



BOARD OF EDUCATION REGULAR MEETING

March 13, 2008

5:30 p.m. – Public Session

Public Comment to Precede Action Sessions

Closed Session to Commence following Action Sessions

***Location: Colton JUSD Student Services Center
Board Room
851 South Mt. Vernon Avenue
Colton, California***

AGENDA

I. CALL TO ORDER

Roll Call

- Mr. Robert D. Armenta, Jr. (President) _____
- Mrs. Marge Mendoza-Ware (Vice President) _____
- Mr. Mel Albiso (Clerk) _____
- Mr. Mark Hoover _____
- Mr. Frank A. Ibarra _____
- Mr. Kent Taylor _____
- Mr. David R. Zamora _____

- Mr. James A. Downs _____
- Mr. Casey Cridelich _____
- Mr. Jerry Almendarez _____
- Mrs. Yolanda Cabrera _____
- Mr. Rick Dischinger _____
- Mrs. Bertha Arreguin _____
- Dr. Diane D'Agostino _____
- Mrs. Mollie Gainey-Stanley _____
- Mrs. Alice Grundman _____
- Mr. Roger Kowalski _____
- Mrs. Ingrid Munsterman _____
- Mrs. Julia Nichols _____
- Ms. Sosan Schaller _____
- Dr. Patrick Traynor _____
- Ms. Katie Orloff _____
- Mrs. Chris Estrada _____
- Mr. Michael Townsend _____

II. PUBLIC SESSION 5:30 p.m. Renewal of the Pledge of Allegiance

Presentation of Colors: Bloomington High School Naval Jr. ROTC and Color Guard

Announcement Regarding Public Comment for Closed Session, Agendized Action Items and Non-Agendized Items (Gov. Code 54954.3[a])

The Board President clarifies the process regarding public comment and requests that the appropriate "Public Comment Card" be filled out *completely*. At the appropriate time during the Hearing Session, each speaker will be invited to the podium and should begin by stating his or her name and residing city. *No more than three minutes will be allotted to any speaker and no more than fifteen minutes per subject unless authorized by the Board President* (BP 1245).

Blue card—Specific Closed Session, Agendized Consent, Action or Study and Information Item: Please list the specific agenda item number and subject

White card—Non-Agendized Items: Please list topic / subject

III. HEARING SESSION / PUBLIC SESSION

1. Student Reports – Bloomington High School
2. Employee Recognition Program (February)
3. Public Comment: Specific Closed Session Items
(blue card; list agenda item # and subject)
4. Public Comment: Specific Agendized Consent & Action Items
(blue card; list agenda item # and subject)
5. Public Comment: Non-Agendized Items or Other Subjects
(white card; list topic)

IV ACTION SESSION

A. Consent Items

The following Consent Items are expected to be routine and non-controversial. They will be acted upon by the Board of Education at one time unless a Board Member, a staff member, or a member of the public requests that an item be held for discussion or deferred for separate action.

On motion of Board Member _____ and _____, the Board approved Consent Items #A-1 through #A-6.

1. Approval of Minutes (February 21, 2008)
2. Approval of Student Field Trips
3. Approval of Consultants for Assembly Presentations
4. Approval of Consultants for Staff Development
5. Acceptance of Gifts

6. Approval of an Unpaid Leave of Absence for Classified Employee (EIN 7826)

B. Deferred Item(s)

C. Action Items

7. Approval of Personnel Employment
8. Approval of Revised Child Development Instructional Assistant Salary Schedule to Reflect New State Minimum Wage (Retroactive to January 2008)
9. Approval of Conference Attendance
10. Approval of Tentative Agreement on the Collective Bargaining Agreement Between the Association of Colton Educators (ACE) and the Colton JUSD (2007-08)
11. Approval of Purchase Orders
12. Approval of Disbursements
13. Approval of the 2007-08 Second Interim Financial Report
14. Ratification of Consultant Agreement with Jacqueline Solorzano to Provide Auditory Verbal Therapy Services to a Crestmore Elementary Special Education Student (2007-08)
15. Ratification of Change Orders Approved by the Staff since the Board Meeting on February 21, 2008, for the Colton High School Modernization Project Per Board Resolution 07-14
16. Ratification of Change Orders Approved by the Staff since the Board Meeting on February 21, 2008, for Bid No. 07-09: Asbestos Abatement Project at BHS, Zimmerman, ESC, CHS and Washington Per Board Resolution 07-14
17. Approval of Contract with All American Private Security, LLC, for Security Services at Bloomington and Colton High Schools (2007-08)
18. Amendment by Substitution of Administrative Regulations
 - AR 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)*
 - AR 6159 Individualized Education Plan*

V. STUDY, INFORMATION & REVIEW SESSION

1. Personnel -- Resignations
2. FMLA Leave for Certificated Employee (EIN 5848)
3. Proposed Amendment of Board Policies and Administrative Regulations
 - BP 0430 Comprehensive Local Plan for Special Education*
 - BP 3541.2 Transportation for Students with Disabilities (New)*

4. Discussion: Concerns Shared at Board Meeting on February 7, 2008:
San Bernardino County Schools Employment Practices
5. Superintendent's Communiqué
6. ACE Representative
7. CSEA Representative
8. MAC Representative
9. ROP Board Members
10. Correspondence

VI. CLOSED SESSION Following action items: Board Room, Student Services Center, 851 So. Mt. Vernon Ave., Colton, California (Government Code 54950 et seq.)

1. **Student Discipline**
2. **Confidential Student Matters**
3. **Personnel**
 - ◆ Public Employee: Discipline / Dismissal / Release / Reassignment (Gov. Code 54957)
4. **Conference with Legal Counsel—Anticipated Litigation**
Initiation of litigation pursuant to Government Code Section 54956.9(c).
Potential Cases: One
5. **Conference with Real Property Negotiator** (Gov. Code 54956.8)
Property: APNs 1167-151-35, 36, 38 & 39 and 1167-221-01 & 02; 1167-151-45
District Negotiators: James Downs, Casey Cridelich, Alice Grundman,
Counsel, Best, Best & Krieger
Under Negotiation: Property Negotiations and Review Status of Relocation Entitlement
Claims
6. **Conference with Labor Negotiator**
Agency: Jerry Almendarez Assistant Superintendent, Human Resources
Ingrid Munsterman, Director, Human Resources
Employee Organizations: Association of Colton Educators (ACE)
California School Employees' Assoc. (CSEA)
Management Association of Colton (MAC)

VII. PUBLIC SESSION – ACTION REPORTED FROM CLOSED SESSION

VIII. ADJOURNMENT

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: James A. Downs, Superintendent

SUBJECT:: **Approval of Minutes (February 21, 2008)**

GOAL(s): Student Performance, Personnel Development, Facilities/Support Services, Budget Planning, School Safety & Attendance, Community Relations, & Parent Involvement

RECOMMENDATION: That the Board approve the minutes of the Board of Education meeting held on February 21, 2008, as presented:

A-1

BOARD OF EDUCATION
Minutes

DRAFT

Regular Meeting
February 21, 2008
5:30 p.m.

The Board of Education of the Colton Joint Unified School District met in Regular Session on Thursday, February 21, 2008, 5:30 p.m. in the Board Room at the CJUSD Student Services Center, 851 So. Mt. Vernon Avenue, Colton, California.

Trustees Present

Mr. Robert D. Armenta, Jr. President
Mrs. Marge Mendoza-Ware Vice President
Mr. Mark Hoover
Mr. Frank A. Ibarra
Mr. Kent Taylor
Mr. David R. Zamora

Trustee Absent

Mr. Mel Albiso Clerk (Excused)

Staff Members Present

Mr. James A. Downs Mr. Roger Kowalski
Mr. Casey Cridelich Mrs. Ingrid Munsterman
Mr. Jerry Almendarez Mrs. Julia Nichols
Mrs. Yolanda Cabrera Ms. Sosan Schaller
Mr. Rick Dischinger Dr. Patrick Traynor
Mrs. Bertha Arreguín Ms. Katie Orloff
Dr. Diane D'Agostino Mrs. Chris Estrada
Mrs. Mollie Gainey-Stanley Mr. Michael Townsend
Mrs. Alice Grundman

Call to Order: Board President Armenta called the meeting to order at 5:30 p.m. Elementary Assistant Principal Ernesto Calles led in the Renewal of the Pledge of Allegiance to the Flag of the United States of America.

Hearing Session

1. Colton High School student representatives Samantha Beltran and Sara Ordaz, ASB President and Vice President respectively, reported on school and club events: the Renaissance academic assembly, winter hello walk and spirit-week competitions, a pep rally, class-ring ceremony, motivational assembly, and Black History month activities. Upcoming events: spring spirit-week activities, *Seuss-ical the Musical*, the spring academic assembly, talent show, and a college career fair.
2. Title III Action Plan (Agenda Item C-22): Assistant Superintendent Yolanda Cabrera introduced Director Bertha Arreguín who provided a powerpoint overview of the *draft* to be submitted to the California Department of Education as outlined by the *No Child Left Behind* (NCLB) Act of 2001. Information reviewed: requirements, inquiry process, key focus areas—access to appropriate English Language development instruction and reading Language Arts instruction, data systems and support to improve instruction. Discussion included the need for a consistent delivery of universal access that equates to differentiated instruction for all k-12 students. In addition to *The Read 180* (direct instruction and diagnostic tests) and the *Revolution Prep* (computer based) programs available to students, i.e., seniors and EL students that need to pass the CAHSEE, staff will research ways to utilize appropriate funds for afterschool assistance in preparation for the March and May tests. It was suggested that staff be compensated to prepare students for these tests, specifically, the written portion of the test. Board member Taylor requested information regarding the number of seniors and juniors who still need to pass the CAHSEE.
3. Public Input—Closed Session Items: None

4. Public Input: Non-Agendized Items

- a) Human Resources Director Ingrid Munsterman introduced the “angels” aka Bloomington High School Kayos Kidz, a group of young people from different schools in the local area that have organized to positively work on school and/or youth-related issues. They organize fundraising events and “give back” to the community with volunteer work or financial support. The group has grown in numbers over the past year and the students have been developing leadership skills while taking on worthwhile projects. Kayos Kidz President Melody Moorer and Core Club President Mary Margaret Moore shared their numerous accomplishments during the 2007 year including the selection of Lelanie Bautista from Bloomington High School for the “Teacher of the Year” award. Board members thanked the students for their community involvement and applauded their humanitarian efforts.
- b) Kim Bathgate, Bloomington High School parent and Budget Committee member, asked that the Bloomington Board representatives attend Board meetings on a regular basis.
- c) Pat Haro, Bloomington parent, invited Board members and the Administration to attend the District Science Fair on Saturday February 23, 2008, at Bloomington Middle School. The award ceremony will begin at 5:00 p.m. Board member Taylor commended Mrs. Haro for her commitment to students and stated that he would donate \$500 for a \$1,000 savings bond as he has done in the past.
- d) Family of McKinley School Special Education Student Arthur Vega: Grandmother Ruby Redman and sister Ilene Mendez shared concerns relative to bullying issues that have occurred over a period of years. Student Arthur Vega student shared his experiences. At this time, Board members asked Superintendent Downs to assign staff to meet with the family (now). Information regarding resolution will be shared with the Board.
- e) Raul Wilson, State organizer of the Mexican Political Association (MPA) and an advocate for Special Education students, voiced his opinion and concerns regarding the lack of adequate services provided to students.
- f) *Margarita Bonilla, mother of a ROHMS student with learning disabilities, expressed her concern that her written request was submitted in February, 2007 and her son has yet to receive adequate assistance. Board President Armenta stressed the importance of providing a safe learning environment for all students and asked Superintendent Downs to assign staff to meet with the family now in order to determine resolution.
(*Interpreter provided)
- g) Debra Yocum, mother and advisor to the Kayos Kidz, shared additional information and spoke about the group’s strict membership guidelines, the FFA fund, and the Santa ‘s Helpers program (involve more schools).
- h) Lynda Gonzalez, Bloomington resident and a member of the Municipal Advisory Council, voiced concerns regarding Board member absences at Board meetings. She stressed the importance of representing the community that elects their representatives and hopes that attendance improves.
- i) Gil Navarro, Education Advocate for the California Parents Association, shared concerns relative to the District’s process of identifying and servicing special education students and specifically mentioned the staff at Terrace View and McKinley Elementary Schools. He stated that special education 504 guidelines need to be overhauled.
- j) Angela Keierleber, Elementary GATE teacher, shared concerns regarding proposed budget reductions that may impact the program and staff.
- k) Susan Hill, Smith School parent, shared her concerns regarding Board member absences.

- l) Andrea Galicia, CHS senior, stated that students should receive adequate assistance as needed.
- m) Sharon Peralta, parent of a student at Terrace Hills Middle School, shared her's and her son's experiences in seeking special education services.

Following discussion and by Board consensus, the Superintendent and staff will develop an effective system to resolve issues brought forth by parents at meetings and determine the best way to provide updates to the Board.

5. Public Input: Specific Agendized Items

ACE President Ken Johnson: Agenda item A-4: Consultants: Shared his opinion that "greater results should be evident" given the fact that Action Learning Systems has provided services over the past three years and hopes that action would be taken to review their effectiveness.

Relative to the concerns and information shared by individuals regarding the lack of special education services, he voiced his opinion regarding a potential conflict of interest when an elected San Bernardino County Board member and as an education advocate recruits parents and utilizes this forum to showcase his own agenda. He questioned the motivation behind this action when there are laws regarding 504 and due process guidelines. Ken Johnson acknowledged that the ACE and the District continually work together to make the best decisions for students.

The Board recessed at 7:03 p.m. and reconvened at 7:12.

Consent Items (A-1 thru A-11)	#81	It was moved by Mrs. Mendoza-Ware and seconded by Mr. Ibarra to approve Consent Items A-1 through A-11 as presented.
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Prior to action taken, discussion ensued relative to agenda item *A-4 Consultants*, and the possibility of utilizing High Priority School Grant funds to compensate staff to provide math and English Language assistance to students. Assistant Superintendent Yolanda Cabrera reviewed the process sites utilized to develop their individual plan by assessing their needs and addressing their barriers. Board Member Ibarra inquired about the amount of observation time utilized by staff, the effectiveness of the instructional delivery system, and the feasibility of incorporating "hands-on instruction" for special education students. Board member Taylor stated that District curriculum support staff should be involved with the instructional delivery system and suggested that District Coordinators and Directors spend time in math and English classes four times a year to assist with program improvement.

Following discussion and on a vote of 6-0 (Albiso absent), the motion carried.

Minutes of Meetings • Special Budget Workshop (2-4-08) • Regular Meeting (2-7-08)	#81.1	The Board approved the Minutes of meetings held, as presented. • Special Budget Workshop (2-4-08) • Regular Meeting (2-7-08)
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Field Trips

#81.2

The Board approved the field trips as listed and authorized the expenditure of funds:

ASB = Associated Student Body
SBCP = School-Based Coordinated Program

BHS (3/5-7/08, W,Th,F): Overnight trip to Cal Poly, San Luis Obispo; *26 Hours at Cal Poly*; agricultural science and technology program, workshops, financial document assistance, and social activities; 7 students (9-12), 1 certificated staff member, 1 other adult; Total = \$740 (\$490 Ag incentive funds, \$250 School & Library Instructional Materials [SLI] funds).

