements of the Joint Powers Authority.

The Auditory shall be responsible for initiating annual audits of the Joint Powers Authority's accounts and records shall in accordance with Section 3.02.

Section 1.06. Other Officers and Employees of the Joint Powers Authority.

(a) Other Officers. In addition to the Chair, the Vice Chair, the Treasurer and the Auditor, the officers of the Joint Powers Authority shall consist of an Executive Director, a Secretary and a General Counsel.

The initial Executive Director shall be Dr. Steve M. Tietjen; upon his resignation or removal by the Joint Powers Authority Board as Executive Director, the Executive Director shall be the County Superintendent of Schools unless the Board of Directors appoints another individual by resolution.

The Executive Director shall also serve as Secretary unless the Board of Directors appoints another individual by resolution.

The law firm of _____ shall initially act as General Counsel. From time to time, the Board of Directors may by resolution appoint an individual or firm to act as General Counsel.

The Joint Powers Authority Board may appoint such assistants to act in the place of the officers of the Joint Powers Authority (other than any Director) as the Joint Powers Authority Board shall from time to time deem appropriate.

(b) Duties of Executive Director. The Executive Director shall perform such functions as are customary in the exercise of such a position, and as may be more specifically provided by the Joint Powers Authority Board from time to time. The Executive Director shall have charge of the day-to-day administration of the Joint Powers Authority and shall execute the directives of the Joint Powers Authority Board. The Executive Director shall sign all contracts on behalf of the Joint Powers Authority, except as may otherwise be provided by resolution of the Joint Powers Authority Board.

(c) Duties of Secretary. The Secretary shall perform such functions as are customary in the exercise of such positions, and as may be more specifically provided

by the Joint Powers Authority Board from time to time. The Secretary shall have charge of the records of the Joint Powers Authority and is responsible for recording the minutes of all meetings of the Joint Powers Authority Board.

(d) Duties of General Counsel. The General Counsel shall perform such functions as are customary in the exercise of such positions, and as may be more specifically provided by the Joint Powers Authority Board from time to time.

(e) Other Consultants and Contractors. The Joint Powers Authority Board shall have the power to appoint and employ such other consultants and independent contractors as may be necessary for the purposes of this Agreement.

(f) Miscellaneous. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, relief, disability, workers' compensation and other benefits which apply to the activities of officers, agents, or employees of a public agency when performing their respective functions shall apply to them to the same degree and extent while engaged in the performance of any of the functions and other duties under this Agreement.

None of the officers, agents, or employees directly employed by the Joint Powers Authority Board shall be deemed, by reason of their employment by the Joint Powers Authority Board to be employed by any of the Members or, by reason of their employment by the Joint Powers Authority Board, to be subject to any of the requirements of any of the Members.

Section 1.07. Bonding of Officers. From time to time, the Joint Powers Authority Board may designate officers of the Joint Powers Authority having charge of, handling or having access to any records, funds or accounts or other assets of the Joint Powers Authority, and the respective amounts of the official bonds of such officers and such other persons pursuant to Section 6505.1 of the Joint Exercise of Powers Act. In the event that any officer of the Joint Powers Authority is required to be bonded pursuant to this Section 1.07, such bond may be maintained as a part of or in conjunction with any other bond maintained on such person by any Member, it being the intent of this Section 1.07 not to require duplicate or over-lapping bonding requirements from those bonding requirements which are otherwise applicable to the Members.

ARTICLE II

POWERS

Section 2.01. General Powers. The Joint Powers Authority shall exercise the powers granted to it under the Joint Exercise of Powers Act, including but not limited to the powers set forth in the Bond Act, the Mello-Roos Act, as applicable, and the powers common to each of the Members, as may be necessary to the accomplishment of the purposes of this Agreement, subject to the restrictions set forth in Section 2.02. As provided in the Joint Exercise of Powers Act, the Joint Powers Authority is a public entity separate and apart from the Members.

Section 2.02. Restrictions on Exercise of Powers. The powers of the Joint Powers Authority shall be exercised in the manner provided in the Joint Exercise of Powers Act, and, in the exercise of the common powers of its Members, shall be subject

(in accordance with Section 6509 of the Joint Exercise of Powers Act) to the restrictions upon the manner of exercising such powers that are imposed upon the City.

Section 2.03. Limitation on the Power to Form CFDs. The Joint Powers Authority Board shall not adopt a resolution of intention to form a CFD until each of the Board of Education and the City Council has adopted a resolution authorizing formation of the CFD.

For the avoidance of doubt, each of the Board of Education and the City Council has authorized formation of the CFD for the Project and no further approvals by the Board of Education or the City Council shall be required.

Section 2.04. Non-Liability of Members and Directors for Obligations of Authority. The debts, liabilities and obligations of the Joint Powers Authority shall not be the debts, liabilities and obligations of any of the Members. No member, officer, agent or employee of the Joint Powers Authority is individually or personally liable for the payment of the principal of or premium or interest on any obligations of the Joint Powers Authority or be subject to any personal liability or accountability by reason of any obligations of the Joint Powers Authority. Nothing herein contained relieves any such member, officer, agent or employee from the performance of any official duty provided by law or by the instruments authorizing the issuance of any obligations of the Joint Powers Authority.

In addition, no Member shall assume any liability or responsibility for any debts, liabilities or obligations which may be incurred by the other Member in connection with the issuance of bonds or other obligations of the Joint Powers Authority for the benefit of such other Member.

ARTICLE III

CONTRIBUTION; ACCOUNTS AND REPORTS; FUNDS

Section 3.01. Contributions. The Members may, but are not required to: (a) make contributions from their treasuries for any of the purposes set forth herein, (b) make payments of public funds to defray the cost of such purposes, (c) make advances of public funds for such purposes, such advances to be repaid as provided herein, or (d) use their personnel, equipment or property in lieu of other contributions or advances.

Section 3.02. Accounts and Reports. To the extent not covered by the duties assigned to a trustee chosen by the Joint Powers Authority, the Treasurer shall establish and maintain such funds and accounts as may be required by good accounting practice or by any provision of any trust instrument entered into with respect to the proceeds of any bonds issued by the Joint Powers Authority. The books and records of the Joint Powers Authority in the hands of a trustee or the Treasurer shall be open to inspection at all reasonable times by representatives of any of the Members. The trustee appointed under any trust agreement shall establish suitable funds, furnish financial reports and provide suitable accounting procedures to carry out the provisions of said trust agreement. Said trustee may be given such duties in said trust instrument as may be desirable to carry out this Agreement.

Annual audits of the Joint Powers Authority's accounts and records shall be made by an independent CPA firm, and reports shall be filed in the manner provided in Section 6505 of the California Government Code.

Section 3.03. Funds. Subject to the applicable provisions of any instrument or agreement which the Joint Powers Authority may enter into, which may provide for a trustee to receive, have custody of and disburse Joint Powers Authority funds, the Treasurer shall receive, have the custody of and disburse Joint Powers Authority funds as nearly as possible in accordance with generally accepted accounting practices, shall make the disbursements required by this Agreement or to carry out any of the provisions or purposes of this Agreement.

Section 3.04. Annual Budget and Administrative Expenses. The Joint Powers Authority Board shall adopt a budget for administrative expenses, which shall include all expenses not included in any financing issue of the Joint Powers Authority, annually prior to July 1st of each year. The estimated annual administrative expenses of the Joint Powers Authority shall be allocated by the Joint Powers Authority to the Members equally.

ARTICLE IV

MISCELLANEOUS PROVISIONS

Section 4.01. Term. This Agreement shall become effective, and the Joint Powers Authority shall come into existence, on the date of execution and delivery hereof, and this Agreement and the Joint Powers Authority shall thereafter continue in full force and effect until terminated by the Members, but in any event so long as either (a) any bonds or other obligations of the Joint Powers Authority remain outstanding or any material contracts to which the Joint Powers Authority is a party remain in effect, or (b) the Joint Powers Authority shall own any interest in any real or personal property.

Section 4.02. Disposition of Assets. Upon the termination of this Agreement, all property of the Joint Powers Authority, both real and personal, including but not limited to surplus money, shall be divided between the Members in such manner as agreed upon by the Members.

Section 4.03. Notices. Notices hereunder must be in writing and will be sufficient if delivered to:

Merced County Board of Education
632 West 13th Street
Merced, CA 95341
Attention: County Superintendent of Schools

City of Merced
678 West 18th Street
Merced, CA 95340-4708
Attention: City Manager

Section 4.04. Section Headings. All section headings in this Agreement are for convenience of reference only and are not to be construed as modifying or governing the language in the section referred to or to define or limit the scope of any provision of this Agreement.

Section 4.05. Law Governing. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

Section 4.06. Amendments. This Agreement may be amended at any time, or from time to time, except as limited by contract with the owners of any bonds issued by the Joint Powers Authority or by applicable regulations or laws of any jurisdiction having authority, by one or more supplemental agreements executed by all of the parties to this Agreement either as required in order to carry out any of the provisions of this Agreement or for any other purpose, including without limitation addition of new parties (including any legal entities or taxing areas heretofore or hereafter created) in pursuance of the purposes of this Agreement.

Section 4.07. Severability. Should any part, term or provision of this Agreement be decided by any court of competent jurisdiction to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

Section 4.08. Counterpart. This Agreement may be executed in counterparts and be as valid and binding as if each party signed the same copy. A faxed copy of the executed signature page shall be sufficient to cause the terms of this Agreement to become fully operative. The effective date of the Agreement shall be the latest date that the Board of Education or the City executed the Agreement.

Section 4.09. Electronic Signatures.

(a) The parties hereto acknowledge and agree that this Agreement may be executed by one or more electronic means (hereinafter referred to as "Electronic Signatures"). Each party hereto agrees that Electronic Signatures provided by such party shall constitute effective execution and delivery of this Agreement by such party to the other party to or relying on this Agreement. Each party hereto agrees that Electronic Signatures shall constitute complete and satisfactory evidence of the intent of such party to be bound by those signatures and by the terms and conditions of this Agreement as signed. Each party agrees that Electronic Signatures shall be deemed to be original signatures for all purposes.

(b) Each party hereto agrees to accept Electronic Signatures provided by the other party as (i) full and sufficient intent by such parties to be bound hereunder, (ii) effective execution and delivery of this Agreement and (iii) constituting this Agreement an original for all purposes, without the necessity for any manually signed copies to be provided, maintained or to exist for back up or for any other purpose.

(c) If Electronic Signatures are used to execute this Agreement, each party hereto hereby accepts the terms of, and intends and does sign, this Agreement by its Electronic Signature hereto.

Section 4.10. Successors. This Agreement is binding upon and inures to the benefit of the successors of the respective Members. No Member may assign any right or obligation hereunder without the written consent of the other Member.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers.

MERCED COUNTY BOARD OF EDUCATION

By: _____
Board Member – Geneva Brett, Chairperson

Dated: _____

By: _____
Steve M. Tietjen, Ed. D.,
Secretary to the Board
County Superintendent of Schools

Dated: _____

CITY OF MERCED

By: _____
Scott McBride,
City Manager

Dated: _____

2026/27 School Plan for Student Achievement

Purpose: Meets requirements for both **Title I Schoolwide Program** and **Comprehensive Support and Improvement (CSI)** and aligns with the MCOE LCAP and CSI Monitoring and Evaluation Plan.

Focus: Addresses identified **academic, instructional, behavioral, transition, and student support needs** through targeted strategies, services, and expenditures.

Educational Partner Input: Parent and staff surveys identified three top priorities:

- **Teacher Support**
- **Behavioral Support**
- **Staff Training**

Goal 1 – Academic Achievement & Instructional Access: Strengthen academic achievement and access to standards-aligned instruction through professional learning, coaching, evidence-based strategies, instructional resources, transition supports, and data-informed practices.

Goal 2 – Positive School Environment: Strengthen behavioral and social-emotional supports, teacher support, and staff capacity to promote a safe, positive, inclusive learning environment and reduce suspensions.

Approval: SSC reviewed and approved the SPSA on **October 8, 2026**, and recommends the SPSA to the Board for annual approval.

School Year: **2026-27**

School Plan for Student Achievement (SPSA)

School Name	County-District-School (CDS) Code	Schoolsite Council (SSC) Approval Date	Local Board Approval Date
Merced County Special Education	24102496069199	October 8, 2026	October 19, 2026

The School Plan for Student Achievement (SPSA) is a strategic plan that maximizes the resources available to the school while minimizing duplication of effort with the ultimate goal of increasing student achievement. SPSA development should be aligned with and inform the Local Control and Accountability Plan (LCAP) process.

This SPSA template consolidates all school-level planning efforts into one plan for programs funded through the Consolidated Application (ConApp), and for federal Additional Targeted Support and Improvement (ATSI), pursuant to California Education Code (EC) Section 64001 and the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This template is designed to meet schoolwide program planning requirements for both the SPSA and federal ATSI planning requirements.

California's ESSA State Plan supports the state's approach to improving student group performance through the utilization of federal resources. Schools use the SPSA to document their approach to maximizing the impact of federal investments in support of underserved students. The implementation of ESSA in California presents an opportunity for schools to innovate with their federally-funded programs and align them with the priority goals of the school and the local educational agency (LEA) that are being realized under the state's Local Control Funding Formula (LCFF).