CHS (3-21-08, F): Aquarium of the Pacific, Long Beach; Displays from the world's oceans, hands-on tide pools, and occupations in the field of marine biology; 55 students (9-12), 2 certificated staff members, 2 other adults; \$1,833.10; SBCP funds.

Lewis (3-21-08, F): Riley's Farm in Oak Glen; *Riley's American Heritage Farms*; historical/cultural significant works of literature; 70 5th grade students, 2 certificated staff members, 4 other adults; \$1,512; SBCP funds.

CHS (4/2-5/08, W,Th,F,S): Overnight trip to Calvary Chapel Christian School, Las Vegas; *Easter baseball tournament*; 20 students (9-12), 2 certificated staff members, 4 other adults; Total = \$2,520 (\$1920 fundraising, \$600 discretionary funds).

Crestmore (4/7-11/08, M,T,W,Th,F): Overnight trip to *Mountain Chai in Angelus Oaks; *Outdoor Science School*; experiences aligned with the Science Content Standards; study plants, animals, ecology, geology, and other natural California resources; 100 6th grade students, 4 certificated staff members, 5 other adults; \$450; ASB funds; (*formerly Alpine Meadows)

BHS (4/10-13/08, Th,F,S): Overnight trip to the Fresno Convention Center; *SkillsUSA California State Leadership Conference and Competition*; state-level chapter-business procedures, job skills demonstrations, food & beverage service contests; 7 students (11-12), 2 certificated staff members, 2 other adults; Total = \$4,046.80 (\$1,358 ASB funds, \$2,688.40 Voc. Ed. funds).

Lewis (4-18-08, F): Riley's Farm in Oak Glen; *Riley's American Heritage Farms*; historical/cultural significant works of literature; 70 5th grade students, 2 certificated staff members, 4 other adults; \$1,512; SBCP funds.

Wilson (4-14-08, M): San Bernardino California Theatre of Performing Arts; *Alice in Wonderland* stage performance; 600 K-6 students, all certificated staff members, 60 other adults; \$7,324; Art, Music, and Physical Education grant funds.

BHS (4/18-22/08, F,S,S,M,T): Overnight trip to Fresno Convention Center; *2008 FFA State Leadership Conference & Competition*; agricultural projects, leadership meetings, workshops; 20 students (9-12), 2 certificated staff members, 4 other adults; Total = \$6,200; (\$800 Ag. Incentive funds, \$4,900 School and Library Instructional Materials [SLI] funds).

Lewis (5/19-20/08, M,T): Overnight trip to the *SeaWorld Adventure Camp*; behind-the-scenes educational experiences with veterinarians, zoologists, animal trainers, and educators; aligned with State Science Standards (Life Sciences); 68 6th grade students, 3 certificated staff members, 3 other adults; Total = \$12,884 (\$11,060 donations/PTA/ASB funds, \$1,824 discretionary funds).

Lewis (6/5-6/08, M,T): Overnight trip to the *SeaWorld Adventure Camp*; behind-the-scenes educational experiences with veterinarians, zoologists, animal trainers, and educators; aligned with State Science Standards (Life Sciences); 68 6th grade students, 3 certificated staff members, 8 other adults; Total = \$11,699 (\$9,875 donations/PTA/ASB funds, \$1,824 discretionary funds).

Reche Canyon (6/11-13/08, W,Th,F): Overnight trip to the Thousand Pines Outdoor School, Crestline; curriculum-based scientific nature, wildlife experiences, hands-on education in local flora and fauna, geology, habitats, and ecosystems; 50 6th grade students, 3 certificated staff members, 3 other adults; \$7,100; ASB funds.

Consultants
• Assemblies & Programs

#81.3

The Board approved the assemblies and programs to be presented at District schools as listed and authorized the expenditure of funds:

ASB = Associated Student Body
SBCP = School-Based Coordinated Program

Lincoln (2-21 & 3-18-08): Colton Police Department; *Personal & School Safety*; 2nd grade students will learn personal and school safety through Officer Buckle and apply the instruction to language arts and social studies curriculum; no cost.

Crestmore (3-25-08): San Bernardino County Museum; *Museum On the Road: Journey into Serrano Culture*; introduction to traditional Serrano culture & tools used by the Serrano people; \$436.62; ASB funds.

D'Arcy (5/1/08): Morris Brothers Between Your Ears Entertainment, West Hollywood; *State Testing Pep Rally Assembly*; test-taking tips for *prior to* and *during* the test, lowering stress; \$395, donations.

Crestmore (5-28-08): The Imagination Machine in Orange County; *The Imagination Machine: The Writing Show*; Three 1-hr performances of actors performing the students' original stories; \$1,235; SBCP funds.

Consultants
• Staff Development

#81.4

The Board approved the consultants to present at the District schools listed and authorized the expenditure of funds:

ELL = English Language Learner
SBCP = School-Based Coordinated Program

District-wide, Secondary PE Teachers (3-14-08): Christy Lane Enterprises, Palm Springs; *Dare to Dance*; aligned with new Physical Education Standards; \$1,000; Arts, Music, and Physical Education grant; Location: ROHMS

San Salvador (3-14-08): Mehdi Sabounchi, Sabounchi Safety Services, Tustin; *Adult, Child, and Infant CPR/First Aid*; training and certification to meet Community Care Licensing requirements; Total = \$1,900 (\$450 Children's Center staff development funds, \$400 Head Start funds, \$1,050 State Preschool funds)

Smith (3-29-08): SPARK, (Sports, Play, and Active Recreation for Kids!) certified trainers, San Diego: *Physical Education Standards Training*; 18 K-2 and 18 3-6 teachers will receive protocols, strategies, guide book, curriculum, and instructional materials to align to the current State physical education standards; Total = \$16,805.77; (training \$4,998; materials \$5,965.21; equip. \$5,442.56; transp. \$400); Arts, Music, and Physical Education grant).

Crestmore, Gr.Terrace, Jurupa Vista (3/28 & 31; 4/21-22-23-24; 6/9-10-11-12/08): Kathy Gomez and Lupe Lastra-Short Project GLAD Certified Key Trainers, Irvine: *Project GLAD Training and Demo Lesson*; training, demonstrations and strategies that promote English language acquisition, academic achievement, and cross-cultural skills; (Grades K-6, March; Grades K-1, April; Grades 2-3, June); Total = \$18,000 paid from SBCP funds: \$4,600 Crestmore, \$11,600 Grand Terrace, \$1,800 Jurupa Vista; \$9,000 per consultant).

CHS (4-15-08): Dr. Donovan Gray, Azusa Pacific University; guest conductor for the *2008 District Band Festival*; \$500; Arts, Music, and Physical Education grant.

Birney (2007-08): Action Learning Systems, Monrovia; walk-throughs and reports to provide recommendations, benchmarks to measure the recommendations, and dates by which the recommendations should be in place as required by NCLB for schools in PI year 4; \$32,000; High Priority School Grant Program.

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| <p>“Grad Nite” at Disneyland</p> <ul style="list-style-type: none">• CHS Graduates• June 12, 2008 | <p>#81.5</p> | <p>The Board approved Colton High School’s request for graduates to attend “grad nite” at Disneyland on Thursday, June 12, 2008, at no cost to the District. [Students and chaperones will depart 9:45 p.m. on 6-12-08 and return at 7:00 a.m. on 6-13-08. Approx. 450 students, 30 chaperones; chartered transp.; actual graduation ceremony is June 11, 2008]</p> |
| <p>“Grad Nite” at Disneyland</p> <ul style="list-style-type: none">• BHS Graduates• June 12, 2008 | <p>#81.6</p> | <p>The Board approved Bloomington High School’s request for graduates to attend “grad nite” at Disneyland on Thursday, June 12, 2008, at no cost to the District. [Students and chaperones will depart 10 p.m. on 6-12-08 and return at 7 a.m. on 6-13-08. Approx. 350 students, 24 chaperones; chartered transp.]</p> |
| <p>“Grad Nite” at Disneyland</p> <ul style="list-style-type: none">• Slover Mt. Graduates• June 12, 2008 | <p>#81.7</p> | <p>The Board approved Slover Mt. High School’s request for graduates to attend “grad nite” at Disneyland on Thursday, June 12, 2008, at no cost to the District. [Students and chaperones will depart at 10 p.m. on 6-12-08 and return at 7 a.m. on 6-13-08. Approx. 75 students, 7 chaperones; District or chartered transportation will be arranged.</p> |

RIMS-BTSA Participation, #81.8 The Board approved the Memorandum of Understanding and agreement C-1001035 with the Riverside County Superintendent of Schools for participation by 106 CJUSD teachers in the *RIMS-BTSA Professional Teacher Induction Program during the 2007-08 school year as presented, for an increase to the restricted General fund in the amount of \$214,650. The program provides teachers with training and assistance to support their success in the classroom. (*Riverside, Inyo, Mono, and San Bernardino Counties—Beginning Teacher Support & Assessment Program)

M.O.U & Agreement

- Riverside Co. Supt. of Schools
- Profess’l Teacher Induction Prog.
- Increase in Funds
- 2007-08

Acceptance of Gifts #81.9 The Board accepted monetary gifts from donors as presented; site discretion unless otherwise noted.

- Cooley R.** PTA \$90.37; generated from Family Math Night
- Jurupa V.** PTA \$780; 5th grade field trip to Riley’s Farm
\$770; 1st grade field trip to San Diego Wild Animal Park
- Sycamore H.** Target (Take Charge of Education program) \$129.12

Notices of Completion #81.10 The Board authorized filing *Notices of Completion* for the various projects listed on the following matrix and released the final 10 percent (10%) contract retention per the contract documents, for a total amount of \$831,081.26, to be paid from funds indicated.

- CHS Modernization (Bid 05-11)
- Smith & Rogers Mod. (Bid 06-11)
- Deferred Maint. (Bids 07-06, 07-11, & 07-02CA)

Bid	Project	Site	Contractor	Total Amount / Funding
05-11	Modernization	CHS	Mike’s Custom Flooring	\$ 19,803.90 -- School Facilities Fund 35
05-11	Modernization	CHS	RVH Constructors	\$ 55,011.40 -- School Facilities Fund 35
05-11	Modernization	CHS	JBH Structural Concrete	\$294,603.70 -- School Facilities Fund 35
05-11	Modernization	CHS	Cochran Interiors	\$ 13,774.70 -- School Facilities Fund 35
05-11	Modernization	CHS	Pro Craft Plumbing	\$115,644.20 -- School Facilities Fund 35
05-11	Modernization	CHS	Best Roofing	\$ 44,947.30 -- School Facilities Fund 35
05-11	Modernization	CHS	Glazcon Production	\$ 18,823.50 -- School Facilities Fund 35
	SUBTOTAL			\$562,608.70
06-01	Modernization	Smith & Rogers	Inland Acoustics	\$ 24,751.90 - School Facilities Fund 35
06-01	Modernization	Smith & Rogers	E & R Glass	\$ 12,639.20 - School Facilities Fund 35
06-01	Modernization	Smith & Rogers	Champion Electric	\$152,109.40 - School Facilities Fund 35
06-01	Modernization	Smith & Rogers	New Image Flooring	\$ 19,600.40 - School Facilities Fund 35
	SUBTOTAL			\$209,100.90
07-06	Flooring Install.	Cooley, GT, Grimes, McKinley, Sycamore, Wilson, Zimm, BMS, ROHMS, THMS, BHS, CHS, SMHS, Wash	New Image Commercial Flooring Inc.	\$ 49,769.36 - Deferred Maint. -- Fund 14
07-11	Chain Link Fence	Lewis & CHS	Westbrook Fence Co.	\$ 7,241.60 - Deferred Maint. -- Fund 14
07-02 CA	Foam Roof Recoat	BMS & PPS	Wiltshire Urethane Foam Co.	\$ 2,360.70 - Deferred Maint. -- Fund 14
	SUBTOTAL			\$ 59,371.66
			TOTAL	\$831,081.26

DRAFT

- Unpaid Leave of Absence for Classified Employee (EIN 4037) #81.11 The Board approved an unpaid leave of absence to the employee listed, with the employee to pay for any health insurance premiums, if applicable, as per the current CSEA Agreement.
- | | |
|-------------------|------------------------|
| <u>Classified</u> | <u>Leave</u> |
| EIN 4037 | 1-22-08 through 6-5-08 |
- Action Items** (C-12 through C-23)
• Deferred (1) #82 On a motion by Mr. Taylor, seconded by Mr. Hoover and carried on a 6-0 vote (Albiso absent), the Board approved action items C-12 through C-22 as presented. Item C-23 was deferred for separate action.
- Personnel Employment #82.1 (C-12) The Board approved employment of personnel as presented.
- Certificated*
- Activity / Coaching Assignments
Schaefer, Gabriel Track HD Varsity - BHS
- Substitute Teachers
Garcia, Lindsey Sierra, Graciela
Orloff, Kerry Wilder, Joel
- Classified*
- Regular Staff
Acosta, Maria C. State Preschool Instr. Asst. - Zimmerman
Madrid, Roseanne C. Health Assistant - BMS
Walker, Anne M. Library Media Tech - Slover Mtn.
- Activity / Coaching Assignments
Board, Barry Basketball Frosh/Soph (walk-on) - CHS
Diaz, Elliott Wrestling Head JV (walk-on) - CHS
Silva, Adrian Wrestling Asst. (walk-on) - CHS
Vargas, Eddie Football Asst. JV - BHS
- Substitutes
Lee, Rhonda Nutrition Service Worker I
Neace, Rebecca Special Ed Instr. Asst.
- Conference Attendance #82.2 (C-13) The Board approved conference attendance as presented, with all necessary expenses to be paid from funds indicated.
- | | |
|--------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Bonnie Simpson -- Zimmerman
Teacher | Computer-Using Educators, Inc.
2008 Conference
March 6-8, 2008
Palm Springs, CA
HPSG funds: \$961.15 |
| Harold Strauss -- CHS
Football Coach | Nike Coach of the Year Clinic
March 6-9, 2008
Portland, OR
Art, Music & PE Grant: \$355.00 |
| Diane Amendt -- Grimes
Ilene Mino
Teachers | Good Teaching Conference-South
March 7-9, 2008
Anaheim, CA
SBCP funds: \$1,011.74 |

- Purchase Orders #82.3 (C-14) The Board approved purchase orders issued as presented. All pertinent information is on file in the Business Office.
- Disbursements #82.4 (C-15) The Board approved payment of disbursements as summarized and listed. All pertinent information is on file in the Business Office.
Batch #1082 through Batch #1200 \$3,545,816.30
- One-Year Extension of Bid 05-03 #82.5 (C-16) The Board approved a one-year extension of *Bid 05-03 with w/ Dave Bang Associates, effective March 10, 2008 through March 9, 2009, to purchase playground equipment, outdoor site furnishings, and DSA-approved shade shelters as need arises, to be paid from appropriate funding sources (site discretionary, lottery, categorical). The Company requested this extension with no Consumer Price Index (CPI) increase. [*award approved on 3-10-05 and a "piggyback" bid was created; Ed. Codes 17596 & 81644]
- Playground Equipment
 - Outdoor Site Furnishings
 - DSA-Approved Shade Shelters
 - Mar. 2008 thru Mar. 2009
- Expenditure-Plan Change for #82.6 (C-17) The Board approved the expenditure-plan change for the 2006-07 School Site Discretionary Block Grant first apportionment for Cooley Ranch Elementary School; no additional cost—change in expenditure category (\$4,222) to purchase classroom computers during the 2007-08 school year. [Initial approval on 6-21-07 one-time funds; School Site Council approved change request]
- First Apportionment
 - Cooley Ranch Elem.
 - No add'l cost (2007-08)
- Ratification of Change Orders #82.7 (C-18) The Board ratified change orders approved since the Board meeting on January 17, 2008, for the Colton High modernization project for a total amount of \$49,242.60, to be paid from Fund 35 (School Facilities Fund). All pertinent information is on file in the Business Office.
- Resolution 07-14
 - CHS Modernization Project
- | | |
|-----------------------------------|-------------|
| Net Additional construction costs | \$45,595.00 |
| Architect (8%) | 3,647.60 |
- Ratification of Change Order #82.8 (C-19) The Board ratified a change order approved since the Board meeting on January 17, 2008 (Resolution 07-14), for the Colton High School Home Economics "Building R" Termite Damage Modernization Project, for a total amount of \$21,256.56, to be paid from Fund 35 (School Facilities Fund). All pertinent information is on file in the Business Office.
- Resolution 07-14
 - Modernization Project
 - CHS—Home Econ Bldg R
 - Termite Damage
- | | |
|-----------------------------------|-------------|
| Net Additional construction costs | \$19,682.00 |
| Architect (8%) | 1,574.56 |
- [Because this project will be funded by the Williams Emergency Repair Program, this will be added to the application. Pursuant to Board approval on 1-18-07, the District will proceed with the change order for repairs as approved by County Counsel.]
- Ratification of Change Orders #82.9 (C-20) The Board ratified change orders approved by staff since the Board meeting on January 17, 2008, for the Smith and Rogers Elementary Schools modernization project, for a total amount of \$5,677.56, to be paid from Fund 35 (School Facilities Fund). All pertinent information is on file in the Business Office.
- Resolution 07-14
 - Modernization Project
 - Smith & Rogers Elem.
- | | |
|-----------------------------------|------------|
| Net Additional construction costs | \$5,257.00 |
| Architect (8%) | 420.56 |

- Ratification of Change Order #82.10 (C-21) The Board ratified change order approved by staff since the Board meeting on February 7, 2008, for Bid 07-02CA, the BMS/PPS foam roof recoat project, for a *credit in the amount of \$18,379 to the Deferred Maintenance Fund, in accordance with Board Policy 3511—Energy and Water Conservation. All pertinent information is on file in the Business Office. (*south roof of PPS building)
- (Credit) Approved Since 2-7-08
- Bid 07-02CA
 - Foam Roofing Recoat Project
 - BMS & PPS.
- Title III Action Plan #82.11 (C-22) The Board approved the submission of the preliminary draft and assurances of the *Title III Year 4 Action Plan* to the California Department of Education on February 28, 2008, as required by the Title III guidelines. Further, the Board authorized Bertha Arreguín, Director of Language Support Services, as the District' contact person for all matters pertaining to the development and implementation of the *No Child Left Behind* (NCLB) Act requirements, to modify the curriculum, program and method of instruction as needed, in order to assure the *LEA's successful achievement of all **AMAO targets in the future. In addition, the named person will assure compliance with appropriate Federal Statutes, Regulations and State Procedures currently in effect and will act as the responsible authority in all matters pertaining to the administration of the Action Plan. Note: revisions and recommendations to the Action Plan will be shared when they become available. [*Local Education Agency; **Annual Measurable Achievement Objective]
- Submission of Preliminary Draft & Assurances to California Dept. of Education on 2-28-08
 - LEA Contact—Bertha Arreguín
- Deferred** #83 (D-23) **Deferred** On a motion by Mr. Taylor, seconded by Mr. Ibarra and carried on a 6-0 vote (Albiso absent), the Board selected *Dennis Mobley (Rialto USD)* and *Donna West (Redlands USD)*, as their candidate for the California School Boards' Association (CSBA) *Delegate Assembly 2008 election and directed the Superintendent to submit the official ballot. (*Subregion 16-B, San Bernardino County)
- CSBA 2008 Election for Delegate Assembly (Subregion 16-B)
- Ballot Cast
- Action Items—Resolutions** #84 On a motion by Mr. Taylor, seconded by Mr. Ibarra and carried on a 6-0 vote (Albiso absent), the Board approved action items D-24, D-25 and D-26 as presented.
- (D-24 through D-26)
- Resolution: #84.1 (D-24) The Board adopted the Resolution, *Read Across America Day, March 3, 2008*, a national celebration of Dr. Seuss' birthday, to increase awareness of the importance of reading in our communities and across America, and to recognize the National Education Association (NEA) and the Colton Joint Unified School District for sponsoring a celebration of reading called *NEA's Read Across America*.. Further, the Board encourages the community to engage in programs and activities to make America's children the best readers in the world.
- Read Across America Day*
(March 3, 2008)
- Resolution: #84.2 (D-25) The Board adopted the Resolution, *Week of the School Administrator (March 3-7, 2008)* to recognize the administrators, classified managers, and classified-confidential employees of the Colton Joint Unified School District for their service to students, fellow staff members, and the citizens of the entire District.
- Week of the School Administrator*
(March 3-7, 2008)

Resolution: #84.3 (D-26) The Board adopted the Resolution, *Cesar E. Chavez Day (March 31)* to recognize the founder of the United Farms Workers for his efforts to improve the plight of farm workers and his belief in non-violent principles that won him the respect of leaders around the world. Further, the Board encourages students, staff, parents and community members to honor this leader with appropriate educational activities.

*Cesar E. Chavez Day
(March 31)*

Study, Information and Review Session / Public Comment

1. Personnel -- Resignations
2. FMLA Leave for Certificated Employees (EIN 1294)
3. Associated Student Body (ASB) Financial Reports as of January 31, 2008 (Information Provided):
4. Proposed Amendment by Substitution of Administrative Regulations (Will be submitted for approval)
AR 5144.2 Suspension and Expulsion/Due Process (Students with Disabilities)
AR 6159 Individualized Education Plan
5. Superintendent's Communiqué: Superintendent Downs distributed a copy of the updated Board log, the Superintendent's non-work and conference attendance schedule, information regarding the recent beef recall, CAHSEE results, recent newspaper articles, and proposed budget reductions in surrounding districts.
6. Concerns Shared at Board Meeting on February 7, 2008: Board Member Attendance: By Board consensus, there was no discussion. President Armenta stated that he appreciated the comments shared by members of the public and is please that the total Board will be in attendance at meetings.
7. Concerns Shared at Board Meeting on February 7, 2008: San Bernardino County Schools Employment Practices: Superintendent Downs requested direction from the Board regarding the contents of the resolution requested. Following a brief discussion and by consensus, the Board recommended that this item be tabled due to Board member Albiso's absence from today's meeting.
8. ACE President Ken Johnson spoke about the productive budget committee meetings and looks forward to consideration of some of the committee's suggestions. He shared concerns regarding non-reelection practices and is awaiting resolution to the Board's directive regarding sickleave credit for fire days in October 2007. He stated that twenty teachers will attend the Good Teaching Conference, the union is committed to working cohesively with the District, appreciated the information regarding what other districts are doing, and that the Board is committed to not laying off staff. He shared concerns regarding the community's and parents' perception and setting precedence that anyone can attend a meeting and seek instant resolution. He hopes that future Board responses are kept to a minimum but if staff is assigned to seek instant resolution, ACE is requesting the same consideration.
9. CSEA Labor Representative Vickie Sauer for Chapter 244 stated that union members are actively involved on the budget committee and will work collaboratively with the Board and the Administration as they have done in the past.
10. MAC representative Amanda Corridan thanked the Board for recognizing "The Week of the Administrator," reported that two thousand dollars (\$2,000) was raised at a recent event for the APPLE Scholarship Foundation, and invited interested persons to participate in the annual golf tournament on April 12th to benefit the APPLE Scholarship Foundation.

11. ROP Board member Frank Ibarra reported that ten CHS welding students spoke on the educational benefits of the ROP program and stated that CHS is one of only two high schools in California that is accredited to teach welding. He applauded teacher Robert Moreno for his commitment to the program and students and shared some of the activities and services provided to students. The Board has continued to support alternative opportunities for students

12. Comments / Requests from Board Members

Marge Mendoza-Ware spoke about an event she attended at the University of Redlands whereby Assistant Superintendent Jerry Almendarez was the featured speaker for a class taught by Colton High School Curriculum Program Specialist Cheryl Graybill. She thanked them for the great job they did in presenting the Human Resources process. She stated that she will attend the CSBA Legislative Action Conference in May and inquired about the feasibility of arranging for a parent or a student to attend the conference as well. She was pleased to learn that the Colton District was not one of 21 schools with a high dropout rate listed in the Press Enterprise newspaper recently.

David Zamora encouraged participation in the *Read Across America* program at the sites and stated that the Colton Rotary Club is sponsoring a speech competition on February 28, 2008, 12 noon, at La Villa Restaurant in Colton.

Mark Hoover thanked the community members for sharing their concerns regarding the responsibility of board member attendance and thanked everyone who contacted him and encouraged him to continue representing the students and community.

Kent Taylor encouraged attendance at the District Science Fair on February 23rd and commented on his recent visits to Smith and Terrace Elementary Schools. Regarding the proposed Governor's budget cuts, he expressed support of not reducing staff and inquired about the possibility of utilizing QEIA and High Priority grant funds for tutoring and assistance to students. He inquired about the results from the budget meetings and Assistant Superintendent Casey Cridelich responded that the minutes of the meetings were being finalized. The proposed ideas would be "costed out" and discussed in Cabinet in preparation for an update at the subsequent Board meeting. In an effort to maintain equitable representation at the budget meetings, committee members have been called/reminded regarding meeting attendance and non-attendees have been given an opportunity to continue to serve on the committee or "step down."

Robert Armenta inquired about activities planned for "Week of the Administrator" and Superintendent Downs responded that appropriate arrangements would be made.

Frank Ibarra commented on his visit to the CHS Counseling Office and was pleased to learn that meetings are being held to inform freshman and their parents regarding "Career Pathways" in an effort to begin educational planning and develop a plan to monitor their progress. He extended an invitation from San Bernardino Mayor Patrick Morris regarding attendance at a meeting on February 25th at City Hall that would target the dropout issue in surrounding districts. He stated that the President of San Bernardino Valley College offered the college as a venue for a follow up meeting on May 3rd. A copy of the invitation will be forwarded to Board members and Superintendent Downs will assign a staff member to join Board member Ibarra at the meeting.

Closed Session

- Student Discipline
- Interdistrict Transfer Appeal
- Personnel
- Real Property Issues
- Anticipated Litigation
- Labor Negotiators

At 7:58 p.m., Board President Robert Armenta announced that the Board would recess to Closed Session to discuss agenda items.

DRAFT

Reconvened

• Closed Session Items Reported

The Board meeting reconvened at 9:02 p.m. and Board President Armenta reported on action taken in Closed Session:

Student Discipline #85
(Closed Session)
• Student Discipline (4)

On a motion by Mr. Zamora, seconded by Mr. Taylor and carried on a 6-0 vote (Albiso absent), the Board approved *Student Discipline Items 1-4* as presented:

- (1) 143890 (4) 125892
- (2) 148691 (3) 73351

Claim Rejected #86
(Closed Session—Anticipated Litigation)
• Claim #08-61158 DD

On a motion by Mrs. Mendoza-Ware, seconded by Mr. Zamora and carried on a 6-0 vote (Albiso absent) the Board rejected claim #08-61158 DD filed against the Colton Joint Unified School District as recommended by the District's claims administrator.

Other Closed Session Items #87
No reportable action
(3 Items)

Other Closed Session Items—*No reportable action*

- ~~Interdistrict Transfer Appeal~~
- ~~Real Property Negotiator—High School #3 Issues~~
APNs ~~1167-151-37; 1167-151-32, 33, 34; 1167-151-31, 43, 44;~~
~~1167-151-35, 36, 38, 39; 1164-151-65, 01, 02; 1167-151-45;~~
~~1167-151-59, 58, 60~~
- Labor Negotiators

Adjournment

At 9:05 p.m., the Board adjourned to the next Regular Board of Education Meeting on March 13, 2008, at the Colton JUSD Student Services Center, 851 South Mt. Vernon Avenue, Colton, California.

BOARD AGENDA

**BOARD MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: **Approval of Student Field Trips**

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the field trips as listed and expend the appropriate funds.