The LCFF provides schools and LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The SPSA planning process supports continuous cycles of action, reflection, and improvement. Consistent with EC 64001(g)(1), the Schoolsite Council (SSC) is required to develop and annually review the SPSA, establish an annual budget, and make modifications to the plan that reflect changing needs and priorities, as applicable.

This plan is being used by Merced County Special Education for meeting the following ESSA planning requirements in alignment with the LCAP and other federal, state, and local programs:

- Schoolwide Program
- Comprehensive Support and Improvement

The purpose of the Merced County Special Education Single Plan for Student Achievement (SPSA) is to meet the requirements for Comprehensive Support and Improvement (CSI) and the Title I, Part A Schoolwide Program. The SPSA is designed to identify and address the academic, behavioral, social-emotional, transition, and instructional needs of students served by Merced County Special Education, including students with moderate to severe disabilities and students with emotional disabilities.

The SPSA identifies goals, actions, services, and measurable outcomes designed to improve student achievement and outcomes. It also specifies how available federal, state, and local funding will be used to support implementation of the plan and accomplish its identified goals.

This template is based on the December, 2023 CDE revision of the School Plan for Student Achievement. Some modifications have been made to inform the SPSA development process.

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MCOE Board Agenda Packet 10.19.2026

Plan Description

Briefly describe your school's plan for effectively meeting ESSA's planning requirements in alignment with the Local Control and Accountability Plan (LCAP) and other federal, state, and local programs.

This plan is being used by Merced County Special Education for meeting the following ESSA planning requirements in alignment with the LCAP and other federal, state, and local programs:

- Schoolwide Program
- Comprehensive Support and Improvement

The purpose of the Merced County Special Education Single Plan for Student Achievement (SPSA) is to meet the requirements for Comprehensive Support and Improvement (CSI) and the Title I, Part A Schoolwide Program. The SPSA is designed to identify and address the academic, behavioral, social-emotional, transition, and instructional needs of students served by Merced County Special Education, including students with moderate to severe disabilities and students with emotional disabilities.

The SPSA identifies goals, actions, services, and measurable outcomes designed to improve student achievement and outcomes. It also specifies how available federal, state, and local funding will be used to support implementation of the plan and accomplish its identified goals.

Merced County Special Education has developed this Single Plan for Student Achievement (SPSA) in alignment with the Comprehensive Support and Improvement (CSI) Monitoring and Evaluation Plan and the goals and priorities identified in the Merced County Office of Education (MCOE) Local Control and Accountability Plan (LCAP). While many of the actions and services identified in the MCOE LCAP are specifically designed to support Court and Community School Programs, the goals and strategies in this SPSA reflect the needs of students served by Merced County Special Education and support the broader priorities established by MCOE.

The 2026–2027 SPSA is aligned with the following MCOE LCAP priorities:

--Academic Achievement: All students will demonstrate growth in academic achievement toward meeting or exceeding the California Common Core State Standards (CCSS) in English Language Arts (ELA), mathematics, science, and English language proficiency.
--Work-Based Learning and Postsecondary Outcomes: Students with disabilities will be provided expanded opportunities to participate in Work-Based Learning Experiences and other transition activities that support successful postsecondary outcomes.
--Staff, Instructional Materials, and Learning Environment: Merced County Special Education will employ appropriately credentialed and assigned staff, provide sufficient standards-aligned instructional materials, and maintain safe and adequate facilities to support student learning.

Through these aligned priorities, the SPSA identifies specific goals, actions, services, and expenditures designed to address identified student needs, strengthen staff capacity, improve instructional practices, support positive learning environments, and improve outcomes for students with disabilities.

Educational Partner Involvement

How, when, and with whom did Merced County Special Education consult as part of the planning process for this SPSA/Annual Review and Update?

Involvement Process for the SPSA and Annual Review and Update

The Merced County Office of Education operates special education programs as an active participant in the countywide Special Education Local Plan Area (SELPA). Merced County Special Education serves students with moderate to severe disabilities across 43 sites in nine school districts throughout Merced County. The Merced SELPA is governed by a Board of Directors, which is comprised of the County Superintendent and the superintendents of each participating school district within the SELPA region.

Merced County Special Education recognizes the importance of meaningful educational partner involvement in the development, implementation, monitoring, and annual review of the Single Plan for Student Achievement (SPSA). Input from educational partners helps ensure that the goals, actions, services, and expenditures identified in the SPSA address the academic, behavioral, social-emotional, transition, and instructional needs of students served by Merced County Special Education.

Merced County Special Education staff and parents were provided opportunities to provide input through surveys regarding student needs, instructional supports, school climate, and professional learning. The top three priorities identified through the parent and staff surveys were teacher support, behavioral support, and staff training. Survey results were reviewed and considered in the development of the 2026–2027 SPSA and were used to help identify areas of need and priorities for improvement. These priorities are reflected throughout the SPSA through strategies focused on increasing teacher support and instructional capacity, strengthening behavioral supports and positive school environments, and providing professional learning and training for staff.

In addition, the Assistant Superintendent of Special Education, Coordinators, Directors, and Fiscal Manager were consulted during the development of the SPSA to ensure that identified actions and services were aligned with student needs, program priorities, available resources, and the goals identified in the MCOE LCAP and CSI Monitoring and Evaluation Plan.

The Merced County Special Education Schools School Site Council (SSC) and English Learner Advisory Committee (ELAC) had the opportunity to review the proposed SPSA and provided input before approval. The SSC reviewed and approved the 2026–2027 SPSA on October 8, 2026. Feedback and recommendations provided through this process were considered and incorporated into the plan, as appropriate.

Throughout the 2026–2027 school year, Merced County Special Education will monitor the implementation and effectiveness of the SPSA through review of student achievement data, progress toward identified goals, implementation of planned actions and services, and expenditure of funds. Program staff and educational partners will be provided opportunities to provide ongoing feedback regarding the effectiveness of the strategies and services included in the plan when needed.

The SPSA will be reviewed at least annually to determine whether the identified goals, actions, services, and expenditures continue to address the needs of students. Based on student performance data, progress-monitoring results, educational partner feedback, including parent and staff survey results, and program evaluation, the plan will be revised as necessary to ensure continuous improvement and alignment with the MCOE LCAP, CSI requirements, and the identified needs of Merced County Special Education students.

Resource Inequities

Briefly identify and describe any resource inequities identified as a result of the required needs assessment, as applicable.

This section is required for all schools eligible for ATSI and CSI.

The development of the SPSA included review of student performance information, program needs, staff and parent feedback, and input from Special Education administrators and program leaders. This process identified areas where differences in access to resources may affect the ability of programs to consistently meet the diverse needs of students with disabilities.

--Access to specialized instructional resources: Students with moderate to severe disabilities require specialized, adapted, and standards-aligned instructional materials, assistive technology, communication supports, and other resources to access instruction and demonstrate learning. Ensuring equitable access to these resources across multiple program sites continues to be an area of focus.

--Access to professional learning and specialized expertise: Staff serving students with significant and diverse needs require ongoing professional learning in evidence-based instructional practices, curriculum adaptation, behavior support, communication, and other specialized areas. Differences in staff experience, staffing changes, and site-specific needs can result in varying levels of access to professional learning and specialized support.

--Access to transition and work-based learning opportunities: Secondary students with disabilities may have varying access to work-based learning, community-based instruction, career exploration, and other transition opportunities based on geographic location, staffing, transportation, and available community partnerships.

--Geographic distribution of programs: Merced County Special Education serves students across 43 sites in nine school districts. The geographic distribution of programs presents challenges in providing consistent and equitable access to specialized staff, instructional resources, professional learning, and program supports across all sites.

Merced County Special Education will continue to monitor student outcomes, program implementation, and resource needs throughout the 2026–2027 school year. Information gathered through ongoing program monitoring, staff and parent feedback, and review of student data will be used to inform resource allocation and future SPSA updates.

Comprehensive Needs Assessment Components

Identify and describe any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

California School Dashboard (Dashboard) Indicators

Referring to the California School Dashboard (Dashboard), any state indicator for which overall performance was in the "Red" or "Orange" performance category.

Merced County Special Education reviewed available California School Dashboard data and local student performance information to identify areas requiring significant improvement. Although a separate formal comprehensive needs assessment was not conducted, the development of the 2026–2027 SPSA included a review of available student achievement, attendance, graduation, transition, and program data, as well as input from staff, parents, and Special Education administrators and program leaders.

The review identified areas of continued need related to academic achievement, English Learner progress, college and career readiness, chronic absenteeism, graduation outcomes, and equitable access to instructional and transition opportunities. These areas were considered in establishing the goals, actions, services, and resource allocations included in the SPSA.

California School Dashboard (Dashboard) Indicators:

Based on a review of the 2025 California School Dashboard, Merced County Special Education identified four state indicators in the Red performance category: English Learner Progress, College/Career, Chronic Absenteeism, and Graduation Rate. No overall state indicators were identified in the Orange performance category.

English Learner Progress: The English Learner Progress Indicator is in the Red performance category, with 25.3% of English Learners making progress toward English language proficiency, representing a 2.6 percentage-point decline from the prior year. Merced County Special Education will continue to monitor English Learner progress and strengthen instructional supports and collaboration to improve language development outcomes.

College/Career: The College/Career Indicator is in the Red performance category, with 0% of students identified as prepared for college or career. This identifies a significant area for improvement. Merced County Special Education will focus on expanding work-based learning, career exploration, community-based instruction, transition planning, and other opportunities that prepare students for employment and postsecondary success.

Chronic Absenteeism: The Chronic Absenteeism Indicator is in the Red performance category, with 51.4% of students identified as chronically absent, an increase of 2 percentage points from the prior year. Merced County Special Education will continue to monitor attendance and collaborate with school sites, families, and districts to identify barriers to attendance and implement strategies to improve student engagement and attendance.

Graduation Rate: The Graduation Rate Indicator is in the Red performance category, with 36.2% of students graduating, representing a 27.7 percentage-point increase from the prior year. Despite this substantial improvement, the graduation rate remains in the Red performance category. Merced County Special Education will continue to support students in completing an appropriate course of study, including the Alternate Pathway to a Diploma, and strengthen transition planning and postsecondary readiness supports.

Additional Local and Dashboard Data: Although English Language Arts and Mathematics are in the Yellow performance category and therefore do not meet the Red/Orange criterion for this subsection, the data indicate significant academic needs. Students were 62 points below standard in ELA and 85.8 points below standard in Mathematics. These results will be considered in the development and implementation of SPSA actions addressing academic achievement.

Referring to the California School Dashboard (Dashboard), any state indicator for which performance for any student group was two or more performance levels below the “all student” performance.

N/A

Other Needs

In addition to Dashboard data, other needs may be identified using locally collected data developed by the LEA to measure pupil outcomes.

N/A

School and Student Performance Data

Student Enrollment

This report displays the annual K-12 public school enrollment by student ethnicity and grade level for Merced County Special Education. Annual enrollment consists of the number of students enrolled on Census Day (the first Wednesday in October). This information was submitted to the CDE as part of the annual Fall 1 data submission in the California Longitudinal Pupil Achievement Data System (CALPADS).

Enrollment By Student Group

Student Enrollment by Subgroup						
Student Group	Percent of Enrollment			Number of Students		
	23-24	24-25	25-26	23-24	24-25	25-26
American Indian	0.67%	0.64%	0.55%	6	6	5
African American	4.69%	4.67%	4.97%	42	44	45
Asian	5.14%	4.88%	5.74%	46	46	52
Filipino	0.78%	0.74%	0.88%	7	7	8
Hispanic/Latino	71.96%	72.08%	74.06%	644	679	671
Pacific Islander	0.56%	0.74%	0.88%	5	7	8
White	14.08%	13.69%	10.60%	126	129	96
Two or More Races	2.12%	2.34%	2.21%	19	22	20
Not Reported	%	0.21%	0.11%		2	1
			Total Enrollment	895	942	906

Enrollment By Grade Level

Student Enrollment by Grade Level			
Grade	Number of Students		
	23-24	24-25	25-26
Transitional Kindergarten		61	1
Kindergarten	59	79	91
Grade 1	65	66	86
Grade 2	78	65	70
Grade3	52	70	69
Grade 4	64	50	66
Grade 5	52	60	47
Grade 6	56	48	55
Grade 7	52	52	47
Grade 8	52	49	50
Grade 9	55	63	53
Grade 10	48	61	58
Grade 11	55	46	55
Grade 12	162	172	158
Total Enrollment	895	942	906

Conclusions based on this data:

1. The student population is predominantly Hispanic/Latino. In 2025–26, Hispanic/Latino students comprise 74.06% (671 students) of total enrollment, increasing from 71.96% in 2023–24. This underscores the importance of culturally and linguistically responsive instruction and appropriate supports for this student population.
2. Enrollment has remained relatively stable over the three-year period. Total enrollment increased from 895 students in 2023–24 to 942 in 2024–25, then decreased to 906 students in 2025–26. Despite the overall fluctuation, Merced County Special Education continues to serve a diverse student population across grade levels and student groups.
3. A significant proportion of students are in the secondary grades, with Grade 12 representing the largest enrollment. In 2025–26, 158 students are enrolled in Grade 12, representing approximately 17% of total enrollment. This supports the need for continued emphasis on graduation, transition planning, work-based learning, career preparation, and postsecondary outcomes for students with disabilities.