A-2

FIELD TRIPS / Regular Meeting: March 13, 2008

Site	Date	Depart	Return	Destination	Activity/Background	Grade	Teacher	Cost	Funding
BHS	3/18/08 to 3/21/08 (T/W/Th/F)	6:00 a.m.	9:00 p.m.	UC Santa Barbara Cal Poly, San Luis Obispo San Jose State UC Berkeley UC Davis Sacramento State CSU Stanislaus UC Merced (Charter)	<i>College Tour</i> AVID students will be exposed to a diverse selection of college campuses.	11	Raymond Brown Leilani Bautista Lynn Park (34) + 3	\$9,604.00	Discretionary (\$5,604) AVID Club (\$4,000)
BHS	3/19/08 to 3/23/08 (W/Th/F/S/S)	6:00 p.m.	2:00 p.m.	Centennial High School Las Vegas, NV (District)	<i>Spring Jamboree Softball Tournament</i> Students will compete at the high school softball tournament.	9-12	Edrina Fraijo (14) + 4	\$1,050.00	ASB (\$400) Discretionary (\$650)
THMS	3/22/08 (Sat)	7:30 a.m.	5:00 p.m.	Summit High School Fontana, CA (Parents)	<i>San Bernardino County History Day</i> Students will participate in the San Bernardino County History Day competition.	8	Richard Lane (11) + 1	\$330.00	SBCP
BMS	3/24/08 (Mon)	7:00 a.m.	4:00 p.m.	California Science Center Los Angeles, CA (District)	<i>The Body Worlds 3 Experience</i> Students will tour the exhibition and learn about the human anatomy.	7-8	Pat Erwin (22) + 3	\$1,122.50	SBCP
BHS	3/24/08 (Mon)	7:30 a.m.	11:00 p.m.	Disneyland Anaheim, CA (District)	<i>Magic Music Days</i> After nation-wide auditions, the <i>Voices</i> and <i>Mixed Chamber</i> choirs have been selected to perform at Disneyland Magic Music Days.	9-12	Ryan Duckworth (35) + 3	\$2,420.00	ASB (\$2,045) Discretionary (\$375)

FIELD TRIPS / Board Meeting: March 13, 2008

Site	Date	Depart	Return	Destination	Activity/Background	Grade	Teacher	Cost	Funding
Terrace View	3/24/08 to 3/25/08 (Mon-Tue)	3:30 p.m.	5:00 p.m.	Riley's Farms Oak Glen, CA (District)	<i>Riley's American Heritage Farms</i> Students will receive a hands on Colonial history experience.	5	Dawn Plumb Denise Green (62) + 10	\$6,840.00	Donations
Terrace View	4/12/08 (Sat)	7:00 a.m.	11:59 p.m.	Western High School (competition) Disneyland (award ceremony) Anaheim, CA (District)	<i>Music in the Parks</i> Students will compete in a Choir Festival.	9-12	Ryan Duckworth Anthony Beal (40) + 6	\$4,632.00	ASB (\$4,032) Discretionary (\$600)
ROHMS	4/12/08 to 4/15/08 (S/S/M/T)	7:30 a.m.	4:30 p.m.	Riverside Convention Center Riverside, CA (Parents)	<i>FHA-HERO State Leadership Meeting and Competition</i> Home Economics Careers and Technology students will compete in events and attend leadership meeting.	7-8	Kathleen Dickerson (7) + 2	\$4,816.98	Vocational Education Act (\$4,116.98) ASB (\$700)

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: **Approval of Consultants for Assembly Presentations**

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the consultants for assembly presentations as listed and expend the appropriate funds.

A-3

ASSEMBLIES/PROGRAMS Regular Meeting: March 13, 2008

SITE	DATE	TIME	PROGRAM/PURPOSE	LOCATION	CONSULTANT(S)	COST	FUNDS
Zimmerman	4/7/08	9:00 a.m. to 10:00 a.m.	<i>Bringing Books to Life: By the Great Horn Spoon!</i> Promotes reading and love of literature through performing arts for grades 4, 5, 6.	Zimmerman	TheatreReach Laguna Playhouse Laguna Beach, CA	\$500.00	Art, Music, & P.E. Grant
Grant	4/11/08	1:00 p.m. to 2:00 p.m.	<i>Bringing Books to Life: By the Great Horn Spoon!</i> Provides enrichment to Social Sciences and a visual and performing arts experience for grade 4.	Grant	TheatreReach Laguna Playhouse Laguna Beach, CA	\$500.00	Art, Music, & P.E. Grant
Reche Canyon	4/24/08	9:15 a.m. to 10:15 a.m.	<i>Imagination-Creation</i> Introduces students (grades 2-4) to an author and appreciation of the beauty and excitement of writing their own stories using their own imagination.	Reche Canyon	Diana Del Russo, Author Redlands, CA	No cost	
BMS	5/6/08	8:15 a.m. to 12:00 p.m.	<i>Charting Your Own Course</i> Multimedia presentation to challenge students (grades 7-8) to chart a course for achievement, leadership, and to reach their potential.	BMS	Camfel Productions Irwindale, CA	\$990.00	ASB
BMS	5/17/08	6:30 p.m. to 9:30 p.m.	<i>Eighth Grade Dance</i> DJ will provide music and entertainment for 8th grade dance.	BMS	Preferred Promotions Fullerton, CA	\$2,281.85	ASB

BOARD AGENDA

**BOARD MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Yolanda Cabrera, Assistant Superintendent
Curriculum and Instruction

SUBJECT: **Approval of Consultants for Staff Development**

GOAL: Improved Student Performance

RECOMMENDATION: That the Board approve the consultants for staff development
as listed and expend the appropriate funds.

A-4

CONSULTANTS: Regular Meeting March 13, 2008

SITE	DATE	TIME	PROGRAM/PURPOSE	LOCATION	CONSULTANT(S)	COST	FUNDS
Zimmerman	2007-2008 school year	TBA	<i>External Evaluator for Program Improvement</i> State-approved External Support Provider to provide monitoring, feedback, professional development, and technical support services as required by No Child Left Behind for schools in Program Improvement Year 4.	Zimmerman	Action Learning Systems Pasadena, CA	\$32,500.00	High Priority School Grant Program
Grant	2007-2008 through 2008-2009 school years	TBA	<i>External Evaluator for Program Improvement</i> State-approved External Support Provider to provide monitoring, feedback, professional development, and technical support services as required by No Child Left Behind for schools in Program Improvement Year 4.	Grant	San Bernardino County Superintendent of Schools San Bernardino, CA	\$47,025.00	Professional Development
Rogers	2007-2008 through 2008-2009 school years	TBA	<i>External Evaluator for Program Improvement</i> State-approved External Support Provider to provide monitoring, feedback, professional development, and technical support services as required by No Child Left Behind for schools in Program Improvement Year 4.	Rogers	San Bernardino County Superintendent of Schools San Bernardino, CA	\$47,025.00	Professional Development
All secondary schools	3/14/08	8:00 a.m. to 1:30 p.m.	<i>Understanding & Planning for School Bomb Incidents</i> Campus supervisor/security staff, administration and support staff will receive instruction on assessing and responding to a crisis/bomb incident.	District Office Bldg M	Mick Martines MJM Training and Consulting Beaumont, CA	\$1,000.00	School Violence & Safety Grant
Washington	3/18/08 and 4/9/08	8:00 a.m. to 3:00 p.m.	<i>Interwrite 201—Mathematics</i> Provides teachers with customized training in mathematics using the digital delivery Interwrite technology system along with state-adopted core curriculum.	Digital Edge Learning, Redlands	Doug Whittaker Digital Edge Learning Redlands, CA	\$4,720.00	High Priority School Grant Program

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Acceptance of Gifts**

GOAL: Community Relations

RECOMMENDATION: That the Board accepts the gifts as listed on the attached matrix.

A-5

Donations Matrix

Board Meeting - March 13, 2008

SITE	DONOR	DONATION / PURPOSE	CASH
Lincoln Elementary	Lincoln Elementary PTA 444 E. Olive Street Colton, CA 92324	Mural depicting school mascot and school name	0
McKinley Elementary	Verizon Long Distance 16355 36 th Avenue North Suite 100 Minneapolis, MN 55446	Check #137740 Extra Credit for Schools Program	\$35.82
Reche Canyon Elementary	Scholarship America One Scholarship Way P.O. Box 297 St. Peter, MN 56082	Check #224451 For Field trips	\$1,000.00
Rogers Elementary	Rogers Elementary PTA 955 West Laurel Street Colton, CA 92324	Check #144 Campus beautification	\$3,000.00

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

CONSENT ITEM

TO: **Board of Education**

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: **Approval of Unpaid Leave of Absence for Classified Employee (EIN #7826)**

GOAL: Human Resources Development

BACKGROUND: A classified employee, EIN #7826, currently employed as a Special Education Instructional Assistant at Birney Elementary School, is requesting an unpaid leave of absence from February 29, 2008, to June 30, 2008, to care for an ill family member.

RECOMMENDATION: That the Board approve the request for unpaid leave of absence for classified employee, EIN #7826, as requested, with the employee to pay for any health insurance premiums if applicable, as per the CSEA agreement.

A-6

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education
PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources
SUBJECT: Approval of Personnel Employment
GOAL: Human Resources Development

I-B Certificated – Activity/Coaching Assignments

- | | |
|-------------------------|-------------------------------|
| 1. Akins, Cary | Head Varsity Softball – CHS |
| 2. Bautista, Leilani | Head JV Soccer – BHS |
| 3. Carballo, Fabian | Head JV Soccer – BHS |
| 4. Gallo, Sam | Head Varsity Soccer – BHS |
| 5. Howard, Marc | Head JV Soccer – BHS |
| 6. Jimenez, Juan | Head JV Basketball – BHS |
| 7. Matanga, Edmond | Head Varsity Badminton – CHS |
| 8. Ornelas, Peter | Head Varsity Baseball – CHS |
| 9. Padilla, Steve | Head JV Wrestling – BHS |
| 10. Ponce, Armando | Assistant JV Badminton – CHS |
| 11. Ray, Joseph | Head Varsity Basketball – BHS |
| 12. Schaefer, Erwin | Assistant Wrestling – BHS |
| 13. Schaefer, Gabriel | Head Varsity Wrestling – BHS |
| 14. Villegas, Francisco | Head Varsity Soccer – BHS |

II-A Classified -- Regular Staff

- | | |
|-----------------------------|---------------------------|
| 1. Katsikakis, Haralobos T. | Fiscal Analyst – D.O. |
| 2. Maldonado, Susan P. | Language Assistant - THMS |

II-B Classified – Activity/Coaching Assignments

- | | |
|--------------------|-------------------------------|
| 1. Alvarez, Mario | Head Varsity Track – CHS |
| 2. Ayala, John | Head JV Baseball - CHS |
| 3. Booth, Rosa | Head Varsity Swimming – CHS |
| 4. Montes, Joseph | Head Varsity Softball – CHS |
| 5. Ortiz, Arthur | Frosh/Soph Softball – CHS |
| 6. Smalls, Ryan | Head Varsity Track – CHS |
| 7. Williams, Cecil | Head Varsity Basketball - BHS |

RECOMMENDATION: That the Board approve employment of personnel as presented.

ACTION: On motion of Board Member _____ and
_____, the Board approved the
recommendations for employment.

0-7

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: Approval of Revised Child Development Instructional Assistant Salary Schedule to Reflect New State Minimum Wage (Retroactive to January 2008)

GOAL: Human Resources Development

BACKGROUND: The State government has increased the minimum wage to \$8.00 per hour effective January 1, 2008. The Child Development Instructional Assistant Salary Schedule "D" must be increased to meet the new regulation. The District and CSEA have agreed on the new salary schedule which is attached.

This change will be effective January 1, 2008.

RECOMMENDATION: That the Board approve the revised Child Development Instructional Assistant Salary Schedule to reflect the state government minimum wage (retroactive to January 2008) as presented.

ACTION: On motion of Board Member _____ and _____, the Board approved the above recommendation.

C-8

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education
PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources
SUBJECT: Approval of Conference Attendance
GOAL: Human Resources Development

Ajoke Adefeso – **CHS**
Stephanie Balisteri
Janet Torres
Pat Yorba-Wyant
Teachers

33rd Annual CABE Conference
March 5-8, 2008
San Jose, CA
HPSG funds: \$5,757.48

Felicitas Urena -- **McKinley**
Language Assistant
Jennifer Lewis
SDC Aide

11th Annual California Para
Educator Conference:
Road to Success
March 7-9, 2008
Anaheim, CA
SBCP funds: \$1,416.48

Patricia Ishida – **District Office**
Director, Special Projects
Cheryll Price
Director, Staff Development

California State Board of
Education Meeting
March 12-13, 2008
Sacramento, CA
Special Projects funds: \$1,087.56

Carolyn Creel – **BHS**
William Reedy
Teachers

Skills USA CA State Leadership
And Skills Championships
April 10-14, 2008
Fresno, CA
VEA funds: \$1,588.40

Kathleen Dickerson – **ROHMS**
Teacher

FHA Hero State Leadership
Meeting and Competition
April 12-15, 2008
Riverside, CA
CTE funds: \$1,564.98

Celia Gonzales – **Zimmerman**
Principal
Patrick McGinn
Assistant Principal
Anita Peukert
CPS

California State Title I Conference
and Pre-Conference
April 20-22, 2008
Los Angeles, CA
Title I funds: \$3,095.36

0-9

**Raquel Posadas-Gonzalez – McKinley
Principal**

2008 California State Title I –
Addressing the Achievement Gap
April 24-26, 2008
Los Angeles, CA
SBCP funds: \$1,203.32

**Mel Albiso – District Office
Marge Mendoza-Ware
Board Members**

Legislative Action Conference
May 18-19, 2008
Sacramento, CA
Board funds: \$2,434.76

**Kathleen Dickerson – ROHMS
Teacher**

Lodging Industry/Training
June 24-27, 2008
Glendale, CA
CTE funds: \$498.00

**Raynona Orona – Transportation
Bus Operation Supervisor**

State Certified Instructor Program
August 3-22, 2008
Sacramento, CA
Transportation funds: \$2,600.00

Total : \$21,246.34

RECOMMENDATION: That the Board approve conference attendance as presented.

ACTION: On motion of Board Member _____ and
_____, the Board approved the above
recommendation.

BOARD AGENDA

REGULAR MEETING
March 13, 2008

ACTION ITEM

TO: Board of Education

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: Approval of Tentative Agreement on the Collective Bargaining Agreement Between Association of Colton Educators (ACE) and the Colton Joint Unified School District (2007-2008)

GOAL: Personnel Development

BACKGROUND: The Association of Colton Educators (ACE) and Colton Joint Unified School District reached a tentative agreement as of January 8, 2008, regarding several sections of the Collective Bargaining Agreement. The following is a synopsis of the articles with specific revisions:

Article 8: - Hours of Employment

- Absent an emergency, the principal shall not schedule a staff meeting after the duty day, on Open House or Back to School Nights. (Section 8.2a)
- Objectives or Evidence of Content Standard(s). (Section 8.2c 1a)
- District site in-service days (not including site staff meetings) shall not be scheduled on any unit member's last duty day of the school year. (Section 8.10a)
- Add psychologists and counselors. (Section 8.12b)
- Substitute Options: Rate of pay \$145.00 (off tract unit members as substitutes at current site.) Rate of pay \$135.00 (off tract unit members as substitutes elsewhere.) (Section 8.13)
- Preparation Days: Prior to the beginning of each school year, the District and/or site administrators will hold no more than four (4) hours total of meetings over the preparation days (non-student attendance days) for schools with two (2) beginning of the school year teacher preparation days; and six (6) hours total of meetings over the preparation days (non-student attendance days) for schools with three (3) beginning of the school year teacher preparation days. A non-student attendance day is a day where no students are present on site for instructional purposes. (Article 8.17)

Article 12: Transfer Policy

- Assignment: The District shall make every reasonable effort to restrict the number of reassignments. All reassignments shall be approved by the Assistant Superintendent of Human Resources. (Section 12.2)
- Request for Transfer: Unit members may apply for a position whenever an opening is posted. Unit members who wish to have their names published on an annual transfer list must submit a written request on the District form no later than March 15. Upon request, the unit member shall receive a date stamped copy of his/her application for transfer. (Section 12.3)

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- Unit Member Initiated Transfer: Deleted "b", "c", and d". (Section 12.5)
- Selection: Deleted "d". (Section 12.9)
- Frequency: A unit member may be administratively transferred no more than once every three (3) years. (Section 12.12)

Article 13: Leave Policies

- Entitlement: Change of days from seven (7) to eight (8). (Section 13.3a)
- Use of Personal Necessity Leave: Change of days from seven (7) to eight (8). (Section 13.3b)
- Personal Business: Change of days - Unit members may not use more than four (4) of the eight (8) annual personal necessity days for personal reasons. (Section 13.3c)
- Immediate family defined: Added niece and nephew. (Section 13.5)

This tentative agreement was ratified by the Association of Colton Educators (ACE) unit members as of February 15, 2008.

RECOMMENDATION:

That the Board approve the tentative agreement for the Collective Bargaining Agreement as stated above between the Association of Colton Educators unit members and Colton Joint Unified School District (2007-2008), as presented.

ACTION:

On motion of Board Member _____ and _____, the Board approved the above recommendation.

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Approval of Purchase Orders**

GOAL: Student Performance / Personnel Development

RECOMMENDATION: That the Board approve Purchase Orders in excess of \$1,000 for a total of \$667,147.19 as listed.

ACTION: On motion of Board Member _____ and _____,
the Board approved purchase orders as recommended.

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Attachment to Board Agenda

<u>P.O.</u>	<u>VENDOR</u>	<u>DESCRIPTION</u>	<u>RESOURCE</u>	
			<u>CODE*</u>	<u>AMOUNT</u>
084696	Renaissance Learning	Inst. Matls./McKinley	7250	\$3,074.65
084724	Dell	Computers (Liab. Claim) BHS	9878	\$34,778.85
084726	Pacific Hearing Svcs.	Cont. Svcs./PPS	6500	\$1,440.00
084765	Waxie	Cust. Supp./Purchasing	0000	\$2,411.06
084768	Benee's	Class Furn./Zimmerman	7250	\$1,164.75
084769	Dell	Computers/Zimmerman	7258	\$21,989.70
084777	Office Depot	Speedy Inst. Matls./Rogers	7250	\$2,000.00
084780	Office Depot	Speedy Inst. Matls./Grimes	7250	\$1,000.00
084782	Hatch	Tech Supp./San Salvador	6055	\$1,904.45
084786	PD Contracting Flooring	Blinds/BMS	5210	\$1,299.46
084787	PD Contracting Flooring	Blinds/San Salvador	6060	\$1,531.13
084791	Troxell Communications	Projectors/G. Terrace	7250	\$9,296.67
084795	Office Depot	Speedy Inst. Matls./Lewis	6760	\$1,000.00
084796	Southwest School Supply	Speedy Inst. Matls./Lewis	6760	\$1,000.00
084799	Corporate Express	Inst. Matls./Sycamore Hills	7250	\$1,107.13
084800	Office Depot	Speedy Inst. Matls./Sycamore	7250	\$1,000.00
084802	Intelli Tech	Printer/T. View	7250	\$3,929.64
084803	Imed	New Eq./McKinley	7250	\$3,957.47
084806	Teachers' Discount	Inst. Matls./J. Vista	6761	\$2,035.22
084807	B & L Mastercare	Cust. Supp./Purchasing	0000	\$1,215.09
084808	Corona Clay Co.	Other Supp./BHS	9811	\$6,458.25
084815	Toshiba Business Solutions	Copier/J. Vista	7250	\$11,213.55
084819	Imed	Inst. Matls./Lewis	7250	\$1,594.58
084822	Sportime	Inst. Matls./Grant	6761	\$4,535.03
084825	Office Depot	Speedy Inst. Matls./McKinley	1100	\$3,200.00
084829	Accelerated Reader	Inst. Matls./R. Canyon	7250	\$3,231.42
084830	Southwest School Supply	Speedy Inst. Matls./R. Canyon	0750	\$1,000.00
084831	Office Depot	Speedy Inst. Matls./R. Canyon	0750	\$1,500.00
084832	Source Graphics	Off. Supp./Print Shop	0000	\$3,308.99
084833	Printing Solutions	Outside Printing/Print Shop	0000	\$2,930.80
084834	Southwest School Supply	Speedy Inst. Matls./Sycamore	7250	\$1,000.00
084835	Lakeshore	Inst. Matls./Sycamore Hills	6760	\$5,222.53
084844	Lakeshore	Inst. Matls./Sycamore Hills	6761	\$4,607.47
084848	Nick Rail Music	Inst. Matls./THMS	1100	\$3,000.00
084849	Nasco-Fort Atkinson	Inst. Matls./THMS	6761	\$2,073.56
084851	Peterson Equipment Systems	Cont. Svcs./M & O	8150	\$3,000.00
084852	Decking Systems	Cont. Svcs./BHS/CHS	8150	\$5,287.00

084853	Houghton Mifflin	Txtbks./Lewis	7156	\$1,428.58
084854	McGraw-Hill	Txtbks./Lewis	7156	\$1,147.05
084855	Office Depot	Speedy Inst. Matls./Lewis	3010	\$1,000.00
084863	Southwest School Supply	Speedy Inst. Matls./R. Canyon	6760	\$1,000.00
084869	Nasco Math	Inst. Matls./SMHS	6760	\$1,427.23
084872	Dell	Projectors/CHS	7258	\$6,350.76
084874	Alin's Party Supply	Other Supp./RHMS	0000	\$1,500.00
084881	Southwest School Supply	Speedy Off. Supp./RHMS	1100	\$1,000.00
084884	Empire Office Machines	Tech. Supp./I. T.	0000	\$3,000.00
084889	S & S Discount Sports	Inst. Matls./C. Ranch	6761	\$1,662.51
084890	Lakeshore	Inst. Matls./C. Ranch	6761	\$1,972.72
084896	Corporate Express	Tech. Supp./Transportation	7230	\$1,158.53
084898	Highsmith	Off. Supp./Adm. Svs.	0750	\$1,661.32
084899	Voyager Expanded Learning	Inst. Matls./Rogers	7250	\$31,414.40
084900	Complete Business Systems	Inst. Matls./Rogers	7250	\$1,469.68
084909	Precision Grading	Cont. Svs./BHS	9811	\$5,500.00
084910	Lloyd's Fence Co.	Site Improvement/BHS	9811	\$9,416.00
084911	Toshiba Business Solutions	Copier/Lincoln	9002/1100	\$9,995.97
084914	School Savers	Calculators (Liab. Claim)/BHS	9878	\$2,087.97
084920	Dell	Computer/Fiscal Svs.	0000	\$1,783.25
084921	Office Depot	Inst. Matls./Sycamore Hills	7250	\$1,343.65
084924	Everbind Books	Other Bks./RHMS	7250	\$1,831.74
084928	Wards Natural Science	Inst. Matls./BMS	7250	\$4,354.80
084929	Best Golf Service	Cont. Repairs/CHS	1100	\$1,500.00
084938	Toshiba Business Solutions	Copier/Crestmore	0750	\$9,081.17
084939	Dell	Computers/G. Terrace	7250	\$7,321.89
084940	Follett Library Resources	Other Bks./THMS	0790	\$1,060.09
084941	Meet the Masters	Inst. Matls./Sycamore Hills	6760	\$14,290.65
084942	International Fun Shop	Inst. Matls./Sycamore Hills	6761	\$1,739.71
084949	Follett Library Resources	Other Bks./McKinley	7250	\$1,540.03
084950	Spinitar	Inst. Inst. Matls./McKinley	7250	\$2,523.56
084953	Imed	New Eq./THMS	7250	\$1,130.71
084957	Dell	Computers/Sycamore Hills	7250	\$5,473.44
084960	Follett Library Resources	Other Bks./G. Terrace	7250	\$4,709.18
084970	Cascio Interstate Music	New Eq./BMS	6760	\$4,415.59
084975	Enterprise Rent A Car	Misc. Rental/Transportation	7230	\$1,904.10
084976	Enterprise Rent A Car	Misc. Rental/Transportation	7230	\$3,021.06
084977	Office Depot	Speedy Inst. Matls./McKinley	7250	\$2,900.00
084978	Southwest School Supply	Speedy Inst. Matls./Rogers	3010	\$1,000.00
084983	Woodwind & Brasswind	New Eq./BMS	6761	\$15,261.72
084984	Office Depot	Speedy Inst. Matls./BHS	7090	\$1,500.00
084985	Office Depot	Speedy Inst. Matls./BHS	7395	\$1,000.00

084986	Southwest School Supply	Speedy Inst. Matls./BHS	7395	\$1,000.00
084990	Imed	Tech. Eq./WHS	7258	\$1,201.20
084991	Imed	New Eq./BHS	7395	\$1,801.80
084995	Imed	Inst. Matls./THMS	0000	\$1,150.12
084999	Office Depot	Furniture/Zimmerman	7258	\$10,316.80
085014	Best Buy	Projectors/Sycamore Hills	6761	\$9,137.20
085016	Woodwind & Brasswind	New Eq./THMS	6761	\$14,294.12
085019	Hillyard	Cust. Supp./T.View	0750	\$1,331.55
085024	Toshiba Business Solutions	Copier/Rogers	7250	\$9,995.97
085027	Direct Advantage	Inst. Matls./Wilson	6761	\$1,037.75
085030	Corporate Express	Tech. Supp./PAR	7271	\$1,243.32
085035	Inland Office Products	Inst. Matls./R. Canyon	7250	\$1,274.15
085044	Office Depot	Off. Supp./H.R.	0000	\$3,628.47
085046	Ken's Sporting Goods	Inst. Matls./BHS	0750	\$7,581.29
085050	Long's Electronic	Inst. Matls./CHS	1100	\$1,131.21
085054	Houghton Mifflin	Inst. Matls./BMS	7258	\$5,986.54
085056	John Deere Landscapes	Cont. Repairs/San Salvador	6055	\$1,241.28
085061	JZ's Party Charm	Misc. Rental/BHS	1100	\$1,050.56
085066	Positive Promotions	Awards/Incent./THMS	1100	\$1,571.79
085072	Stanton Trophy Shop	Awards/Incent./BHS	1100	\$1,500.00
085074	Home Depot	Maint. Supp./BHS	1100	\$1,800.00
085075	Varsity Scoreboards	New Eq./BHS	1100	\$1,927.12
085079	Maintex	Cust. Supp./Purchasing	0000	\$2,511.76
085082	Calopympic Safety	Safety Supp./Risk/Benefits	9884	\$1,851.19
085087	Gopher	Inst. Matls./T. View	6761	\$6,808.17
085088	CM School Supply	Inst. Matls./R. Canyon	6761	\$1,000.00
085091	Complete Business Systems	Inst. Matls./G. Terrace	1100	\$1,504.61
085092	Simplex Time Recorder	Maint. Supp./Crestmore	8150	\$1,110.72
085096	Arm Tech	Misc. Svs./Risk/Benefits	9884	\$3,500.00
085097	Incentives for Learning	Other Bks./R. Canyon	0750	\$1,944.52
085101	DMS Crane Services	Cont. Repairs/BHS	8150	\$2,000.00
085102	Renegade Fence	Cont. Svs./CHS	8150	\$1,219.68
085103	CM Fence Co.	Cont. Repairs./CHS	8150	\$6,435.00
085104	Klopping-Hardie	Maint. Supp./M & O	8150	\$1,562.38
085105	Sierra Wholesale Hardware	Maint. Supp./M & O	8150	\$2,000.00
085109	Lloyd's Fence Co.	Maint. Supp./M & O	8150	\$1,000.00
085112	Calloway House	Inst. Matls./C. Ranch	0750	\$1,378.18
085114	Troxell Communications	Class. Furn./Rogers	7250	\$2,519.20
085115	Intelli Tech	New Eq./McKinley	6761	\$3,323.01
085116	Waxie	Maint. Supp./C. Ranch	7396	\$7,087.10
085118	Intelli Tech	Inst. Matls./McKinley	7250	\$1,282.22
085122	Great Lakes Sports	Inst. Matls./Rogers	6761	\$3,735.99

085131	Lakeshore	Inst. Matls./C. Ranch	0750/6761	\$1,805.12
085140	Imed	New Eq./BMS	6286	\$1,693.83
085141	Troxell Communications	New Eq./R. Canyon	6761	\$10,968.95
085142	Delphin Computer Supply	Printers/Rogers	7250	\$1,561.30
085143	Link Line Communications	Computers/Transportation	7230	\$2,261.51
085144	Delphin Computer Supply	Printer/Rogers	3010	\$1,435.23
085145	Link Line Communications	Computers/Rogers	7250	\$2,041.71
085146	Link Line Communications	Computer/Rogers	7250	\$1,025.17
085149	Follett Library Resources	Other Bks./Grant	7250	\$5,000.00
085150	Coole School	Inst. Matls./J. Vista	7250	\$1,355.10
085174	Troxell Communications	Projectors/Rogers	7250	\$6,972.50
085175	Imed	New Eq./Rogers	7250	\$4,792.50
085225	Guitar Center	New Eq./D'Arcy	6761	\$5,586.68
085226	Dell	Computer/Rogers	0750	\$1,951.46
085227	Dell	Computer/Rogers	0750	\$1,951.46
085230	Dell	Computer/Lewis	7250	\$3,362.78
085231	Maintex	New Eq./Lincoln	1100	\$2,669.47
085232	Link Line Communications	Computers/H.R.	0000	\$2,412.35
085234	Sportsco	Uniforms/BHS/CHS	6405	\$2,896.32
085235	G/M Business Interiors	New Eq./Fiscal Svs.	0000	\$1,022.16
085241	Nasco Math	Inst. Matls./WHS	6760	\$1,484.92
085243	Gopher	Inst. Matls./BHS	6761	\$8,107.59
085244	Gopher	Inst. Matls./BHS	6761	\$9,308.38
085245	Gopher	Inst. Matls./BHS	6761	\$2,646.94
085246	Dewey Pest Control	Pest Cont./M & O	6150	\$3,000.00
085251	Nasco	New Eq./BHS	6761	\$2,886.42
085254	So. Calif. Gas Co.	Vehicle Fuel/Transportation	7230	\$90,000.00
085261	Dell	Comp. Tech./Lincoln	0110	\$2,690.21
085262	Dell	Comp. Tech./Grant	0110	\$2,353.94
085281	Lakeshore	Inst. Matls./San Salvador	6055	\$2,054.22
085282	Lakeshore	Inst. Matls./San Salvador	5035	\$2,002.66
085291	Brickley Environmental	Cont. Svs./CMS	8150	\$2,381.00
085292	Brickley Environmental	Cont. Svs./M & O	8150	\$2,500.00
085293	Maintex	Other Supp./M & O	0000	\$1,000.00
085294	Zee Medical	Other Supp./San Salvador	6055	\$1,811.83

TOTAL

\$667,147.19

LEGEND

0000 General Fund/Unrestricted

0001 Child Dev. Facilities

0100	Gov. Performance AWD 00-01
0110	Staff Development Buy Back
0750	Mandated Costs
0790	Donations, Misc.
1100	State Lottery
3010	Title 1
3025	Title 1 N&D
3405	Sp. Ed Workability
3175	NCLB
3550	Vocational Ed.
3710	Drug Free Schools
4035	Title II Part A
4110	Title VI
4203	Title III Part A LEP
5035	Child Dev. Block Grant
4045	Title II Part D
5210	Head Start
5630	Homeless Children Ed. Grants
5640	Medi-Cal Billing Option
6055	State Preschool
6060	Childcare and Development
6092	Cal Safe Childcare & Dev.
6205	Deferred Maintenance
6285	Community Based Eng. Tutor
6286	English Language Learner
6405	School Violence & Safety
6500	Special Ed.
6760	Arts & Music Block Grant
6761	Art, Music, PE Supp/Eq.
7055	CAHSEE Intensive Inst. & Svcs
7056	CAHSEE Individualized Mts.
7090	Economic Impact Aid: LEP
7010	Agricultural Vocational Ed.
7101	Ed. Tech. Digt. Hi Staff Dev.
7156	Block Grant
7158	Inst. Matls./Williams' Case
7230	Transportation- Home to School
7240	Sp. Ed. Transportation
7250	School Based Coord. Program
7255	Immediate Intervention UPSP
7258	High Priority Schls Grant Prog.
7265	School Improvement 7-12

7270	Staff Development/Mentor Teac
7271	CA Peer Asst & Review
7294	Staff Dev-Math & Reading AB466
7320	Staff Development/Adm. Trg.
7390	Pupil Retention BG AB825
7395	Schl/Library Imprv. Bg AB825
7396	Schl Site Disc. Block Grant
8150	Ongoing Major Maintenance
9002	AB466 Site Reimbursement
9005	Medi-Cal Admin. Activities
9286	Special Project Adm.
9701	School Facility Fund
9705	School Facility Fund
9707	School Facility Fund
9737	CHS Mod.
9812	Capital Facilities
9878	Uninsured Losses/Liability
9884	Workmens Comp. Ins.