School and Student Performance Data

English Learner (EL) Enrollment

This report displays the annual K-12 public school enrollment by English Language Acquisition Status (ELAS). This information was submitted to the CDE as part of the annual Fall 1 data submission in the California Longitudinal Pupil Achievement Data System (CALPADS).

English Learner (EL) Enrollment						
Student Group	Number of Students			Percent of Students		
	23-24	24-25	25-26	23-24	24-25	25-26
English Learners	236	207	193	26.4%	22.0%	21.3%
Fluent English Proficient (FEP)	50	62	75	5.6%	6.6%	8.3%

Conclusions based on this data:

1. The number and percentage of English Learners has decreased over the three-year period. English Learner enrollment decreased from 236 students (26.4%) in 2023–24 to 193 students (21.3%) in 2025–26. This represents a decrease of 43 students and a 5.1 percentage-point decrease in the proportion of students identified as English Learners.
2. The number of students identified as Fluent English Proficient (FEP) has increased. FEP students increased from 50 students (5.6%) in 2023–24 to 75 students (8.3%) in 2025–26, suggesting an increase in students attaining English language proficiency.
3. English Learner progress remains an area requiring attention. Despite the decrease in the overall number of English Learners and increase in FEP students, the California School Dashboard identifies English Learner Progress as Red, with only 25.3% of English Learners making progress toward English language proficiency. This indicates a continued need to monitor English language development and provide targeted instructional and language supports for English Learners with disabilities.

School and Student Performance Data

CAASPP Results
English Language Arts/Literacy (All Students)

The Smarter Balanced Summative Assessments for ELA and mathematics are an annual measure of what students know and can do using the Common Core State Standards for English language arts/literacy and mathematics.

The purpose of the Smarter Balanced Summative Assessments is to assess student knowledge and skills for English language arts/literacy (ELA) and mathematics, as well as how much students have improved since the previous year. These measures help identify and address gaps in knowledge or skills early so students get the support they need for success in higher grades and for college and career readiness.

All students in grades three through eight and grade eleven take the Smarter Balanced Summative Assessments unless a student's active individualized education program (IEP) designates the California Alternate Assessments.

Visit the California Department of Education's Smarter Balanced Assessment System web page for more information.

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	7	6	7	7	6	7	7	6	7	100.0	100	100
Grade 4	5	9	7	5	9	7	5	9	7	100.0	100	100
Grade 5	10	7	10	10	5	9	10	5	9	100.0	71.4	90
Grade 6	15	9	7	15	9	6	15	9	6	100.0	100	85.7
Grade 7	11	14	8	11	14	8	11	14	8	100.0	100	100
Grade 8	9	10	11	9	10	11	9	10	11	100.0	100	100
Grade 11	9	14	11	9	12	10	9	12	10	100.0	85.7	90.9
All Grades	66	69	61	66	65	58	66	65	58	100.0	94.2	95.1

The "% of Enrolled Students Tested" showing in this table is not the same as "Participation Rate" for federal accountability purposes.

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 6	2352.	*	*	0.00	*	*	0.00	*	*	0.00	*	*	100.0	*	*
Grade 7	2385.	2361.	*	0.00	0.00	*	0.00	0.00	*	18.18	7.14	*	81.82	92.86	*
Grade 8	*	*	2391.	*	*	0.00	*	*	9.09	*	*	9.09	*	*	81.82
Grade 11	*	2421.	*	*	0.00	*	*	0.00	*	*	8.33	*	*	91.67	*
All Grades	N/A	N/A	N/A	1.52	0.00	0.00	0.00	6.15	5.17	4.55	4.62	12.07	93.94	89.23	82.76

Reading Demonstrating understanding of literary and non-fictional texts									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	0.00	3.08	3.45	37.88	29.23	29.31	62.12	67.69	67.24

Writing Producing clear and purposeful writing									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	1.52	0.00	0.00	1.52	10.77	13.79	96.97	89.23	86.21

Listening Demonstrating effective communication skills									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	1.52	7.69	1.72	60.61	44.62	53.45	37.88	47.69	44.83

Research/Inquiry Investigating, analyzing, and presenting information									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	0.00	0.00	0.00	42.42	30.77	39.66	57.58	69.23	60.34

Conclusions based on this data:

1. CAASPP participation has improved from 94.2% in 2023–24 to 95.1% in 2024–25. While participation was 100% for grades 3, 4, 7, and 8th, but participation was below 100% in Grades 5, 6, and 11. Continued attention to full participation is important to ensure that available assessment data accurately represents student performance.
2. Student performance in ELA/Literacy remains a significant area of need. In 2024–25, 82.76% of tested students scored Standard Not Met, compared with 89.23% in 2023–24. Although this represents an improvement of approximately 6.5 percentage points, only 5.17% met the standard and no students exceeded the standard. This indicates a continued need for targeted, standards-aligned ELA instruction and curriculum adaptations.
3. Student performance has improved, but the majority of students continue to perform below grade-level standards. The percentage of students scoring Standard Not Met decreased from 93.94% in 2022–23 to 82.76% in 2024–25, while the percentage scoring Standard Met increased from 0% to 5.17%. Despite this positive trend, the high percentage of students not meeting standards demonstrates the need for continued implementation of evidence-based literacy strategies, differentiated instruction, and ongoing progress monitoring.

School and Student Performance Data

CAASPP Results
Mathematics (All Students)

The Smarter Balanced Summative Assessments for ELA and mathematics are an annual measure of what students know and can do using the Common Core State Standards for English language arts/literacy and mathematics.

The purpose of the Smarter Balanced Summative Assessments is to assess student knowledge and skills for English language arts/literacy (ELA) and mathematics, as well as how much students have improved since the previous year. These measures help identify and address gaps in knowledge or skills early so students get the support they need for success in higher grades and for college and career readiness.

All students in grades three through eight and grade eleven take the Smarter Balanced Summative Assessments unless a student's active individualized education program (IEP) designates the California Alternate Assessments.

Visit the California Department of Education's Smarter Balanced Assessment System web page for more information.

Overall Participation for All Students												
Grade Level	# of Students Enrolled			# of Students Tested			# of Students with Scores			% of Enrolled Students Tested		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	7	6	7	7	6	7	7	6	7	100.0	100	100
Grade 4	5	9	7	5	9	7	5	9	7	100.0	100	100
Grade 5	10	7	10	10	5	9	10	5	9	100.0	71.4	90
Grade 6	15	9	7	15	9	6	15	9	6	100.0	100	85.7
Grade 7	11	14	8	11	14	8	11	14	8	100.0	100	100
Grade 8	9	10	11	9	10	11	9	10	11	100.0	100	100
Grade 11	9	14	11	9	12	10	9	12	10	100.0	85.7	90.9
All Grades	66	69	61	66	65	58	66	65	58	100.0	94.2	95.1

* The "% of Enrolled Students Tested" showing in this table is not the same as "Participation Rate" for federal accountability purposes.

Overall Achievement for All Students															
Grade Level	Mean Scale Score			% Standard Exceeded			% Standard Met			% Standard Nearly Met			% Standard Not Met		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Grade 6	2303.	*	*	0.00	*	*	0.00	*	*	0.00	*	*	100.0	*	*
Grade 7	2349.	2363.	*	0.00	0.00	*	0.00	0.00	*	0.00	14.29	*	100.0	85.71	*
Grade 8	*	*	2364.	*	*	0.00	*	*	0.00	*	*	0.00	*	*	100.0
Grade 11	*	2429.	*	*	8.33	*	*	0.00	*	*	0.00	*	*	91.67	*
All Grades	N/A	N/A	N/A	0.00	3.08	0.00	0.00	1.54	1.72	3.03	4.62	1.72	96.97	90.77	96.55

Concepts & Procedures Applying mathematical concepts and procedures									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	0.00	3.08	0.00	6.06	10.77	6.90	93.94	86.15	93.10

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	0.00	3.08	0.00	18.18	24.62	18.97	81.82	72.31	81.03

Communicating Reasoning Demonstrating ability to support mathematical conclusions									
Grade Level	% Above Standard			% At or Near Standard			% Below Standard		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
Grade 3	*	*	*	*	*	*	*	*	*
Grade 4	*	*	*	*	*	*	*	*	*
Grade 5	*	*	*	*	*	*	*	*	*
Grade 6	*	*	*	*	*	*	*	*	*
Grade 7	*	*	*	*	*	*	*	*	*
Grade 8	*	*	*	*	*	*	*	*	*
Grade 11	*	*	*	*	*	*	*	*	*
All Grades	0.00	0.00	1.72	28.79	49.23	29.31	71.21	50.77	68.97

Conclusions based on this data:

1. Overall participation increased from 94.2% in 2023–24 to 95.1% in 2024–25.

2. Mathematics achievement remains a significant area of need. In 2024–25, 96.55% of students scored Standard Not Met, compared with 90.77% in 2023–24. Only 1.72% of students met the standard, and no students exceeded the

standard. This indicates a substantial need for continued improvement in mathematics instruction and student access to grade-level standards.

3. Mathematics performance declined in 2024–25 and requires targeted intervention. The percentage of students scoring Standard Not Met increased by approximately 5.8 percentage points, from 90.77% in 2023–24 to 96.55% in 2024–25. This decline indicates a need to strengthen evidence-based mathematics instruction, curriculum adaptation, differentiated instruction, and ongoing progress monitoring for students with disabilities.

School and Student Performance Data

The English Language Proficiency Assessments for California (ELPAC) system is used to determine and monitor the progress of the English language proficiency for students whose primary language is not English. The ELPAC is aligned with the 2012 California English Language Development Standards and assesses four domains: listening, speaking, reading, and writing.

Visit the California Department of Education's English Language Proficiency Assessments for California (ELPAC) web page or the ELPAC.org website for more information about the ELPAC.

ELPAC Results

ELPAC Summative Assessment Data Number of Students and Mean Scale Scores for All Students												
Grade Level	Overall			Oral Language			Written Language			Number of Students Tested		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*
All Grades										9	7	8

Overall Language Percentage of Students at Each Performance Level for All Students															
Grade Level	Level 4			Level 3			Level 2			Level 1			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Oral Language Percentage of Students at Each Performance Level for All Students															
Grade Level	Level 4			Level 3			Level 2			Level 1			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Written Language Percentage of Students at Each Performance Level for All Students															
Grade Level	Level 4			Level 3			Level 2			Level 1			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
K	0.00		*	0.00		*	0.00		*	100.0		*	17		*
1	0.00			0.00			0.00			100.0			17		
2	0.00	*	*	0.00	*	*	0.00	*	*	100.0	*	*	12	*	*
3	0.00			0.00			0.00			100.0			16		
4	0.00			0.00			0.00			100.0			13		
5	0.00	*		0.00	*		0.00	*		100.0	*		15	*	
7	*	*		*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

Listening Domain Percentage of Students by Domain Performance Level for All Students												
Grade Level	Well Developed			Somewhat/Moderately			Beginning			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*

Speaking Domain Percentage of Students by Domain Performance Level for All Students												
Grade Level	Well Developed			Somewhat/Moderately			Beginning			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*

Reading Domain Percentage of Students by Domain Performance Level for All Students												
Grade Level	Well Developed			Somewhat/Moderately			Beginning			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*

Writing Domain Percentage of Students by Domain Performance Level for All Students												
Grade Level	Well Developed			Somewhat/Moderately			Beginning			Total Number of Students		
	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25	22-23	23-24	24-25
2		*	*		*	*		*	*		*	*
5	*	*		*	*		*	*		*	*	
7	*	*		*	*		*	*		*	*	
8	*	*	*	*	*	*	*	*	*	*	*	*
9		*	*		*	*		*	*		*	*
10	*		*	*		*	*		*	*		*
11		*	*		*	*		*	*		*	*
All Grades	*	*	*	*	*	*	*	*	*	*	*	*

Conclusions based on this data:

1. The lack of ELPAC data results is due to all our students with the exception of students with emotional disabilities are testing using the Alternate ELPAC, not the ELPAC that tis data is based on. The Alternate ELPAC data is not reflected in this data.

School and Student Performance Data

Student Population

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

This section provides information about the school's student population.

2024-25 Student Population			
Total Enrollment	**Socioeconomically Disadvantaged**	**English Learners**	**Foster Youth**
942	**72.9%**	**22%**	**2.3%**
Total Number of Students enrolled in Merced County Special Education.	Students who are eligible for free or reduced priced meals; or have parents/guardians who did not receive a high school diploma.	Students who are learning to communicate effectively in English, typically requiring instruction in both the English Language and in their academic courses.	Students whose well being is the responsibility of a court.