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Approval of Disbursements**

GOAL: Budget Planning

RECOMMENDATION: That the Board approve disbursements paid as listed, 2007-2008 from Batch #1201 through Batch #1349 or the sum of \$3,900,759.92

◆ **Board of Trustees Payment Report is available at the Board of Education Meeting for review.**

ACTION: On motion of Board Member _____ and _____, the Board approved the disbursements as listed.

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BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Approval of 2007/2008 Second Interim Financial Report

GOAL: Budget Planning

BACKGROUND: Pursuant to Education Code Section 42131, twice each year, the Board of Education must certify to the County Office of Education and the California Department of Education that the District can meet its financial obligations for the current and two subsequent fiscal years.

The Second Interim Financial Report presents actual to date data as of January 31, 2006. This report must be approved and certified as positive, qualified, or negative by the Governing Board and submitted to the County Superintendent of School by March 14, 2008. The three certifications are defined as follows:

1. **A Positive Certification** means that a Local Education Agency (LEA) will meet its financial obligations for the current and two subsequent fiscal years.
2. **A Qualified Certification** means that a LEA may not meet its financial obligations for the current or two subsequent fiscal years.
3. **A Negative Certification** means that a LEA will not meet its financial obligations for the remainder of the fiscal year or for the subsequent fiscal year.

The attached Second Interim Financial Report is presented to the Board of Education for approval with a qualified certification as the District may not meet its obligations in 2009/10.

On January 10, 2008 the Governor declared a fiscal emergency. Per San Bernardino County Superintendent of School instructions, school districts are to prepare and present the Second Interim and Multi Year Projection reports with consideration to impacts of the Governor's proposed budget. The narrative portion of this report explains the changes to the District budget for the General Fund as a result of the Governor's proposed budget and other factors, comparing Board Approved Operating Budget (column B) and the Projected Year Totals (column D).

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Also included, is a multi-year projection for the fiscal years 2008/09 and 2009/10. The multi-year projection is based on numerous assumptions, as listed, regarding revenues, expenditures, staffing and enrollment.

Education Code Section 42131(e) requires school districts that file a qualified or negative 2nd Interim report to file an additional interim report by June 1st. The report is to present June 30 projections as of April 30 to the oversight county office. The District will be bringing this report to the Board on May 22, 2008.

**BUDGET
IMPLICATIONS:**

Financial information presented for this Second Interim Report indicates that the combined restricted and unrestricted General Fund balance at June 30, 2008 is projected at \$26,960,762 million; \$19,923,563 million in 2008/09 and \$6,393,188 million in 2009/10.

RECOMMENDATION:

That the Board of Education approve the 2007/08 Second Interim Financial Report with a qualified certification.

ACTION:

On motion of Board Member _____ and _____, the Board approved the 2007/08 Second Interim Financial Report.

COLTON JOINT UNIFIED SCHOOL DISTRICT

SECOND INTERIM REPORT

Narrative Summary – March 13, 2008

This narrative explains the changes to the District budget for the General Fund, comparing the 2007/08 Board Approved Operating Budget column (B) and the Projected Year Totals column (D), with references to the attached analysis.

REVENUES:

Revenue Limit Sources – Increase by \$1,726,361 as a result of \$50,648 decrease in Special Education and an increase of \$1,777,009 in estimated June apportionment.

Federal Revenue – Increase by \$83,291 to account for categorical programs:

- IDEA Preschool Local Entitlement Increase of \$235
- IDEA Preschool Staff Development Decrease of \$547
- Title I: Increase of \$2,000
- Title I Part D Increase of \$1,531
- Title IV Safe and Drug Free Increase of \$8,969
- NCLB Part A Improving Teacher Quality Decrease of \$14,086
- NCLB Limited English Student Program Increase of \$37,972
- Title V Innovative Education Strategies Increase of \$4,659
- Medical Administrative Activities (MAA) Increase of \$42,558

Other State Revenue – Increased by \$190,674 to account for categorical programs:

- Special Education Increase of \$30,326
- Mandated Cost Increase of \$8,609
- English Language Acquisition (ELAP) Increase of \$37,913
- Tobacco Use Prevention Education (TUPE) Decrease of \$3,293
- Career Technical Education Equipment Increase of \$2,833
- Art and Music Block Grant Increase of \$47,365
- Agriculture Vocational Incentive Increase of \$2,000
- California Peer Assistant and Review Increase of \$862
- Staff Development Admin Training Increase of \$22,500
- Pupil Retention Block Grant Increase of \$5,228
- Lottery Increase of \$27,530
- Prop 20 Instructional Material Lottery Increase of \$32,137
- Supplemental Hourly Apportionment Decrease of \$23,336

Other Local Revenue – Increased by \$514,112.63 as a result of:

- Special Education Decrease of \$27,697
- Incentive Instruction Increase of \$41,810
- Interest Income Increase of \$500,000

EXPENDITURES:

Expenditure categories have been evaluated and adjusted accordingly to reflect projected balances as of June 30. The significant change is in the area of Books and Supplies in the amount of \$4.7 million. This is mainly due to review of the categorical programs to estimate unspent balances by June 30th. Per Board's direction, the District makes total categorical budgets available to program directors during the year. At this time it is projected approximately \$4.4 million will be remaining by the end of the year and as a result Books and Supplies category has been adjusted to reflect this projection. The District also has the practice of reviewing payroll encumbrances monthly to make necessary adjustments and liquidate budget.

Certificated Salaries – Decrease of \$2,456,875 mainly due to adjusting payroll encumbrances for contract salaries and stipends through June 30th, freeze hiring vacant positions till July 1st, and adjustments for categorical programs.

Classified Salaries – Decrease of \$1,212,178 mainly due to adjusting payroll encumbrance for contract salaries through June 30th, freeze of hiring vacant positions till July 1st, and adjustments for categorical programs.

Employee Benefits – Decrease of \$832,468 mainly due to adjusting payroll encumbrance and categorical programs.

Books and Supplies – Decrease of \$4,667,515 mainly as a result of reducing categorical program budget for the projected balances at June 30th and also 50% reduction to site and department budgets for mid-year cuts.

Services and Other Operating Expenditures – Increase of \$8,182 due to categorical programs.

Capital Outlay – Decrease of \$3,580 in unrestricted programs.

Other Outgo – Decrease of \$145,674 as result of \$33,964 increase in Community Day School fees to the County and reduction of \$179,638 in debt service.

Other Funds

Fund 11 – Adult Education Fund

Interest Income is increased by \$1,000. Fund balance is projected at \$9,946.

Fund 12 – Child Development Fund

Head Start revenues and expenditures are increased in the amount of \$3,464. Facility Use expenditures are decreased by \$13,650. Fund balance is projected at \$374,867.

Fund 13 – Nutrition Services Fund

No significant changes are noted at this reporting period. Fund balance is projected at \$1,185,186.

Fund 14 – Deferred Maintenance Fund

Ending fund balance at June 30, 2008 is projected at \$2,351,738.

Fund 17 – Special Reserve for Other than Capital Outlay Fund

Fund balance is projected at \$3,410,445. This fund balance is used to meet the District's 5% minimum reserve balance.

Fund 21 – Building Fund

Interest Income and Capital Outlay expenditures are increased by \$22,102. Fund balance is projected at \$42,247,974. These Funds are designated for the completion of the High School #3.

Fund 25 – Capital Facilities Fund

Fund balance is projected at \$10,740,869.

Fund 35 – School Facility Fund

Interest income and Capital Outlay expenditures are increased by \$12,000. Fund balance is projected at \$12,742,585.

Fund 40 – Special Reserve for Capital Outlay Fund

Fund balance is projected at \$5,677,743 and is comprised of General Fund and Nutrition Services. General Fund portion is used as one-time funds to balance the 2008/09 budget.

Fund 51 – Bond Interest and Redemption Fund

No significant changes are noted at this reporting period. Fund balance is projected at \$7,098,198.

Fund 67 – Self Insurance Fund

Interest Income is increased by \$104,708. Fund balance is projected at \$15,881,807. Reserves in this fund are designated for payments of insurance claims.

Fund 94 – Community Facilities District (CFD) #2

Fund balance is projected at \$1,429,034. Reserves in this fund are designated for debt service on CFD #2.

Assumption for Multi-Year Projections 2007-08 through 2009-10

The Multi-year budget presented with the 2nd. Interim Financial Report is based on the most up-to-date information available as of February 2008 and based on the following assumptions:

Enrollment and Average Daily Attendance (ADA)

The District is in a declining enrollment status and projects that this trend will continue through 2009/10. The District's multi-year projections are based on a decline of 99 students in 2008/09 and 23 in 2009/10. Prior-Year guarantee allows districts to calculate revenue limit based on the high attendance count of current year or one prior year.

Revenues

Revenue Limit base is increased in each year by the projected Cost-of-Living-Adjustment (COLA) as reported by the School Services of California. 4.53% COLA is used to calculate the 2007/08 Revenue Limit, 4.94% in 2007/08, and 3% in 2008/09. However, a 6.99% deficit factor is applied to the Revenue Limit in 2008/09 and 2009/10 as a result of anticipated budget shortfalls. No Equalization is projected on the Revenue Limit during the next two years.

Federal Revenues are maintained at constant.

Other State Revenues are increased by COLA in 2008/09 and reduced by the projected deficit factor resulting in a net decrease of 6.5%. **Special Education revenues however are not allocated COLA and in addition will be cut approximately \$30 per ADA. Although Special Education is a restricted program it impact unrestricted general fund, since it is an encroaching program.**

Other Local Revenues are decreased slightly for interest income as a result of Governor's proposal to defer June apportionment funding to the month of September.

Expenditures

Certificated and Classified Salaries are projected with an increase for the cost of step and column in the 2008/09 and 2009/10. No other increases are projected.

Employee Benefits are projected based on projected salary increases as indicated above. In addition, health and welfare cost is projected to increase by 10% each year. The District provides 100% paid medical and dental to the permanent active employees and 100% paid medical benefits for its retired employees. CSEA employees hired after 7/1/06 and management employees hired after 9/1/07 receive 100% paid medical and dental of the lowest cost HMO. Statutory Benefits for certificated employees is projected at 12.96% for all three years. This is comprised of 8.25% State Teachers' Retirement System (STRS), 1.45% Medicare, 1.41% GASB 45, 1.8% Worker's Compensation, and .05% State Unemployment Insurance.

Statutory Benefits for classified employees is projected at 25.95% for all three years. This is comprised of 13.02% for Public Employees Retirement System (District and state contribution), 6.2% Federal Insurance Contribution Act (FICA), 1.45% Medicare, 3.43% GASB 45, 1.8% Worker's Compensation, and .05% State Unemployment Insurance.

2007/08 is the final payment of \$497,000 for Supplemental Executive Retirement Plan (SERP)

Books and Supplies are adjusted in the Multi-year budget based on enrollment changes. The primarily portion of these expenditures takes place from Federal and state funds (categoricals) specifically allocated for this purpose. This expenditure category is adjusted for the estimated carryover balances in state entitlements.

Services and Other Operating Expenses are budgeted in the Multi-year with an increase based on California Consumer Price Index (CPI) of 2.8% in 2008/09 and 2.9% in 2009/10.

Transfers In/Out

In 2008/09 fund 40 reserve balance of \$4.82 million will be transferred back to the General Fund to maintain 5% reserve requirement in Economic Uncertainties.

Beginning Balance July 1

The District recognized the June Deferral in the amount of approximately \$7 million in 2007/08 at the budget adoption. The projections indicated a significant trend decrease in beginning balances decrease as a result of deficit spending.

Reserves

Economic Uncertainty Reserve is set at 5% of the District's budget per Board Policy. Combined total unrestricted and undesignated reserve amount in the General Fund and Fund 17 provides for 5% minimum requirement through 2008/09 only. The 2009/10 reserve balance is projected **below** 3% state requirement.

Unappropriated Reserve is the amount available after the required set aside for Economic Uncertainties and other designations. The District's Multi-year projections show a zero Unappropriated Reserve balance in 2007/08 through 2009/10.

Fiscal Recovery Plan

The District recognizes the impending budget challenges and has established a \$10.2 million targeted budget realignments. Per Board instructions, a Budget Committee comprised of all stakeholders is formed to meet weekly. Budget Committee recommendations are communicated to the Board to identify areas of reduction for final implementation in 2008/09 adopted budget.

ENDING FUND BALANCE AND MAJOR CHANGES TO THE COMPONENTS

Ending Fund Balance – It is projected that by year end the General Fund ending fund balance is projected at \$26,960,762 General Fund's ending balance includes reverses that are legally restricted, designations, and state mandated reserve for economic uncertainties:

Revolving Cash Reserve	\$50,000
Stores Reserve	\$150,000
Legally restricted Ending Balance (categorical programs)	\$4,441,014
Designated for Economic Uncertainties @ 5%	\$10,169,999
Mandated Cost Reserve	\$3,002,431
Lottery Reserve	\$1,588,851
Designated for Future Operational Budget	\$7,558,466

Legally Restricted Balance – Restricted programs are projected to have an ending balance of \$4.4 million. District's practice is to budget for full entitlements during the year and make funds available to program directors. At this time, Books and Supplies expenditure category has been reduced to reflect the projected ending balance in these programs by June 30, 2008.

Designated for Future Operational Budget – \$7.5 million is harvested in 2007/08 and set aside to balance 2008/09 budget. This amount reflects one-time savings from freezing expenditures and delay hiring positions currently vacant in the District till July; payroll and benefit encumbrances adjustments projecting expenditures through June 30; site and department remaining balances at 50% for mid-year cuts; increase of \$1.7 million in Revenue Limit as a result of June Deferral calculation and \$500,000 increase in projected Interest Income:

Revenue Limit Increase for June Deferral	\$1,777,009
Interest Income	\$500,000
Certificated Salaries-encumbrance adjustments	\$1,750,537
Classified Salaries-vacant positions & encumbrance adj	\$1,227,615
Employee Benefits-vacant positions & encumbrance adj	\$851,833
Books & Supplies-50% site & department budget cut	\$1,271,834
Debt Service Interest	\$179,638

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: **Board of Education**

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: **Ratification of Jacqueline Solorzano, Consultant Agreement to Provide Auditory Verbal Therapy to a Crestmore Elementary Special Education Student (2007-08)**

GOAL(s) Student Performance

BACKGROUND: A 13 year-old Crestmore Elementary English Learner special education student required auditory verbal therapy to begin during the week of January 14, 2008, for the remainder of the year, as per his individual education plan (IEP).

Because the service was so specialized and consultant difficult to find, the service started on February 25, 2008, when the consultant was found. The student, who has had a severe hearing loss for most of his life, is just beginning to hear and needs this specialized therapy to learn how to understand the spoken language.

The service is necessary to provide him with a free appropriate public education (FAPE). The IEP team has recommended auditory verbal therapy for 2 hours per week. Make up sessions are being provided back to effective date of IEP.

BUDGET IMPLICATIONS: The consultant charges \$80 per hour for a total of \$3,520 from Special Education funds.

RECOMMENDATION: That the Board ratify Jacqueline Solorzano, Consultant Agreement to Provide Auditory Verbal Therapy to a Crestmore Elementary Special Education Student (2007-08).

ACTION: On motion of Board Member _____ and _____, the Board ratified Jacqueline Solorzano, Consultant Agreement to Provide Auditory Verbal Therapy to a Crestmore Elementary Special Education Student (2007-08).

C-14

Colton Joint Unified School District

CONSULTANT SERVICES

This agreement made and entered into this 25nd day of February, 2008, by and between the Colton Joint Unified School District, hereinafter referred to as the "District" and Jacqueline Solorzano, hereinafter referred to as the "Consultant":

Site/Location: Crestmore Elementary
Date(s): 2/25/08-6/30/08
Time(s): to be arranged, per IEP
Title: Auditory Verbal Therapy
Service(s) contracted for: AV Therapy for student #148119

Witnesseth:

Whereas, the District is in need of: an Auditory Verbal Therapist

and whereas, the consultant has some expertise in performing this service, it is mutually beneficial to the parties to enter into this agreement in accordance with the following terms and conditions:

The "**DISTRICT**" will:

1. Pay the consultant for up to 44 hours at \$80 each, for a **TOTAL COST** of \$3520.

The "**CONSULTANT**" will:

1. Submit a detailed invoice, in triplicate, to the District showing the total amount owed by the District for services performed.
2. Submit, along with the invoice, a log of therapy hours completed, including time, date, and activities conducted.
3. **Certify that all services for which payment is now being claimed were rendered at times other than his/her regular assigned workday.**
4. Hold harmless the **DISTRICT** and its representatives of any liability imposed upon them for damages arising out of the performance of the services rendered by **CONSULTANT** and caused by any error, omission or act of **CONSULTANT**.

This agreement will continue until June 30, 2008, unless canceled prior to that time by one of the parties giving the other party at least a twenty-four (24) hour advance notice.

Consultant

Board Approval Date

Social Security Number

Authorized Signature

Date

2-25-08

Date

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services

SUBJECT: Ratification of Change Orders Approved by Staff since February 21, 2008, for the Colton High School Modernization Project Per Board Resolution 07-14

GOAL: Budget Planning

The table below provides the change order history log by individual contractor.

BACKGROUND:

Description SCW Contracting Corp.	Revised Contract Amount	Add	Credit	Net Increase / Decrease	Cumulative % To Date
Original Contract	\$499,000				
Change Order No. 1 (Board date 04/22/06)	\$504,664	\$6,561	(\$897)	\$5,664	1.14%
Change Order No. 2 (Board date 04/19/07)	\$517,284	\$12,831	(\$211)	\$12,620	3.66%
Change Order No. 3 (to Bd. 03/13/08)	\$541,130	\$23,846		\$23,846	8.44%
Change Order No. 4 (to Bd. 03/13/08)	\$542,741	\$6,176	(\$4,565)	\$1,611	8.77%

Change Order # 3 Detail

\$23,121 – Provide guardrails in lieu of handrails to meet code requirements at 200 wing. Existing height of walkways exceed 30". Unforeseen condition.

\$725 – Relocate existing canopy support at ADA ramp on south side of ceramics building. Unforeseen condition.

Change Order # 4 Detail

\$826 – Add guard rails at relocated drinking fountain outside nurse's office. Code requirement.

\$5,350 – Add handrails to ramp on south side of music building. Code requirement not in original scope of work.

(\$3,365) – Credit for deleting rails in area that conditions did not require.

(\$1,200) – Credit for roof access ladder that was not needed at administration building.

**BUDGET
IMPLICATIONS:**

The total charge to School Facilities Fund - Fund 35:

Net additional construction costs	\$25,457.00
Architect (8%)	<u>\$2,036.56</u>
Total	\$27,493.56

C-15

RECOMMENDATION:

That the Board approve ratification of change orders approved by staff since February 21, 2008, for the Colton High School modernization project per Board Resolution 07-14.

ACTION:

On motion of Board Member _____ and _____, the Board approved as presented.

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education 4
PRESENTED BY: Casey Cridelich, Assistant Superintendent, Business Services
SUBJECT: Ratification of Change Order Approved by Staff Since the Board Meeting on February 21, 2008, for Bid No. 07-09: Asbestos Abatement Project at BHS, Zimmerman, ESC, CHS and Washington per Board Resolution 07-14

GOAL: Budget Planning

BACKGROUND:

Description	Original Contract Amount	Add	Credit	Revised Contract Amount	Cumulative % To Date
Brickley Environmental					
Original Contract	\$180,310				
Change Order No. 1 (Board date 3-13-08)		\$11,654		\$191,964	6.46%

As the asbestos abatement project at BHS, ESC, Zimmerman and CHS was in progress, it was determined that an \$11,654 change order was necessary as follows:

- 1) BHS room 321 did not need floor tile abatement as anticipated. This resulted in a \$1,500 credit.
- 2) ESC did not need floor tile abatement as anticipated. This resulted in a \$900 credit.
- 3) Zimmerman needed an additional 900 square feet of floor tile removed. This resulted in a \$5,229 addition to the contract.
- 4) CHS' Whitmer Auditorium needed an additional 2,200 square feet of multi-layer floor tile removed. This resulted in an \$8,825 addition to the contract.

BUDGET

IMPLICATIONS: \$11,654 to be charged to Deferred Maintenance Funds.

RECOMMENDATION: That the Board ratify the change order approved by staff since the Board Meeting on February 21, 2008, for Bid No. 07-09: Asbestos Abatement Project at BHS, Zimmerman, ESC, CHS and Washington per Board Resolution 07-14.

ACTION: On motion of Board Member _____ and _____, the Board approved as presented.

C-16

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education
PRESENTED BY: Rick Dischinger, Assistant Superintendent, Student Services
SUBJECT: Approval of Contract with All American Private Security, LLC for Security Services for 2007-08 for Colton High School and Bloomington High School

GOAL(S) Student Safety and Budget Planning

BACKGROUND: With the augmentation of the security services in the District, the Student Services Department has taken over the procurement of the outside security company from the Purchasing Department. A Request for Proposals (RFP) was completed and the following are the results of the quotes:

Service @ Hrly Rate	All American Private Security	The Surveillance Protection Group, Inc.	SMS Security, Inc.
Reg. unarmed Security (8 hr. w/1.5 for OT)	\$14.80/hr	n/a	\$20.00/hr
Reg. unarmed guard supervisor	n/a	n/a	Salaried \$35,000 per year
Reg. armed guard	\$18.25/hr	\$34.00/hr	n/a
Reg. armed guard supervisor	n/a	n/a	n/a
Armed security patrol	n/a	\$750 per month plus fuel costs	n/a

Staff proposes All American Private Security based on their experience with other school districts and local cities.

BUDGET IMPLICATIONS: Not to exceed \$13,000 for 2007-08 from the General Fund.

RECOMMENDATION: That the Board approve the contract with All American Private Security for security services for the remainder 2007-08, as presented.

ACTION: On motion of Board Member _____ and _____, the Board approved the contract with All American Private Security for security services for 2007-08, as presented.

0-17

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

ACTION ITEM

TO: Board of Education

PRESENTED BY: Rick Dischinger, Assistant Superintendent, Student Services

SUBJECT: **Proposed Amendment by Substitution to Administrative Regulations:**
*AR 5144.2 Suspension and Expulsion/Due Process
(Students with Disabilities)*
AR 6159 Individualized Education Program

BACKGROUND: The Administration is updating Board Policies and Administrative Regulations under the guidelines of the California School Boards' Association.

The regulations above were presented for study and information on February 21, 2008 and are now submitted for consideration.

RECOMMENDATION: That the Board adopt the administrative regulations listed.

ACTION: On motion of Board Member _____ and _____, the Board adopted the administrative regulations as presented.

0-18

SUSPENSION AND EXPULSION/DUE PROCESS (Students With Disabilities)

The following administrative regulation reflects the 2004 reauthorization of the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations, effective October 13, 2006 (34 CFR 300.1-300.818, added by 71 Fed. Reg. 156), and conforming state legislation (AB 1662, Ch. 653, Statutes of 2005). In cases where state law provides greater protections to students, state law supersedes federal law.

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been officially identified as a student with disabilities pursuant to IDEA and who has engaged in behavior that violated the district's code of student conduct may assert any of the protections under IDEA only if the district had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred. (20 USC 1415(k)(5); 34 CFR 300.534)

The district shall be deemed to have knowledge that the student has a disability if one of the following conditions exists: (20 USC 1415(k)(5); 34 CFR 300.534)

1. The parent/guardian has expressed concern to district supervisory or administrative personnel in writing, or to a teacher of the student, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.300-300.311.
3. The teacher of the student or other district personnel has expressed specific concerns directly to the district's director of special education or to other supervisory district personnel about a pattern of behavior demonstrated by the student.

The district would be deemed to not have knowledge that a student is disabled if the parent/guardian has not allowed the student to be evaluated for special education services or has refused services. In addition, the district would be deemed to not have knowledge if the district conducted an evaluation pursuant to 34 CFR 300.300-300.311 and determined that the student was not an individual with a disability. When the district is deemed to not have knowledge of the disability, the student shall be disciplined in accordance with procedures established for students without disabilities who engage in comparable behavior. (20 USC 1415(k)(5); 34 CFR 300.534)

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures pursuant to 34 CFR 300.530, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.534)

Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.536. (Education Code 48903; 34 CFR 300.530)

The principal or designee shall monitor the number of days, including portions of days, in which a student with a valid individualized education program (IEP) has been suspended during the school year.

ADMINISTRATIVE REGULATION

AR 5144.2

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) – continued

The district shall determine, on a case-by-case basis, whether a pattern of removals of a student from his/her current educational placement for disciplinary reasons constitutes a change of placement. A change of placement shall be deemed to have occurred under any of the following circumstances: (34 CFR 300.536)

1. The removal is for more than 10 consecutive school days.
2. The student has been subjected to a series of removals that constitute a pattern because of all of the following:
 - a. The series of removals total more than 10 school days in a school year.
 - b. The student's behavior is substantially similar to his/her behavior in previous incidents that resulted in the series of removals.
 - c. Additional factors, such as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another, indicate a change of placement.

If the removal has been determined to be a change of placement as specified in items #1-2 above, the student's IEP team shall determine the appropriate educational services. (34 CFR 300.530)

Services During Suspension

Any student suspended for more than 10 school days in the same school year shall continue to receive services during the term of the suspension. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed as provided in 34 CFR 300.101(a), so as to enable the student to continue to participate in the general education curriculum in another setting and to progress toward meeting the goals as set out in his/her IEP. (20 USC 1412(a)(1)(A); 34 CFR 300.530)

If a student with disabilities is excluded from school bus transportation, the student shall be provided with an alternative form of transportation at no cost to the student or his/her parent/guardian, provided that transportation is specified in his/her IEP. (Education Code 48915.5)

Interim Alternative Educational Placement Due to Dangerous Behavior

The district may unilaterally place a student with a disability in an appropriate interim alternative educational setting for up to 45 school days, without regard to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.530)

1. Carries or possesses a weapon, as defined in 18 USC 930. The term "weapon" refers to a "dangerous weapon" as defined in 18 USC 930 and includes any device which is capable of causing death or serious bodily injury. The term does not include a pocket knife with a blade of less than 2 1/2 inches in length.
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

ADMINISTRATIVE REGULATION

AR 5144.2

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) – continued

The student's interim alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G), 34 CFR 300.531)

On the date the decision to take disciplinary action is made, the parents/guardians of the student shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)

A student who has been removed from his/her current placement because of dangerous behavior shall receive services to the extent necessary to allow him/her to participate in the general education curriculum and to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Manifestation Determination

The following procedural safeguards shall apply when a student is suspended for more than 10 consecutive school days, when a series of removals of a student constitutes a pattern, or when a change of placement of a student is contemplated due to a violation of the district's code of conduct:

1. Notice: On the date the decision to take disciplinary action is made, the parents/guardians of the student shall be notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504. (20 USC 1415(k)(1)(H); 34 CFR 300.530)
2. Manifestation Determination Review: Immediately if possible, but in no case later than 10 school days after the date the decision to take disciplinary action is made, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

At the manifestation determination review, the district, the student's parent/guardian, and relevant members of the IEP team (as determined by the district and parent/guardian) shall review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians, to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E); 34 CFR 300.530)

- a. Caused by or had a direct and substantial relationship to the student's disability
- b. A direct result of the district's failure to implement the student's IEP, in which case the district shall take immediate steps to remedy those deficiencies

If the manifestation review team determines that a condition in either #a or #b above was met, the conduct shall then be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(E); 34 CFR 300.530)

3. Determination that Behavior is a Manifestation of the Student's Disability: When the conduct has been determined to be a manifestation of the student's disability, the IEP team shall conduct a functional behavioral assessment, unless a functional behavioral assessment had been conducted before the occurrence of the behavior that resulted in the change of placement, and shall implement a behavioral intervention plan for the student. If a behavior intervention plan has already been developed, the IEP team shall review the behavioral intervention plan

ADMINISTRATIVE REGULATION

AR 5144.2

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) – continued

and modify it as necessary to address the behavior. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and district agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F); 34 CFR 300.530)

4. Determination that Behavior is Not a Manifestation of the Student's Disability: If the manifestation determination review team determines that the student's behavior was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

The student shall receive services to the extent necessary to participate in the general education curriculum in another setting and to allow him/her to progress toward meeting the goals set out in his/her IEP. As appropriate, the student shall also receive a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. (20 USC 1415(k)(1)(D); 34 CFR 300.530)

Due Process Appeals

If the parent/guardian disagrees with any district decision regarding placement under 34 CFR 300.530 (suspension and removal for dangerous circumstances) or 34 CFR 300.531 (interim alternative placement), or the manifestation determination under 34 CFR 300.530(e), he/she may appeal the decision by requesting a hearing. The district may request a hearing if the district believes that maintaining the student's current placement is substantially likely to result in injury to the student or others. In order to request a hearing, the requesting party shall file a complaint pursuant to 34 CFR 300.507 and 300.508(a) and (b). (20 USC 1415(k)(3); 34 CFR 300.532)

Whenever a hearing is requested as specified above, the parent/guardian or the district shall have an opportunity for an expedited due process hearing consistent with requirements specified in 34 CFR 300.507, 300.508 (a)-(c), and 300.510-300.514.