2024-25 Enrollment for All Students/Student Group		
Student Group	**Total**	**Percentage**
English Learners	207	22%
Foster Youth	22	2.3%
Homeless	17	1.8%
Socioeconomically Disadvantaged	687	72.9%
Students with Disabilities	942	100%

Enrollment by Race/Ethnicity		
Student Group	**Total**	**Percentage**
African American	44	4.7%
American Indian	6	0.6%
Asian	46	4.9%
Filipino	7	0.7%
Hispanic	679	72.1%
Two or More Races	22	2.3%
Pacific Islander	7	0.7%
White	129	13.7%

Conclusions based on this data:

1. A large majority of students are socioeconomically disadvantaged. 687 students (72.9%) are identified as socioeconomically disadvantaged. This indicates a significant need to ensure equitable access to instructional

materials, specialized supports, enrichment opportunities, and services that address barriers to student achievement.

2. English Learners represent a significant student population. 207 students (22%) are identified as English Learners. Combined with the California School Dashboard's Red rating for English Learner Progress, this highlights the need for continued attention to English language development and appropriate language-access supports for students with disabilities who are also English Learners.

3. The student population includes multiple student groups requiring targeted support. In addition to students with disabilities, who comprise 100% of the students served by Merced County Special Education, the program serves 22 Foster Youth (2.3%) and 17 Homeless students (1.8%). The data reinforce the importance of monitoring outcomes for student groups who may experience additional barriers to attendance, academic achievement, graduation, and postsecondary readiness.

School and Student Performance Data

Overall Performance

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red
Lowest Performance

Orange

Yellow

Green

Blue
Highest Performance

2025 Fall Dashboard Overall Performance for All Students

Academic Performance	Academic Engagement	Conditions & Climate
English Language Arts Yellow	**Graduation Rate** Red	**Suspension Rate** Yellow
Mathematics Yellow	**Chronic Absenteeism** Red	
English Learner Progress Red		
College/Career Red		

Conclusions based on this data:

1. Merced County Special Education received a Red performance level for Graduation Rate, College/Career, Chronic Absenteeism, and English Learner Progress. These results indicate a need for targeted strategies to improve student attendance, successful completion of graduation requirements, postsecondary and employment readiness, and English language development for students who are also English Learners.
2. Both ELA and Mathematics received a Yellow performance level. Although these indicators are not in the Red or Orange categories, local CAASPP data show that a large majority of students are performing below grade-level standards. Continued implementation of evidence-based instructional practices, curriculum adaptation, differentiated instructional strategies, and progress monitoring is needed to improve academic outcomes.
3. Suspension Rate is an area for continued monitoring and proactive intervention. The Suspension Rate received a Yellow performance level, indicating an opportunity to strengthen proactive behavioral and social-emotional supports. Merced County Special Education will continue to promote positive behavioral interventions, appropriate behavioral supports, and collaboration with staff, families, and districts to reduce suspensions and increase student engagement and successful participation in school.

School and Student Performance Data

Academic Performance
English Language Arts

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red
Lowest Performance

Orange

Yellow

Green

Blue
Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard English Language Arts Equity Report				
Red	Orange	Yellow	Green	Blue
0	1	4	0	0

This section provides a view of how well students are meeting grade-level standards on the English Language Arts assessment. This measure is based on student performance on either the Smarter Balanced Summative Assessment or the California Alternate Assessment, which is taken annually by students in grades 3–8 and grade 11.

2025 Fall Dashboard English Language Arts Performance for All Students/Student Group

All Students	English Learners	Long-Term English Learners
Yellow	Yellow	No Performance Color
62 points below standard	49.6 points below standard	83.8 points below standard
Increased 9.6 points	Increased 3.8 points	Declined 27 points
292 Students	82 Students	26 Students

Foster Youth	Homeless	Socioeconomically Disadvantaged
No Performance Color	No Performance Color	Yellow
Fewer than 11 students - No Data for Privacy	Fewer than 11 students - No Data for Privacy	62.9 points below standard
6 Students	7 Students	Increased 12.3 points
		220 Students

Students with Disabilities	African American	American Indian
Yellow	No Performance Color	No Performance Color
62 points below standard	80.3 points below standard	Fewer than 11 students - No Data for Privacy
Increased 9.6 points	Increased 31.9 points	4 Students
292 Students	15 Students	

Asian	Filipino	Hispanic
No Performance Color	No Performance Color	Yellow
54.1 points below standard	Fewer than 11 students - No Data for Privacy	63 points below standard
Declined 11.6 points	1 Student	Increased 6.9 points
15 Students		219 Students

Two or More Races	Pacific Islander	White
No Performance Color	No Performance Color	Orange
Fewer than 11 students - No Data for Privacy	0 Students	76.6 points below standard
7 Students		Increased 5.9 points
		35 Students

Conclusions based on this data:

1. All Students and Students with Disabilities are 62 points below standard and both improved by 9.6 points. While this improvement is encouraging, the overall performance remains substantially below the state standard, indicating a continued need for targeted, standards-aligned literacy instruction and curriculum adaptations.
2. Socioeconomically Disadvantaged students showed the greatest improvement, increasing 12.3 points while remaining 62.9 points below standard. Hispanic students increased 6.9 points and were 63 points below standard, while English Learners increased 3.8 points and remained 49.6 points below standard. These results demonstrate positive movement while highlighting the need to continue monitoring achievement across student groups and provide targeted supports where needed.
3. White students received an Orange performance level, were 76.6 points below standard, and increased 5.9 points. Their performance is lower than that of the other reported student groups, indicating a significant performance gap that should be monitored and addressed through targeted instructional supports.

School and Student Performance Data

Academic Performance
Mathematics

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red
Lowest Performance

Orange

Yellow

Green

Blue
Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard Mathematics Equity Report				
Red	Orange	Yellow	Green	Blue
1	1	3	0	0

This section provides a view of how well students are meeting grade-level standards on the Mathematics assessment. This measure is based on student performance either on the Smarter Balanced Summative Assessment or the California Alternate Assessment, which is taken annually by students in grades 3–8 and grade 11.

2025 Fall Dashboard Mathematics Performance for All Students/Student Group

All Students	English Learners	Long-Term English Learners
Yellow	Orange	No Performance Color
85.8 points below standard	74.3 points below standard	100 points below standard
Increased 3.6 points	Maintained 0.4 points	Declined 6 points
272 Students	76 Students	24 Students

Foster Youth	Homeless	Socioeconomically Disadvantaged
No Performance Color	No Performance Color	Yellow
Fewer than 11 students - No Data for Privacy	Fewer than 11 students - No Data for Privacy	88 points below standard
4 Students	6 Students	Increased 4.9 points
		204 Students

Students with Disabilities	African American	American Indian
Yellow	No Performance Color	No Performance Color
85.8 points below standard	83 points below standard	Fewer than 11 students - No Data for Privacy
Increased 3.6 points	Increased 25 points	3 Students
272 Students	14 Students	

Asian	Filipino	Hispanic
No Performance Color	No Performance Color	Yellow
58.3 points below standard	Fewer than 11 students - No Data for Privacy	84.8 points below standard
Maintained 1.5 points	1 Student	Increased 6 points
14 Students		204 Students

Two or More Races	Pacific Islander	White
No Performance Color	No Performance Color	Red
Fewer than 11 students - No Data for Privacy	0 Students	101.2 points below standard
7 Students		Declined 22.6 points
		31 Students

Conclusions based on this data:

1. All Students and Students with Disabilities received a Yellow performance level and were 85.8 points below standard, although both groups increased by 3.6 points. The substantial distance from standard indicates a continued need for targeted, standards-aligned mathematics instruction and curriculum adaptations.
2. English Learners received an Orange performance level and were 74.3 points below standard, with performance maintained from the previous year. Socioeconomically Disadvantaged students received a Yellow performance level and were 88 points below standard, despite a 4.9-point increase. These results indicate a need for targeted instructional supports and ongoing monitoring of student groups.
3. White students received a Red performance level, were 101.2 points below standard, and declined 22.6 points from the previous year. This represents a significant performance gap and warrants further examination of student-level and program data to identify factors contributing to the decline and determine appropriate instructional interventions.

School and Student Performance Data

Academic Performance
Science

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red

Lowest Performance

Orange

Yellow

Green

Blue

Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard Science Equity Report

Red	Orange	Yellow	Green	Blue
0	3	1	0	0

This section provides a view of how well students are meeting grade-level standards on the Science assessment. This measure is based on student performance either on the Smarter Balanced Summative Assessment or the California Alternate Assessment, which is taken annually by students in grades 3–8 and grade 11.

2025 Fall Dashboard Science Performance for All Students/Student Group

All Students	English Learners	Long-Term English Learners
Orange	Orange	No Performance Color
40.3 science points	40.2 science points	41.5 science points
Maintained 0.9 points	Maintained 1.6 points	Maintained -0.4 points
128 Students	35 Students	16 Students

Foster Youth	Homeless	Socioeconomically Disadvantaged
No Performance Color	No Performance Color	Yellow
Fewer than 11 students - No Data for Privacy	Fewer than 11 students - No Data for Privacy	41 science points
3 Students	2 Students	Increased 2 points
		95 Students

Students with Disabilities	African American	American Indian
Orange 40.3 science points Maintained 0.9 points 128 Students	No Performance Color Fewer than 11 students - No Data for Privacy 6 Students	No Performance Color Fewer than 11 students - No Data for Privacy 3 Students

Asian	Filipino	Hispanic
No Performance Color Fewer than 11 students - No Data for Privacy 5 Students	No Performance Color Fewer than 11 students - No Data for Privacy 1 Student	Orange 37.8 science points Declined 2 points 91 Students

Two or More Races	Pacific Islander	White
No Performance Color Fewer than 11 students - No Data for Privacy 4 Students	No Performance Color 0 Students	No Performance Color 41.5 science points Increased 3.5 points 19 Students

Conclusions based on this data:

1. All Students and Students with Disabilities received an Orange performance level, with 40.3 science points. Performance was maintained from the previous year, increasing only 0.9 points. This indicates that students continue to need targeted, standards-aligned science instruction and appropriate curriculum adaptations.
2. English Learners received an Orange performance level with 40.2 science points. Although performance increased 1.6 points, the overall performance remains in the Orange category.
3. Hispanic students received an Orange performance level with 37.8 science points, lower than the overall student performance of 40.3 points, and declined by 2 points from the previous year.

School and Student Performance Data

Academic Performance
English Learner Progress

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

This section provides a view of the percentage of current EL students making progress towards English language proficiency or maintaining the highest level.

2025 Fall Dashboard English Learner Progress Indicator

English Learner Progress	Long-Term English Learner Progress
Red	Red
25.3 making progress.	19.5 making progress.
Number Students: 158 Students	Number Students: 87 Students

This section provides a view of the percentage of current EL students who progressed at least one ELPI level, maintained ELPI level 4, maintained lower ELPI levels (i.e, levels 1, 2L, 2H, 3L, or 3H), or decreased at least one ELPI Level.

2025 Fall Dashboard Student English Language Acquisition Results

Decreased One ELPI Level	Maintained ELPI Level 1, 2L, 2H, 3L, or 3H	Maintained ELPI Level 4	Progressed At Least One ELPI Level
0%	85.7%	0%	14.3%

Conclusions based on this data:

1. Only 25.3% of current English Learners (158 students) are making progress toward English language proficiency, resulting in a Red performance level. This indicates that the majority of English Learners are not demonstrating sufficient annual progress toward English proficiency.
2. Only 19.5% of Long-Term English Learners (87 students) are making progress, also resulting in a Red performance level. This suggests a need for targeted strategies to accelerate language development and address barriers that may be preventing LTELs from progressing toward proficiency.
3. 85.7% of students maintained their ELPI Level 1, 2, 2H, 3L, or 3H, while only 14.3% progressed at least one ELPI level. No students decreased an ELPI level or maintained ELPI Level 4. These results indicate that maintaining students' current level is substantially more common than demonstrating measurable language growth, highlighting the need for intentional English language development supports integrated into daily instruction.

School and Student Performance Data

Academic Performance
College/Career Report

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

This section provided information on the percentage of high school graduates who are placed in the "Prepared" level on the College/Career Indicator.

Very Low
Lowest Performance

Low

Medium

High

Very High
Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard College/Career Equity Report

Red	Orange	Yellow	Green	Blue
3	0	0	0	0

Explore information on the percentage of high school graduates who are placed in the "Prepared" level on the College/Career Indicator.

2025 Fall Dashboard College/Career Performance for All Students/Student Group

All Students	English Learners	Long-Term English Learners
Red	No Performance Color	No Performance Color
Prepared 0%	Prepared 0%	Prepared 0%
Maintained	Maintained	Maintained
57 Students	17 Students	17 Students

Foster Youth	Homeless	Socioeconomically Disadvantaged
No Performance Color	No Performance Color	Red
Fewer than 11 students - No Data for Privacy	Fewer than 11 students - No Data for Privacy	Prepared 0%
2 Students	2 Students	Maintained
		51 Students

Students with Disabilities	African American	American Indian
Red	No Performance Color	No Performance Color
Prepared 0%	Fewer than 11 students - No Data for Privacy	0 Students
Maintained	3 Students	
57 Students		

Asian	Filipino	Hispanic
No Performance Color	No Performance Color	Red
Fewer than 11 students - No Data for Privacy	0 Students	Prepared 0%
2 Students		Maintained
		38 Students

Two or More Races	Pacific Islander	White
No Performance Color	No Performance Color	No Performance Color
Fewer than 11 students - No Data for Privacy	0 Students	Fewer than 11 students - No Data for Privacy
4 Students		10 Students

Conclusions based on this data:

1. All Students and Students with Disabilities received a Red performance level, with 0% of students identified as prepared for college or career. This indicates a significant need to strengthen work based pathways and opportunities that prepare students for postsecondary education, employment, and independent living.
2. Socioeconomically Disadvantaged students received a Red performance level, with 0% prepared for college or career. The data indicate that additional supports and equitable access to work-based learning, career exploration, transition planning, and postsecondary opportunities are needed for this student group.
3. Hispanic students received a Red performance level, with 0% prepared for college or career. Given that Hispanic students represent the largest student population within Merced County Special Education, the results emphasize the importance of ensuring culturally responsive and equitable access to transition services, career exploration, and work-based learning opportunities.

School and Student Performance Data

Academic Engagement
Chronic Absenteeism

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red
Lowest Performance

Orange

Yellow

Green

Blue
Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard Chronic Absenteeism Equity Report				
Red	Orange	Yellow	Green	Blue

This section provides information about the percentage of students in kindergarten through grade 8 who are absent 10 percent or more of the instructional days they were enrolled.

2025 Fall Dashboard Chronic Absenteeism Performance for All Students/Student Group		
All Students	**English Learners**	**Long-Term English Learners**
Red	Red	No Performance Color
51.4% Chronically Absent	54% Chronically Absent	50% Chronically Absent
Increased 2	Increased 8.3	Increased 8.6
644 Students	126 Students	20 Students
Foster Youth	**Homeless**	**Socioeconomically Disadvantaged**
No Performance Color	No Performance Color	Red
56.3% Chronically Absent	78.6% Chronically Absent	53.6% Chronically Absent
Increased 19.4	0	Increased 2.7
16 Students	14 Students	485 Students

Students with Disabilities	African American	American Indian
Red	Red	No Performance Color
51.4% Chronically Absent	54.5% Chronically Absent	Fewer than 11 students - No Data for Privacy
Increased 2	Increased 11.2	3 Students
644 Students	33 Students	

Asian	Filipino	Hispanic
Orange	No Performance Color	Red
39.5% Chronically Absent	Fewer than 11 students - No Data for Privacy	52.7% Chronically Absent
Declined 4.1	5 Students	Maintained -0.4
38 Students		474 Students

Two or More Races	Pacific Islander	White
No Performance Color	No Performance Color	Red
46.7% Chronically Absent	Fewer than 11 students - No Data for Privacy	43.8% Chronically Absent
Increased 5	3 Students	Increased 12
15 Students		73 Students

Conclusions based on this data:

1. Overall, 51.4% of students were chronically absent, resulting in a Red performance level. Chronic absenteeism also increased for students with disabilities from the prior year, indicating a need for strategies that improve attendance and student engagement.
2. 54% of English Learners and 53.6% of socioeconomically disadvantaged students were chronically absent, both with Red performance levels. These results indicate a need for targeted attendance, engagement, and family-support strategies for students experiencing barriers to consistent attendance.
3. African American students had 54.5% chronic absenteeism and increased 11.2 points, while White students had 43.8% and increased 12 points. Asian students were Orange, with 39.5% chronically absent and a 4.1-point decline. These patterns suggest the need to monitor attendance by student group and implement targeted interventions to reduce chronic absenteeism and improve academic engagement.

School and Student Performance Data

Academic Engagement
Graduation Rate

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red

Lowest Performance

Orange

Yellow

Green

Blue

Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard Graduation Rate Equity Report				
Red	Orange	Yellow	Green	Blue
3	0	0	0	0

This section provides information about students completing high school, which includes students who receive a standard high school diploma.

2025 Fall Dashboard Graduation Rate for All Students/Student Group		
All Students	**English Learners**	**Long-Term English Learners**
Red	No Performance Color	No Performance Color
36.2% graduated	23.5% graduated	23.5% graduated
Increased 27.7%	Increased 16.4%	Increased 16.4%
58 Students	17 Students	17 Students
Foster Youth	**Homeless**	**Socioeconomically Disadvantaged**
No Performance Color	No Performance Color	Red
Fewer than 11 students - No Data for Privacy	Fewer than 11 students - No Data for Privacy	38.5% graduated
2 Students	2 Students	Increased 31.5%
		52 Students

Students with Disabilities	African American	American Indian
Red 36.2% graduated Increased 27.7% 58 Students	No Performance Color Fewer than 11 students - No Data for Privacy 3 Students	No Performance Color 0 Students
Asian	**Filipino**	**Hispanic**
No Performance Color Fewer than 11 students - No Data for Privacy 2 Students	No Performance Color 0 Students	Red 33.3% graduated Increased 26.9% 39 Students
Two or More Races	**Pacific Islander**	**White**
No Performance Color Fewer than 11 students - No Data for Privacy 4 Students	No Performance Color 0 Students	No Performance Color Fewer than 11 students - No Data for Privacy 10 Students

Conclusions based on this data:

1. The All Students and Students with Disabilities groups are in the Red performance level, with 36.2% graduating. The Dashboard graduation-rate measure reflects students earning a standard high school diploma and does not include students who complete their educational program through the Alternate Pathway to a Diploma. Therefore, the Dashboard rate should be interpreted within the context of the diverse graduation and completion pathways available to students served by Merced County Special Education.
2. Students with Disabilities and Hispanic students remain identified in the Red performance level, while both groups demonstrated substantial improvement. Students with Disabilities had a 36.2% graduation rate, increasing 27.7 percentage points, while Hispanic students had a 33.3% graduation rate, increasing 26.9 percentage points. These data demonstrate progress but also highlight the need to continue supporting students in completing their individualized educational programs and progressing toward the most appropriate diploma, Alternate Pathway to a Diploma.
3. Socioeconomically Disadvantaged students demonstrated the greatest increase in the reported graduation rate, but the group remains in the Red performance level. The graduation rate increased 31.5 percentage points to 38.5%. Continued attention is needed to ensure students receive appropriate academic, transition, career-readiness, and postsecondary supports that promote successful completion of their individualized pathway and preparation for life after high school.

School and Student Performance Data

Conditions & Climate
Suspension Rate

The 2025 California School Dashboard provides parents and educators with meaningful information on school and district progress so they can participate in decisions to improve student learning.

The California School Dashboard goes beyond test scores alone to provide a more complete picture of how schools and districts are meeting the needs of all students. To help parents and educators identify strengths and areas for improvement, California reports how districts, schools (including alternative schools), and student groups are performing across state and local measures.

Performance on state measures, using comparable statewide data, is represented by one of five colors. The performance level (color) is not included when there are fewer than 30 students in any year. This is represented using a greyed out color dial with the words “No Performance Color.”

Red

Lowest Performance

Orange

Yellow

Green

Blue

Highest Performance

This section provides number of student groups in each level.

2025 Fall Dashboard Suspension Rate Equity Report				
Red	Orange	Yellow	Green	Blue
1	1	1	2	3

This section provides information about the percentage of students in kindergarten through grade 12 who have been suspended at least once in a given school year. Students who are suspended multiple times are only counted once.

2025 Fall Dashboard Suspension Rate for All Students/Student Group		
All Students	**English Learners**	**Long-Term English Learners**
Yellow	Blue	Green
2.4% suspended at least one day	0.9% suspended at least one day	1.7% suspended at least one day
Increased 0.4%	Maintained 0.1%	Maintained 0.2%
1010 Students	226 Students	115 Students
Foster Youth	**Homeless**	**Socioeconomically Disadvantaged**
No Performance Color	No Performance Color	Green
14.3% suspended at least one day	0% suspended at least one day	2.1% suspended at least one day
Declined 1.8%	18 Students	Maintained -0.2%
28 Students		768 Students

Students with Disabilities	African American	American Indian
Yellow	Red	No Performance Color
2.4% suspended at least one day	12.5% suspended at least one day	Fewer than 11 students - No Data for Privacy
Increased 0.4%	Increased 6.4%	6 Students
1009 Students	48 Students	

Asian	Filipino	Hispanic
Blue	No Performance Color	Blue
0% suspended at least one day	Fewer than 11 students - No Data for Privacy	1% suspended at least one day
Maintained 0%	8 Students	Declined 0.3%
50 Students		733 Students

Two or More Races	Pacific Islander	White
No Performance Color	No Performance Color	Orange
8% suspended at least one day	Fewer than 11 students - No Data for Privacy	6.8% suspended at least one day
Increased 3.5%	7 Students	Increased 2.5%
25 Students		133 Students

Conclusions based on this data:

1. Overall suspension rates remain relatively low, but the All Students and Students with Disabilities groups are identified as Yellow. 2.4% of All Students and 2.4% of Students with Disabilities were suspended for at least one day, representing a 0.4 percentage-point increase for both groups. This indicates a continued need for proactive behavioral supports, positive behavior strategies, and interventions that promote student engagement and reduce the need for exclusionary discipline.
2. Several student groups demonstrated strong suspension outcomes. English Learners had a Blue performance level with 0.9% suspended, while Long-Term English Learners and Socioeconomically Disadvantaged students were Green, with 1.7% and 2.1%, respectively. Hispanic students had a Blue performance level with 1.0% suspended, a 0.3 percentage-point decline. These results suggest that existing practices are supporting relatively low suspension rates for several student groups and should be maintained.
3. Disparities are evident for African American and White students and warrant targeted attention. African American students were identified as Red, with 12.5% suspended, an increase of 6.4 percentage points, while White students were Orange, with 6.8% suspended, an increase of 2.5 percentage points. These results indicate a need to examine discipline patterns and ensure equitable access to proactive behavioral, social-emotional, and student-support strategies across student groups.

Goals, Strategies, & Proposed Expenditures

Complete a copy of the following table for each of the school's goals. Duplicate the table as needed.

Goal 1

Title and Description of School Goal

Broad statement that describes the desired result to which all strategies/activities are directed.

Academic Achievement, Instructional Access, and Teacher Capacity.
All students will demonstrate growth in academic achievement and increased access to standards-aligned instruction in English Language Arts, mathematics, science, and English proficiency. MCOE Special Education will build the capacity of appropriately credentialed and assigned staff through professional learning, coaching, teacher support, evidence-based instructional strategies, and access to appropriate instructional resources. These efforts will strengthen differentiated instruction, provide teachers with the support and training needed to address diverse student needs, and improve students' ability to access, participate in, and demonstrate learning within the California Common Core State Standards and California content standards.

LCAP Goal to which this School Goal is Aligned

LCAP goal to which this school goal is aligned.

Goal 1- Actions: 1.14, 1.15

Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

The available 2025 California School Dashboard and local student performance data indicate significant academic needs for students with disabilities. The Dashboard identifies ELA and Mathematics as Yellow; English Learner Progress is red, while Science performance is Orange, indicating a need for continued improvement in academic achievement. CAASPP data further demonstrate substantial academic needs. In 2024–25, 82.76% of students did not meet the ELA/Literacy standard, with only 5.17% meeting the standard. Mathematics results show an even greater need, with 96.55% of students not meeting the standard and only 1.72% meeting the standard. Science performance is also an area of concern, with the overall student group and students with disabilities identified as Orange.

Dashboard subgroup data indicate that achievement gaps persist across student groups. In ELA, students with disabilities were 62 points below standard, while socioeconomically disadvantaged students were 62.9 points below standard. In mathematics, students with disabilities were 85.8 points below standard, and socioeconomically disadvantaged students were 88 points below standard. English Learners were identified as Orange in mathematics, at 74.3 points below standard, while White students were identified as Red, at 101.2 points below standard. These data indicate a need to strengthen teachers' capacity to provide explicit, systematic, differentiated, accessible, and standards-aligned instruction, particularly in literacy, mathematics, English proficiency, and science. Providing professional learning, coaching, instructional resources and supplementary materials, and technology will support teachers in addressing the diverse academic and communication needs of students with moderate to severe disabilities and emotional disabilities.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that your school will use as a means of evaluating progress toward accomplishing the goal.

Metric/Indicator	Baseline/Actual Outcome	Expected Outcome
Dashboard Alternative School Status (DASS): One-Year Graduation Rate Report California State Dashboard: College and Career California State Dashboard: ELA California State Dashboard: Math California Dashboard: Science California Dashboard: ELP	Graduation Rate ALL 95.2% HISPANIC 97.7% SED 97.2% SWD 95.2% College and Career ALL 0% ELA SWD 62 pts below Math SWD 85.8 pts below Science SWD 40.3 science points English Learner Progress 25.3% making progress	Graduation Rate: ALL 97% HISPANIC 99% SED 99% SWD 97% College and Career ALL 5% ELA SWD 62 pts below Math SWD 85.8 pts below Science SWD 40.3 science points English Learner Progress 25.3% making progress

Strategies/Activities

Complete the Strategy/Activity Table with each of your school's strategies/activities. Add additional rows as necessary.

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures
1.1	LCAP Action 1.14: SPED: Expanded Work-Based Learning Opportunities: Revised Provide students with disabilities, including students who are socioeconomically disadvantaged, with expanded work-based learning opportunities throughout Merced County. Opportunities may include the Wired Café, El Capitan Hotel, Blooming Futures Initiative, and other community-based work sites. Experiences will provide students with opportunities to develop employability, communication, independence, and workplace skills aligned with their individualized transition goals.	All Students	56,365.61 Special Education 1000-1999: Certificated Personnel Salaries
1.2	LCAP Action 1.15: SPED: Supplemental Transition Curriculum & Training: Revised Implement Job Ready Project Discovery as a supplemental transition curriculum focused on career exploration, employment preparation, workplace readiness, and independent living. Provide training to teachers and coordinators to support consistent implementation and integration of transition instruction into students' educational programs and IEP transition plans.	All Students	45,000.00 Comprehensive Support and Improvement (CSI) 4000-4999: Books And Supplies
1.3	Science Professional Learning and Coaching: NEW Contract with a qualified science consultant to provide professional learning, modeling, and ongoing support to teachers. The consultant will assist teachers in implementing accessible, standards-aligned science instruction using differentiated strategies, academic vocabulary supports, hands-on learning, visual supports, and multiple opportunities for students to demonstrate understanding.	All Students	30,000.00 Comprehensive Support and Improvement (CSI) 5800: Professional/Consulting Services And Operating Expenditures 10,000.00 Comprehensive Support and Improvement (CSI) 4000-4999: Books And Supplies
1.5	English Learners: Revised	EL Students	54,054.00

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures
	Provide targeted English language development (ELD) instruction, materials, professional learning, and instructional supports for English Learner (EL) students to increase English language proficiency and ensure students can access the core curriculum and participate meaningfully in instruction.		Title III 4000-4999: Books And Supplies
1.6	Mathematics Professional Learning and Coaching: NEW Contract with a qualified mathematics consultant to provide professional learning, modeling, coaching, and ongoing support to teachers serving students with moderate to severe disabilities. The consultant will support teachers in implementing evidence-based, differentiated, and standards-aligned mathematics strategies that increase student access to mathematical concepts, engagement, problem-solving, and opportunities to demonstrate learning.	All Students	25,000.00 Comprehensive Support and Improvement (CSI) 5800: Professional/Consulting Services And Operating Expenditures 10,000.00 Comprehensive Support and Improvement (CSI) 4000-4999: Books And Supplies
1.7	Technology Access to Support Instruction and Communication: Revised Maintain continuous access to appropriate technology, devices, accessories, connectivity, repair, and communication supports for students and instructional staff. Technology will be used to increase student access to core and supplemental curriculum, provide alternative means of communication and demonstration of learning, and support differentiated instruction and student engagement.	All Students	1,712,786.00 Comprehensive Support and Improvement (CSI) 4000-4999: Books And Supplies
1.8			

Annual Review

SPSA Year Reviewed: 2025-26

Respond to the following prompts relative to this goal. If the school is in the first year of implementing the goal, an analysis is not required, and this section may be left blank and completed at the end of the year after the plan has been executed.

Analysis

Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.

During the 2025–26 school year, MCOE Special Education implemented strategies designed to increase student access to standards-aligned instruction and support academic achievement. Activities included expanded Work-Based Learning opportunities, supplemental transition curriculum and training, English language development supports for English Learners, and continued access to technology and communication supports. These strategies were designed to strengthen teacher capacity, support differentiated instruction, increase student access to the curriculum, and provide students with opportunities to develop academic, transition, and career-readiness skills. Implementation and effectiveness were monitored through student performance data, progress-monitoring information, participation in transition and Work-Based Learning activities, and staff feedback.

Describe any major differences between the intended implementation and/or the budgeted expenditures to implement the strategies/activities to meet the articulated goal.

There were no major differences between the intended implementation of the 2025–26 strategies and the planned budgeted expenditures. Funds were used to support the identified strategies, including Work-Based Learning and transition activities, English language development, and technology and communication supports. Expenditures remained aligned with the identified student needs and the goals of the SPSA.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

Based on the annual review and identified student and instructional needs, MCOE Special Education will continue the strategies that support academic achievement, transition readiness, and access to instruction while strengthening teacher support and staff training. Parent and staff survey results identified teacher support and staff training as two of the top priorities for improvement. In response to these priorities and identified academic needs, MCOE Special Education will add new strategies for science professional learning and coaching and the implementation of Polaris in conjunction with the adopted Unique Learning System (ULS) curriculum. These strategies will strengthen teacher capacity, support data-informed instruction, and improve alignment among student performance data, instructional planning, IEP development, and progress monitoring.

Goals, Strategies, & Proposed Expenditures

Complete a copy of the following table for each of the school's goals. Duplicate the table as needed.

Goal 2

Title and Description of School Goal

Broad statement that describes the desired result to which all strategies/activities are directed.

Positve Culture and Engagement
MCOE Special Education will strengthen proactive behavioral and social-emotional supports, positive behavior practices, and staff capacity to address student behavioral needs in order to promote a safe, positive, inclusive, and supportive school environment and reduce suspensions. Parent and staff surveys identified behavioral support as one of the top three priorities for improvement. In response to this feedback, MCOE will provide additional behavioral supports and teacher support focused on proactive behavior strategies, de-escalation, student engagement, and effective responses to challenging behaviors.

LCAP Goal to which this School Goal is Aligned

LCAP goal to which this school goal is aligned.

Goal 2: Actions: 2.11

Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

The 2025 California School Dashboard reports an overall suspension rate of 2.4%, with both All Students and Students with Disabilities receiving a Yellow performance level. The overall suspension rate increased by 0.4 percentage points. Disparities are evident among student groups, including African American students at 12.5% (Red) and White students at 6.8% (Orange). MCOE Special Education will strengthen proactive behavioral and social-emotional supports, positive behavior strategies, and staff capacity to prevent challenging behaviors, reduce suspensions, and create a positive and supportive learning environment for all students.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that your school will use as a means of evaluating progress toward accomplishing the goal.

Metric/Indicator	Baseline/Actual Outcome	Expected Outcome
CA School Dashboard: Suspension Rate Indicator (2025)	Suspension Rate All 2.4% White 6.8% African American 12.5%	Suspension Rate All 1.5% White 4% African American 10%

Strategies/Activities

Complete the Strategy/Activity Table with each of your school's strategies/activities. Add additional rows as necessary.

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures
2.2	Action 2.11: SPED: Safe School Environment: Revised MCOE Special Education will employ a Campus Supervisor to provide proactive supervision, build positive relationships with students, address behavioral concerns before they escalate, and support positive behavior practices. The Campus Supervisor will collaborate with staff to promote student engagement and a safe, inclusive school environment while working to reduce behavioral incidents and suspensions. Effectiveness will be	All Students; White and African American	31,386.00 Title IV 2000-2999: Classified Personnel Salaries 35,123.00 Special Education 2000-2999: Classified Personnel Salaries

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures
	monitored through suspension data, behavioral referrals, and staff/student feedback.		
2.3	Behavior Support: Revised Provide Behavior Support Specialists and/or Behavioral Instructional Aides to support teachers and instructional staff in implementing proactive behavioral and instructional strategies. Supports will help students access curriculum and instruction, increase engagement, minimize challenging behaviors, and promote a safe, positive, and supportive learning environment.	All students	369,836.00 Title I 2000-2999: Classified Personnel Salaries

Annual Review

SPSA Year Reviewed: 2025-26

Respond to the following prompts relative to this goal. If the school is in the first year of implementing the goal, an analysis is not required, and this section may be left blank and completed at the end of the year after the plan has been executed.

Analysis

Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.

During the 2025–26 school year, MCOE Special Education implemented strategies to promote a safe, positive, and supportive school environment, including proactive behavioral supports, behavior support personnel, and increased staff support for addressing student behavioral needs. These strategies provided teachers and instructional staff with additional support in implementing positive behavior strategies, addressing challenging behaviors, and promoting student engagement. The effectiveness of the strategies was monitored through suspension data, behavioral referrals, staff feedback, and student engagement. The 2025 California School Dashboard reported an overall suspension rate of 2.4%, with a Yellow performance level, while Students with Disabilities also had a 2.4% suspension rate and Yellow performance level. Continued attention to behavioral supports and staff capacity is needed to reduce suspensions and address identified disparities among student groups.

Describe any major differences between the intended implementation and/or the budgeted expenditures to implement the strategies/activities to meet the articulated goal.

There were no major differences between the intended implementation of the strategies/activities and the planned budgeted expenditures. Funds were used to support the identified behavioral and school climate strategies described in the SPSA.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

Based on the annual review, MCOE Special Education will continue the focus on creating a positive, safe, inclusive, and supportive school environment. Strategies will be strengthened to provide proactive behavioral support, staff training, and teacher support focused on positive behavior interventions, de-escalation, student engagement, and prevention of behaviors that interfere with learning. Suspension data and behavioral referrals will continue to be monitored, with particular attention to identified differences among student groups. Parent and staff survey feedback identifying behavioral support, teacher support, and staff training as priority areas will continue to inform the implementation of Goal 2.

Goals, Strategies, & Proposed Expenditures

Complete a copy of the following table for each of the school's goals. Duplicate the table as needed.

Goal 3

Title and Description of School Goal

Broad statement that describes the desired result to which all strategies/activities are directed.

LCAP Goal to which this School Goal is Aligned

LCAP goal to which this school goal is aligned.

Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that your school will use as a means of evaluating progress toward accomplishing the goal.

Metric/Indicator	Baseline/Actual Outcome	Expected Outcome
		.

Strategies/Activities

Complete the Strategy/Activity Table with each of your school's strategies/activities. Add additional rows as necessary.

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures

Annual Review

SPSA Year Reviewed: 2025-26

Respond to the following prompts relative to this goal. If the school is in the first year of implementing the goal, an analysis is not required, and this section may be left blank and completed at the end of the year after the plan has been executed.

Analysis

Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.

Describe any major differences between the intended implementation and/or the budgeted expenditures to implement the strategies/activities to meet the articulated goal.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

Goals, Strategies, & Proposed Expenditures

Complete a copy of the following table for each of the school's goals. Duplicate the table as needed.

Goal 4

Title and Description of School Goal

Broad statement that describes the desired result to which all strategies/activities are directed.

LCAP Goal to which this School Goal is Aligned

LCAP goal to which this school goal is aligned.

Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that your school will use as a means of evaluating progress toward accomplishing the goal.

Metric/Indicator	Baseline/Actual Outcome	Expected Outcome

Strategies/Activities

Complete the Strategy/Activity Table with each of your school's strategies/activities. Add additional rows as necessary.

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures

Annual Review

SPSA Year Reviewed: 2025-26

Respond to the following prompts relative to this goal. If the school is in the first year of implementing the goal, an analysis is not required, and this section may be left blank and completed at the end of the year after the plan has been executed.

Analysis

Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.

Describe any major differences between the intended implementation and/or the budgeted expenditures to implement the strategies/activities to meet the articulated goal.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

Goals, Strategies, & Proposed Expenditures

Complete a copy of the following table for each of the school's goals. Duplicate the table as needed.

Goal 5

Title and Description of School Goal

Broad statement that describes the desired result to which all strategies/activities are directed.

LCAP Goal to which this School Goal is Aligned

LCAP goal to which this school goal is aligned.

Identified Need

A description of any areas that need significant improvement based on a review of Dashboard and local data, including any areas of low performance and significant performance gaps among student groups on Dashboard indicators, and any steps taken to address those areas.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that your school will use as a means of evaluating progress toward accomplishing the goal.

Metric/Indicator	Baseline/Actual Outcome	Expected Outcome

Strategies/Activities

Complete the Strategy/Activity Table with each of your school's strategies/activities. Add additional rows as necessary.

Strategy/ Activity #	Description	Students to be Served	Proposed Expenditures

Annual Review

SPSA Year Reviewed: 2025-26

Respond to the following prompts relative to this goal. If the school is in the first year of implementing the goal, an analysis is not required, and this section may be left blank and completed at the end of the year after the plan has been executed.

Analysis

Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.

Describe any major differences between the intended implementation and/or the budgeted expenditures to implement the strategies/activities to meet the articulated goal.

Describe any changes that will be made to this goal, the annual outcomes, metrics, or strategies/activities to achieve this goal as a result of this analysis. Identify where those changes can be found in the SPSA.

Budget Summary

Complete the Budget Summary Table below. Schools may include additional information, and adjust the table as needed. The Budget Summary is required for schools funded through the Consolidated Application (ConApp).

Budget Summary

DESCRIPTION	AMOUNT
Total Funds Provided to the School Through the Consolidated Application	$423,890.00
Total Funds Budgeted for Strategies to Meet the Goals in the SPSA	$2,379,550.61
Total Federal Funds Provided to the School from the LEA for CSI	$1,154,035.00

Other Federal, State, and Local Funds

List the additional Federal programs that the school includes in the schoolwide program. Adjust the table as needed.

Note: If the school is not operating a Title I schoolwide program, this section is not applicable and may be deleted.

Federal Programs	Allocation ($)
Comprehensive Support and Improvement (CSI)	$1,832,786.00
Title I	$369,836.00
Title III	$54,054.00
Title IV	$31,386.00

Subtotal of additional federal funds included for this school: $2,288,062.00

List the State and local programs that the school is including in the schoolwide program. Duplicate the table as needed.

State or Local Programs	Allocation ($)
Special Education	$91,488.61

Subtotal of state or local funds included for this school: $91,488.61

Total of federal, state, and/or local funds for this school: $2,379,550.61

Budgeted Funds and Expenditures in this Plan

The tables below are provided to help the school track expenditures as they relate to funds budgeted to the school.

Funds Budgeted to the School by Funding Source

Funding Source	Amount	Balance

Expenditures by Funding Source

Funding Source	Amount
Comprehensive Support and Improvement (CSI)	1,832,786.00
Special Education	91,488.61
Title I	369,836.00
Title III	54,054.00
Title IV	31,386.00

Expenditures by Budget Reference

Budget Reference	Amount
1000-1999: Certificated Personnel Salaries	56,365.61
2000-2999: Classified Personnel Salaries	436,345.00
4000-4999: Books And Supplies	1,831,840.00
5800: Professional/Consulting Services And Operating Expenditures	55,000.00

Expenditures by Budget Reference and Funding Source

Budget Reference	Funding Source	Amount
4000-4999: Books And Supplies	Comprehensive Support and Improvement (CSI)	1,777,786.00
5800: Professional/Consulting Services And Operating Expenditures	Comprehensive Support and Improvement (CSI)	55,000.00
1000-1999: Certificated Personnel Salaries	Special Education	56,365.61
2000-2999: Classified Personnel Salaries	Special Education	35,123.00
2000-2999: Classified Personnel Salaries	Title I	369,836.00
4000-4999: Books And Supplies	Title III	54,054.00
2000-2999: Classified Personnel Salaries	Title IV	31,386.00

Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	1,943,205.61
Goal 2	436,345.00

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). The SSC shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

1 School Principal

3 Classroom Teachers

1 Other School Staff

5 Parent or Community Members

Name of Members	Role

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The School Site Council (SSC) recommends this school plan and proposed expenditures to the district governing board for approval and assures the board of the following:

The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.

The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the School Plan for Student Achievement (SPSA) requiring board approval.

The SSC sought and considered all recommendations from the following groups or committees before adopting this plan:

Signature	Committee or Advisory Group Name
	English Learner Advisory Committee

The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.

This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.

This SPSA was adopted by the SSC at a public meeting on October 8, 2026.

Attested:

	Principal, Maria Duran-Barajas on October 8, 2026
	SSC Chairperson, Kristin Butler on October 8, 2026

Instructions

The School Plan for Student Achievement (SPSA) is a strategic plan that maximizes the resources available to the school while minimizing duplication of effort with the ultimate goal of increasing student achievement. SPSA development should be aligned with and inform the Local Control and Accountability Plan (LCAP) process.

This SPSA template consolidates all school-level planning efforts into one plan for programs funded through the Consolidated Application (ConApp) pursuant to California *Education Code* (*EC*) Section 64001 and the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act (ESSA). This template is designed to meet schoolwide program planning requirements.

California's ESSA State Plan supports the state's approach to improving student group performance through the utilization of federal resources. Schools use the SPSA to document their approach to maximizing the impact of federal investments in support of underserved students. The implementation of ESSA in California presents an opportunity for schools to innovate with their federally-funded programs and align them with the priority goals of the school and the local educational agency (LEA) that are being realized under the state's Local Control Funding Formula (LCFF).

The LCFF provides schools and LEAs flexibility to design programs and provide services that meet the needs of students in order to achieve readiness for college, career, and lifelong learning. The SPSA planning process supports continuous cycles of action, reflection, and improvement. Consistent with *EC* 64001(g)(1), the Schoolsite Council (SSC) is required to develop and annually review the SPSA, establish an annual budget, and make modifications to the plan that reflect changing needs and priorities, as applicable.

For questions related to specific sections of the template, please see instructions below.

Instructions: Table of Contents

- Plan Description
- Educational Partner Involvement
- Comprehensive Needs Assessment
- Goals, Strategies/Activities, and Expenditures
- Annual Review
- Budget Summary
- Appendix A: Plan Requirements for Title I Schoolwide Programs
- Appendix B: Select State and Federal Programs

For additional questions or technical assistance related to LEA and school planning, please contact the CDE's Local Agency Systems Support Office, at LCFF@cde.ca.gov.
For programmatic or policy questions regarding Title I schoolwide planning, please contact the LEA, or the CDE's Title I Policy and Program Guidance Office at TITLEI@cde.ca.gov.

Plan Description

Briefly describe the school's plan to effectively meet the ESSA requirements in alignment with the LCAP and other federal, state, and local programs.

Additional CSI Planning Requirements:
Schools eligible for CSI must briefly describe the purpose of this plan by stating that this plan will be used to meet federal CSI planning requirements.

Additional ATSI Planning Requirements:
Schools eligible for ATSI must briefly describe the purpose of this plan by stating that this plan will be used to meet federal ATSI planning requirements.

Educational Partner Involvement

Meaningful involvement of parents, students, and other stakeholders is critical to the development of the SPSA and the budget process. Within California, these stakeholders are referred to as educational partners. Schools must share the SPSA with school site-level advisory groups, as applicable (e.g., English Learner Advisory committee, student advisory groups, tribes and tribal organizations present in the community, as appropriate, etc.) and seek input from these advisory groups in the development of the SPSA.

The Educational Partner Engagement process is an ongoing, annual process. Describe the process used to involve advisory committees, parents, students, school faculty and staff, and the community in the development of the SPSA and the annual review and update.

Additional CSI Planning Requirements:
When completing this section for CSI, the LEA must partner with the school and its educational partners in the development and implementation of this plan.

Additional ATSI Planning Requirements:
This section meets the requirements for ATSI.

Resource Inequities

This section is required for all schools eligible for ATSI and CSI.

Additional CSI Planning Requirements:

- Schools eligible for CSI must identify resource inequities, which may include a review of LEA- and school-level budgeting as a part of the required school-level needs assessment.
- Identified resource inequities must be addressed through implementation of the CSI plan.
- Briefly identify and describe any resource inequities identified as a result of the required school-level needs assessment and summarize how the identified resource inequities are addressed in the SPSA.

Additional ATSI Planning Requirements:

- Schools eligible for ATSI must identify resource inequities, which may include a review of LEA- and school-level budgeting as a part of the required school-level needs assessment.
- Identified resource inequities must be addressed through implementation of the ATSI plan.
- Briefly identify and describe any resource inequities identified as a result of the required school-level needs assessment and summarize how the identified resource inequities are addressed in the SPSA.

Comprehensive Needs Assessment

Referring to the California School Dashboard (Dashboard), identify: (a) any state indicator for which overall performance was in the "Red" or "Orange" performance category AND (b) any state indicator for which performance for any student group was two or more performance levels below the "all student" performance. In addition to Dashboard data, other needs may be identified using locally collected data developed by the LEA to measure pupil outcomes.

SWP Planning Requirements:
When completing this section for SWP, the school shall describe the steps it is planning to take to address these areas of low performance and performance gaps to improve student outcomes.

Completing this section fully addresses all SWP relevant federal planning requirements.

CSI Planning Requirements:
When completing this section for CSI, the LEA shall describe the steps the LEA will take to address the areas of low performance, low graduation rate, and/or performance gaps for the school to improve student outcomes.

Completing this section fully addresses all relevant federal planning requirements for CSI.

ATSI Planning Requirements:
Completing this section fully addresses all relevant federal planning requirements for ATSI.

Goals, Strategies/Activities, and Expenditures

In this section, a school provides a description of the annual goals to be achieved by the school. This section also includes descriptions of the specific planned strategies/activities a school will take to meet the identified goals, and a description of the expenditures required to implement the specific strategies and activities.

Additional CSI Planning Requirements:
When completing this section to meet federal planning requirements for CSI, improvement goals must also align with the goals, actions, and services in the LEA's LCAP.

Additional ATSI Planning Requirements:
When completing this section to meet federal planning requirements for ATSI, improvement goals must also align with the goals, actions, and services in the LEA's LCAP.

Goal

Well-developed goals will clearly communicate to educational partners what the school plans to accomplish, what the school plans to do in order to accomplish the goal, and how the school will know when it has accomplished the goal. A goal should be specific enough to be measurable in either quantitative or qualitative terms. Schools should assess the performance of their student groups when developing goals and the related strategies/activities to achieve such goals. SPSA goals should align to the goals and actions in the LEA's LCAP.

A goal is a broad statement that describes the desired result to which all strategies/activities are directed. A goal answers the question: What is the school seeking to achieve?

It can be helpful to use a framework for writing goals such the S.M.A.R.T. approach.
A S.M.A.R.T. goal is:

- **S**pecific,
- **M**easurable,
- **A**chievable,
- **R**ealistic, and
- **T**ime-bound.

A level of specificity is needed in order to measure performance relative to the goal as well as to assess whether it is reasonably achievable. Including time constraints, such as milestone dates, ensures a realistic approach that supports student success.
A school may number the goals using the "Goal #" for ease of reference.

Additional CSI Planning Requirements:
Completing this section as described above fully addresses all relevant federal CSI planning requirements.

Additional ATSI Planning Requirements:
Completing this section as described above fully addresses all relevant federal ATSI planning requirements.

Identified Need

Describe the basis for establishing the goal. The goal should be based upon an analysis of verifiable state data, including local and state indicator data from the Dashboard and data from the School Accountability Report Card, including local data voluntarily collected by districts to measure pupil achievement.

Additional CSI Planning Requirements:
Completing this section as described above fully addresses all relevant federal CSI planning requirements.

Additional ATSI Planning Requirements:
Completing this section as described above fully addresses all relevant federal ATSI planning requirements.

Annual Measurable Outcomes

Identify the metric(s) and/or state indicator(s) that the school will use as a means of evaluating progress toward accomplishing the goal. A school may identify metrics for specific student groups. Include in the

baseline column the most recent data associated with the metric or indicator available at the time of adoption of the SPSA. The most recent data associated with a metric or indicator includes data reported in the annual update of the SPSA. In the subsequent Expected Outcome column, identify the progress the school intends to make in the coming year.

Additional CSI Planning Requirements:
When completing this section for CSI, the school must include school-level metrics related to the metrics that led to the school's eligibility for CSI.

Additional ATSI Planning Requirements:
Completing this section as described above fully addresses all relevant federal ATSI planning requirements.

Strategies/Activities Table

Describe the strategies and activities being provided to meet the goal.
Complete the table as follows:

- Strategy/Activity #: Number the strategy/activity using the "Strategy/Activity #" for ease of reference.
- Description: Describe the strategy/activity.
- Students to be Served: Identify in the Strategy/Activity Table either All Students or one or more specific student groups that will benefit from the strategies and activities. ESSA Section 1111(c)(2) requires the schoolwide plan to identify either "All Students" or one or more specific student groups, including socioeconomically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and English learners.
- Proposed Expenditures: List the amount(s) for the proposed expenditures.
  Proposed expenditures that are included more than once in a SPSA should be indicated as a duplicated expenditure and include a reference to the goal and strategy/activity where the expenditure first appears in the SPSA. Pursuant to *EC* Section 64001(g)(3)(C), proposed expenditures, based on the projected resource allocation from the governing board or governing body of the LEA, to address the findings of the needs assessment consistent with the state priorities including identifying resource inequities which may include a review of the LEA's budgeting, its LCAP, and school-level budgeting, if applicable.
- Funding Sources: List the funding source(s) for the proposed expenditures. Specify the funding source(s) using one or more of the following: LCFF, Federal (if Federal, identify the Title and Part, as applicable), Other State, and/or Local.

Planned strategies/activities address the findings of the comprehensive needs assessment consistent with state priorities and resource inequities, which may have been identified through a review of the LEA's budgeting, its LCAP, and school-level budgeting, if applicable.

Additional CSI Planning Requirements:
- When completing this section for CSI, this plan must include evidence-based interventions and align to the goals, actions, and services in the LEA's LCAP.
- When completing this section for CSI, this plan must address through implementation, identified resource inequities, which may have been identified through a review of LEA- and school-level budgeting.

Note: Federal school improvement funds for CSI shall not be used in schools identified for TSI or ATSI. In addition, funds for CSI shall not be used to hire additional permanent staff.

Additional ATSI Planning Requirements:
- When completing this section for ATSI, this plan must include evidence-based interventions and align with the goals, actions, and services in the LEA's LCAP.

- When completing this section for ATSI, this plan must address through implementation, identified resource inequities, which may have been identified through a review of LEA- and school-level budgeting.
- When completing this section for ATSI, at a minimum, the student groups to be served shall include the student groups that are consistently underperforming, for which the school received the ATSI designation.

Note: Federal school improvement funds for CSI shall not be used in schools identified for ATSI. Schools eligible for ATSI do not receive funding but are required to include evidence-based interventions and align with the goals, actions, and services in the LEA's LCAP.

Annual Review

In the following Goal Analysis prompts, identify any material differences between what was planned and what actually occurred as well as significant changes in strategies/activities and/or expenditures from the prior year. This annual review and analysis should be the basis for decision-making and updates to the plan.

Goal Analysis

Using actual outcome data, including state indicator data from the Dashboard, analyze whether the planned strategies/activities were effective in achieving the goal. Respond to the prompts as instructed. Respond to the following prompts relative to this goal.

- Describe the overall implementation and effectiveness of the strategies/activities to achieve the articulated goal.
- Briefly describe any major differences between the intended implementation and/or material difference between the budgeted expenditures to implement the strategies/activities to meet the articulated goal.
- Describe any changes that will be made to the goal, expected annual measurable outcomes, metrics/indicators, or strategies/activities to achieve this goal as a result of this analysis and analysis of the data provided in the Dashboard, as applicable. Identify where those changes can be found in the SPSA.

Note: *If the school is in the first year of implementing the goal, the Annual Review section is not required and this section may be left blank and completed at the end of the year after the plan has been executed.*

Additional CSI Planning Requirements:

- When completing this section for CSI, any changes made to the goals, annual measurable outcomes, metrics/indicators, or strategies/activities, shall meet the federal CSI planning requirements.
- CSI planning requirements are listed under each section of the Instructions. For example, as a result of the Annual Review and Update, if changes are made to a goal(s), see the Goal section for CSI planning requirements.

Additional ATSI Planning Requirements:

- When completing this section for ATSI, any changes made to the goals, annual measurable outcomes, metrics/indicators, or strategies/activities, shall meet the federal ATSI planning requirements.
- ATSI planning requirements are listed under each section of the Instructions. For example, as a result of the Annual Review and Update, if changes are made to a goal(s), see the Goal section for ATSI planning requirements.

Budget Summary

In this section, a school provides a brief summary of the funding allocated to the school through the ConApp and/or other funding sources as well as the total amount of funds for proposed expenditures described in the SPSA. The Budget Summary is required for schools funded through the ConApp.

Note: *If the school is not operating a Title I schoolwide program, this section is not applicable and may be deleted.*

Additional CSI Planning Requirements:

- From its total allocation for CSI, the LEA may distribute funds across its schools that are eligible for CSI to support implementation of this plan. In addition, the LEA may retain a portion of its total allocation to support LEA-level expenditures that are directly related to serving schools eligible for CSI.

Note: *CSI funds may not be expended at or on behalf of schools not eligible for CSI.*

Additional ATSI Planning Requirements:
Note: *Federal funds for CSI shall not be used in schools eligible for ATSI.*

Budget Summary Table

A school receiving funds allocated through the ConApp should complete the Budget Summary Table as follows:

- **Total Funds Provided to the School Through the ConApp:** This amount is the total amount of funding provided to the school through the ConApp for the school year. The school year means the fiscal year for which a SPSA is adopted or updated.
- **Total Funds Budgeted for Strategies to Meet the Goals in the SPSA:** This amount is the total of the proposed expenditures from all sources of funds associated with the strategies/activities reflected in the SPSA. To the extent strategies/activities and/or proposed expenditures are listed in the SPSA under more than one goal, the expenditures should be counted only once.

A school receiving funds from its LEA for CSI should complete the Budget Summary Table as follows:

- **Total Federal Funds Provided to the School from the LEA for CSI:** This amount is the total amount of funding provided to the school from the LEA for the purpose of developing and implementing the CSI plan for the school year set forth in the CSI LEA Application for which funds were received.

Appendix A: Plan Requirements

Schoolwide Program Requirements

This School Plan for Student Achievement (SPSA) template meets the requirements of a schoolwide program plan. The requirements below are for planning reference.
A school that operates a schoolwide program and receives funds allocated through the ConApp is required to develop a SPSA. The SPSA, including proposed expenditures of funds allocated to the school through the ConApp, must be reviewed annually and updated by the Schoolsite Council (SSC). The content of a SPSA must be aligned with school goals for improving student achievement.

Requirements for Development of the Plan

I. The development of the SPSA shall include both of the following actions:
   A. Administration of a comprehensive needs assessment that forms the basis of the school's goals contained in the SPSA.
      1. The comprehensive needs assessment of the entire school shall:
         a. Include an analysis of verifiable state data, consistent with all state priorities as noted in Sections 52060 and 52066, and informed by all indicators described in Section 1111(c)(4)(B) of the federal Every Student Succeeds Act, including pupil performance against state-determined long-term goals. The school may include data voluntarily developed by districts to measure pupil outcomes (described in the Identified Need).
         b. Be based on academic achievement information about all students in the school, including all groups under §200.13(b)(7) and migratory children as defined in section 1309(2) of the ESEA, relative to the State's academic standards under §200.1 to:
            i. Help the school understand the subjects and skills for which teaching and learning need to be improved.
            ii. Identify the specific academic needs of students and groups of students who are not yet achieving the State's academic standards.
            iii. Assess the needs of the school relative to each of the components of the schoolwide program under §200.28.
            iv. Develop the comprehensive needs assessment with the participation of individuals who will carry out the schoolwide program plan.
            v. Document how it conducted the needs assessment, the results it obtained, and the conclusions it drew from those results.
   B. Identification of the process for evaluating and monitoring the implementation of the SPSA and progress towards accomplishing the goals set forth in the SPSA (described in the Expected Annual Measurable Outcomes and Annual Review and Update).

Requirements for the Plan

II. The SPSA shall include the following:
   A. Goals set to improve pupil outcomes, including addressing the needs of student groups as identified through the needs assessment.
   B. Evidence-based strategies, actions, or services (described in Strategies and Activities)

1. A description of the strategies that the school will be implementing to address school needs, including a description of how such strategies will:
    a. Provide opportunities for all children including each of the subgroups of students to meet the challenging state academic standards
    b. Use methods and instructional strategies that:
        i. Strengthen the academic program in the school,
        ii. Increase the amount and quality of learning time, and
        iii. Provide an enriched and accelerated curriculum, which may include programs, activities, and courses necessary to provide a well-rounded education.
    c. Address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, so that all students demonstrate at least proficiency on the State's academic standards through activities which may include:
        i. Strategies to improve students' skills outside the academic subject areas;
        ii. Preparation for and awareness of opportunities for postsecondary education and the workforce;
        iii. Implementation of a schoolwide tiered model to prevent and address problem behavior;
        iv. Professional development and other activities for teachers, paraprofessionals, and other school personnel to improve instruction and use of data; and
        v. Strategies for assisting preschool children in the transition from early childhood education programs to local elementary school programs.

C. Proposed expenditures, based on the projected resource allocation from the governing board or body of the LEA (may include funds allocated via the ConApp, federal funds, and any other state or local funds allocated to the school), to address the findings of the needs assessment consistent with the state priorities, including identifying resource inequities, which may include a review of the LEAs budgeting, it's LCAP, and school-level budgeting, if applicable (described in Proposed Expenditures and Budget Summary). Employees of the schoolwide program may be deemed funded by a single cost objective.

D. A description of how the school will determine if school needs have been met (described in the Expected Annual Measurable Outcomes and the Annual Review and Update).
    1. Annually evaluate the implementation of, and results achieved by, the schoolwide program, using data from the State's annual assessments and other indicators of academic achievement;
    2. Determine whether the schoolwide program has been effective in increasing the achievement of students in meeting the State's academic standards, particularly for those students who had been furthest from achieving the standards; and
    3. Revise the plan, as necessary, based on the results of the evaluation, to ensure continuous improvement of students in the schoolwide program.

E. A description of how the school will ensure parental involvement in the planning, review, and improvement of the schoolwide program plan (described in Educational Partner Involvement and/or Strategies/Activities).
F. A description of the activities the school will include to ensure that students who experience difficulty attaining proficient or advanced levels of academic achievement standards will be provided with effective, timely additional support, including measures to:
    1. Ensure that those students' difficulties are identified on a timely basis; and
    2. Provide sufficient information on which to base effective assistance to those students.
G. For an elementary school, a description of how the school will assist preschool students in the successful transition from early childhood programs to the school.
H. A description of how the school will use resources to carry out these components (described in the Proposed Expenditures for Strategies/Activities).
I. A description of any other activities and objectives as established by the SSC (described in the Strategies/Activities).

Authority Cited: Title 34 of the *Code of Federal Regulations* (34 *CFR*), sections 200.25-26, and 200.29, and sections-1114(b)(7)(A)(i)-(iii) and 1118(b) of the ESEA. *EC* sections 64001 et. seq.

Appendix B: Plan Requirements for School to CSI/ATSI Planning Requirements

For questions or technical assistance related to meeting federal school improvement planning requirements, please contact the CDE's School Improvement and Support Office at SISO@cde.ca.gov.

Comprehensive Support and Improvement

The LEA shall partner with educational partners (including principals and other school leaders, teachers, and parents) to locally develop and implement the CSI plan for the school to improve student outcomes, and specifically address the metrics that led to eligibility for CSI (Educational Partner Involvement).

The CSI plan shall:

1. Be informed by all state indicators, including student performance against state-determined long-term goals (S*ections: Goal, Identified Need, Expected Annual Measurable Outcomes, Annual Review and Update, as applicable*);

2. Include evidence-based interventions (*Sections: Strategies/Activities, Annual Review and Update, as applicable*) (For resources related to evidence-based interventions, see the U.S. Department of Education's "Using Evidence to Strengthen Education Investments" at https://www2.ed.gov/fund/grant/about/discretionary/2023-non-regulatory-guidance-evidence.pdf);

   Non-Regulatory Guidance: Using Evidence to Strengthen Education Investments

3. Be based on a school-level needs assessment (Se*ctions: Goal, Identified Need, Expected Annual Measurable Outcomes, Annual Review and Update, as applicable*); and

4. Identify resource inequities, which may include a review of LEA- and school-level budgeting, to be addressed through implementation of the CSI plan (S*ections: Goal, Identified Need, Expected Annual Measurable Outcomes, Planned Strategies/Activities; and Annual Review and Update, as applicable*).

Authority Cited: Sections 1003(e)(1)(A), 1003(i), 1111(c)(4)(B), and 1111(d)(1) of the ESSA.

Single School Districts and Charter Schools Eligible for ESSA School Improvement

Single school districts (SSDs) or charter schools that are eligible for CSI, TSI, or ATSI, shall develop a SPSA that addresses the applicable requirements above as a condition of receiving funds (*EC* Section 64001[a] as amended by Assembly Bill 716, effective January 1, 2019).

However, a SSD or a charter school may streamline the process by combining state and federal requirements into one document which may include the LCAP and all federal planning requirements, provided that the combined plan is able to demonstrate that the legal requirements for each of the plans is met (*EC* Section 52062[a] as amended by AB 716, effective January 1, 2019).

Planning requirements for single school districts and charter schools choosing to exercise this option are available in the LCAP Instructions.

Authority Cited: *EC* sections 52062(a) and 64001(a), both as amended by AB 716, effective January 1, 2019.

CSI Resources

For additional CSI resources, please see the following links:

- **CSI Planning Requirements** (see Planning Requirements tab): https://www.cde.ca.gov/sp/sw/t1/csi.asp
- **CSI Webinars**: https://www.cde.ca.gov/sp/sw/t1/csiwebinars.asp
- **CSI Planning Summary for Charters and Single-school Districts**: https://www.cde.ca.gov/sp/sw/t1/csiplansummary.asp

Additional Targeted Support and Improvement

A school eligible for ATSI shall:

1. Identify resource inequities, which may include a review of LEA- and school-level budgeting, which will be addressed through implementation of its TSI plan (*Sections: Goal, Identified Need, Expected Annual Measurable Outcomes, Planned Strategies/Activities, and Annual Review and Update, as applicable*).

Authority Cited: Sections 1003(e)(1)(B), 1003(i), 1111(c)(4)(B), and 1111(d)(2)(c) of the ESSA.

Single School Districts and Charter Schools Eligible for ESSA School Improvement

Single school districts (SSDs) or charter schools that are eligible for CSI, TSI, or ATSI, shall develop a SPSA that addresses the applicable requirements above as a condition of receiving funds (*EC* Section 64001[a] as amended by Assembly Bill [AB] 716, effective January 1, 2019).

However, a SSD or a charter school may streamline the process by combining state and federal requirements into one document which may include the local control and accountability plan (LCAP) and all federal planning requirements, provided that the combined plan is able to demonstrate that the legal requirements for each of the plans is met (*EC* Section 52062[a] as amended by AB 716, effective January 1, 2019).

Planning requirements for single school districts and charter schools choosing to exercise this option are available in the LCAP Instructions.

Authority Cited: *EC* sections 52062(a) and 64001(a), both as amended by AB 716, effective January 1, 2019.

ATSI Resources:

For additional ATSI resources, please see the following CDE links:

- ATSI Planning Requirements (see Planning Requirements tab): https://www.cde.ca.gov/sp/sw/t1/tsi.asp
- ATSI Planning and Support Webinar: https://www.cde.ca.gov/sp/sw/t1/documents/atsiplanningwebinar22.pdf
- ATSI Planning Summary for Charters and Single-school Districts: https://www.cde.ca.gov/sp/sw/t1/atsiplansummary.asp

Appendix C: Select State and Federal Programs

For a list of active programs, please see the following links:

- Programs included on the ConApp: https://www.cde.ca.gov/fg/aa/co/
- ESSA Title I, Part A: School Improvement: https://www.cde.ca.gov/sp/sw/t1/schoolsupport.asp
- Available Funding: https://www.cde.ca.gov/fg/fo/af/

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