If the student's parent/guardian or the district has initiated a due process hearing under 34 CFR 300.532 as detailed above, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.533)

Readmission

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

Suspension of Expulsion

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student with a disability, the principal or designee shall notify appropriate

ADMINISTRATIVE REGULATION

AR 5144.2

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) – continued

city or county law enforcement authorities of any act of assault with a deadly weapon which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of acts by any student with a disability which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a suspension or expulsion of a student with disabilities, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any act by the student which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

Report to County Superintendent of Schools

The Superintendent or designee shall report to the County Superintendent when any special education student has been expelled or suspended for more than 10 school days. The report shall include the student's name, last known address, and the reason for the action. (Education Code 48203)

*Legal Reference:**EDUCATION CODE**35146 Closed sessions (re suspensions)**35291 Rules (of governing board)**48203 Reports of severance of attendance of disabled students**48900-48925 Suspension and expulsion**56000 Special education; legislative findings and declarations**56320 Educational needs; requirements**56321 Development or revision of individualized education program**56329 Independent educational assessment**56340-56347 Individual education program teams**56505 State hearing**PENAL CODE**245 Assault with deadly weapon**626.2 Entry upon campus after written notice of suspension or dismissal without permission**626.9 Gun-Free School Zone Act**626.10 Dirks, daggers, knives, razors or stun guns**UNITED STATES CODE, TITLE 18**930 Weapons**1365 Serious bodily injury**UNITED STATES CODE, TITLE 20**1412 State eligibility**1415 Procedural safeguards**UNITED STATES CODE, TITLE 21**812(c) Controlled substances**UNITED STATES CODE, TITLE 29**706 Definitions**794 Rehabilitation Act of 1973, Section 504*

ADMINISTRATIVE REGULATION

AR 5144.2

SUSPENSION AND EXPULSION/DUE PROCESS (Students with Disabilities) – continued*CODE OF FEDERAL REGULATIONS, TITLE 34**104.35 Evaluation and placement**104.36 Procedural safeguards**300.1-300.818 Assistance to states for the education of students with disabilities, especially:**300.530-300.537 Discipline procedures**COURT DECISIONS**Schaffer v. Weast (2005) 125 S. Ct. 528**Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489**M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044**Honig v. Doe, (1988) 484 U.S. 305**Management Resources:**FEDERAL REGISTER**Rules and Regulations, August 14, 2006, Vol. 71, Number 156, pages 46539-46845**WEB SITES**California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>**U.S. Department of Education, Office of Special Education Programs:**<http://www.ed.gov/about/offices/list/osers/osep/index.html>*

(11/02 3/05) 11/06

Current

SUSPENSION AND EXPULSION/DUE PROCESS (Students With Disabilities)

A student identified as an individual with disabilities pursuant to the Individuals with Disabilities Education Act (IDEA) is subject to the same grounds for suspension and expulsion which apply to students without disabilities.

Procedures for Students Not Yet Eligible for Special Education Services

A student who has not been officially identified as a student with disabilities pursuant to IDEA and who has violated the district's code of student conduct may assert the procedural safeguards granted under this administrative regulation only if the district had knowledge that the student is disabled before the behavior that precipitated the disciplinary action occurred. (20 USC 1415(k)(5))

The district shall be deemed to have knowledge that the student has a disability if one of the following conditions exists: (20 USC 1415(k)(5); 34 CFR 300.527)

1. The parent/guardian has expressed concern to supervisory or administrative district personnel in writing, ~~or orally if the parent/guardian does not know how to write or has a disability that prevents a written statement~~, that the student is in need of special education or related services.
2. The parent/guardian has requested an evaluation of the student for special education pursuant to 34 CFR 300.530-300.536.
3. The teacher of the student, or other district personnel, has expressed specific concerns directly to the district's director of special education or to other supervisory district personnel about a pattern of behavior demonstrated by the student.

The district would be deemed to not have knowledge that a student is disabled if the parent/guardian has not allowed the student to be evaluated for special education services or has refused services. In addition, the district would be deemed to not have knowledge if the district conducted an evaluation and determined that the student was not an individual with a disability. When the district is deemed to not have knowledge of the disability, the student shall be disciplined in accordance with procedures established for students without disabilities. (20 USC 1415(k)(5))

If a request is made for an evaluation of a student during the time period in which the student is subject to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities. (20 USC 1415(k)(5); 34 CFR 300.527)

Suspension

The Superintendent or designee may suspend a student with a disability for up to 10 consecutive school days for a single incident of misconduct, and for up to 20 school days in a school year, as long as the suspension(s) does not constitute a change in placement pursuant to 34 CFR 300.519. (Education Code 48903; 34 CFR 300.520)

Insert
New
Language

The principal or designee shall monitor the number of days, including portions of days, that students with valid individualized education programs (IEP) have been suspended during the school year.

ADMINISTRATIVE REGULATION - continued

AR 5144.2

Services During Suspension

Replaced

~~Any student suspended for more than 10 school days in a school year shall continue to receive services during the term of the suspension, to the extent necessary to provide the student a free and appropriate public education. (20 USC 1412(a)(1)(A); 34 CFR 300.520)~~

If a student with disabilities is excluded from school bus transportation, the student shall be provided with an alternative form of transportation at no cost to the student or parent/guardian, provided that transportation is specified in the student's IEP. (Education Code 48915.5)

Interim Educational Placement Due to Dangerous Behavior

A student with a disability may be placed in an appropriate interim alternative educational setting for up to 45 school days, without regard as to whether the behavior is a manifestation of the student's disability, when the student commits one of the following acts while at school, going to or from school, or at a school-related function: (20 USC 1415(k)(1)(G); 34 CFR 300.520)

1. Carries or possesses a weapon, as defined in 18 USC 930
2. Knowingly possesses or uses illegal drugs
3. Sells or solicits the sale of a controlled substance as identified in 21 USC 812(c), Schedules I-V
4. Inflicts serious bodily injury upon another person as defined in 18 USC 1365

Insert
New
Language

The student's alternative educational setting shall be determined by his/her IEP team. (20 USC 1415(k)(1)(G))

Insert
New
Language

Procedural Safeguards/Manifestation Determination

1. The parents/guardians of the student shall be immediately notified of the decision and provided the procedural safeguards notice pursuant to 34 CFR 300.504 on the day the decision to take action is made. (20 USC 1415(k)(1)(H))
2. Immediately if possible, but in no case later than 10 school days after the date of the decision, a manifestation determination review shall be made of the relationship between the student's disability and the behavior subject to the disciplinary action. (20 USC 1415(k)(1)(E))

At the manifestation determination review, the relevant members of the IEP team, the district and parent/guardian shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents/guardians to determine whether the conduct in question was either of the following: (20 USC 1415(k)(1)(E))

a. Caused by, or had a direct and substantial relationship to, the student's disability

b. A direct result of the district's failure to implement the student's IEP

Insert
New
Language

If the manifestation review team determines that the conduct was caused by either #a or #b above, the conduct shall be determined to be a manifestation of the student's disability. (20 USC 1415(k)(1)(F))

Procedural Safeguards/Manifestation Determination - continued

Re-word and add new language

- 3. ~~If the manifestation determination review team has determined that the conduct was a result of the student's disability, the IEP team shall conduct a functional behavioral assessment as specified below. The student shall be returned to the placement from which he/she was removed, unless the parent/guardian and district agree to a change of placement as part of the modification of the behavioral intervention plan. (20 USC 1415(k)(1)(F))~~
- 4. ~~If the manifestation determination review team determines that the student's behavior was not a manifestation of his/her disability, the student may be disciplined in accordance with the procedures for students without disabilities. The student shall continue to receive services to the extent necessary to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP. (20 USC 1415(k)(1)(D))~~

Behavioral Assessment and Intervention Plan

Delete – no new language

~~The IEP team shall conduct a functional behavioral assessment and implementation plan for a student who has been removed because of dangerous behavior, or whose behavior was determined to be a manifestation of his/her disability, or whose behavior was determined not to be a manifestation of his/her disability. If the student already has an existing functional behavioral assessment, the team shall modify the assessment, as appropriate, to address the behavioral violation so that it does not recur. (20 USC 1415(k)(1)(C),(D), (F))~~

Due Process Appeals

If the parent/guardian disagrees with the determination that the student's behavior was not a manifestation of his/her disability or with any decision regarding placement, the parent/guardian has a right to appeal the decision to a hearing officer. (20 USC 1415(k)(3); 34 CFR 300.525)

Due Process Appeals - continued

If the student's parent/guardian initiates a due process hearing to challenge the interim alternative educational placement or the manifestation determination, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or the expiration of the 45-day time period, whichever occurs first, unless the parent/guardian and district agree otherwise. (20 USC 1415(k)(4); 34 CFR 300.526)

If school personnel maintain that it is dangerous for the student to be placed in the current placement (placement prior to removal to the interim alternative education setting) while the due process proceedings are pending, the Superintendent or designee may request an expedited due process hearing. (20 USC 1415(k)(4); 34 CFR 300.526)

Services During Expulsion

Delete - no new language

~~Any student with a disability who is expelled shall continue to receive services during the term of the expulsion to the extent necessary to provide the student a free and appropriate public education. Any alternative program must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum, although in another setting, and appropriately advance toward achieving the goals set out in the student's IEP. (20 USC 1412(a)(1)(A); 34 CFR 300.121, 300.520)~~

ADMINISTRATIVE REGULATION – continued

AR 5144.2

Readmission

Readmission procedures for students with disabilities shall be the same as those used for all students. Upon readmission, an IEP team meeting shall be convened.

Suspension of Expulsion

The Governing Board's criteria for suspending the enforcement of an expulsion order shall be applied to students with disabilities in the same manner as they are applied to all other students. (Education Code 48917)

Notification to Law Enforcement Authorities

Prior to the suspension or expulsion of any student with a disability, the principal or designee shall notify appropriate city or county law enforcement authorities of any act of assault with a deadly weapon which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of acts by any student with a disability which may involve the possession or sale of narcotics or of a controlled substance or possession of weapons or firearms in violation of Penal Code 626.9 and 626.10. (Education Code 48902)

Within one school day after a suspension or expulsion of a student with disabilities, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any act by the student which may violate Education Code 48900(c) or (d), relating to the possession, use, offering or sale of controlled substances, alcohol or intoxicants of any kind. (Education Code 48902)

<p>Insert New Language</p>

Legal Reference:

EDUCATION CODE

35146 Closed sessions (re suspensions)

35291 Rules (of governing board)

48900-48925 Suspension and expulsion

56000 Special education; legislative findings and declarations

56320 Educational needs; requirements

56321 Development or revision of individualized education program

56329 Independent educational assessment

56340-56347 Individual education program teams

56505 State hearing

PENAL CODE

245 Assault with deadly weapon

626.2 Entry upon campus after written notice of suspension or dismissal without permission

626.9 Gun-Free School Zone Act

626.10 Dirks, daggers, knives, razors or stun guns

UNITED STATES CODE, TITLE 18

930 Weapons

1365 Serious bodily injury

UNITED STATES CODE, TITLE 20

1412 State eligibility

1415 Procedural safeguards

UNITED STATES CODE, TITLE 21

812(c) Controlled substances

ADMINISTRATIVE REGULATION – continued

AR 5144.2

UNITED STATES CODE, TITLE 29

706 Definitions

794 Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 34

104.35 Evaluation and placement

104.36 Procedural safeguards

300.1-300.756 Assistance to states for the education of students with disabilities

COURT DECISIONS

Parents of Student W. v. Puyallup School District, (1994 9th Cir.) 31 F.3d 1489

M.P. v. Governing Board of Grossmont Union High School District, (1994) 858 F.Supp. 1044

Honig v. Doe, (1988) 484 U.S. 305

Doe v. Maher, (1986) 793 F.2d 1470

Management Resources:

FEDERAL REGISTER

34 CFR 300.a Appendix A to Part 300 - Questions and Answers

34 CFR 300a1 Attachment 1: Analysis of Comments and Changes

WEB SITES

California Department of Education: <http://www.cde.ca.gov>U.S. Department of Education, Office of Special Education and Rehabilitative Services:
<http://www.ed.gov/about/offices/list/osers/index.html>

(6/99 11/02) 3/05

ADMINISTRATIVE REGULATION

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INDIVIDUALIZED EDUCATION PROGRAM

The following mandated administrative regulation reflects the 2004 reauthorization of the federal Individuals with Disabilities Education Act (IDEA) (20 USC 1400-1482), implementing federal regulations effective October 13, 2006 (34 CFR 300.1-300.818, added by 71 Fed. Reg. 156), and conforming state legislation (AB 1662, Ch. 653, Statutes of 2005). In cases where state law provides greater protections, state law supersedes federal law.

Members of the Individualized Education Program (IEP) Team

The district shall ensure that the individualized education program team for any student with a disability includes the following members: (20 USC 1414(d)(1); 34 CFR 300.321; Education Code 56341, 56341.2, 56341.5)

- 1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian
- 2. If the student is or may be participating in the regular education program, at least one regular education teacher

If more than one regular education teacher is providing instructional services to the student, the district may designate one such teacher to represent the others.

- 3. At least one special education teacher or, where appropriate, at least one special education provider for the student
- 4. A representative of the district who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable about the general education curriculum
 - c. Knowledgeable about the availability of district and/or special education local plan area (SELPA) resources
- 5. An individual who can interpret the instructional implications of assessment results
 - a. This individual may already be a member of the team as described in items #2-4 above or in item #6 below.
- 6. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

The determination of whether the individual has knowledge or special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (Education Code 56341)

- 7. Whenever appropriate, the student with a disability
- 8. For transition service participants:

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

- a. The student, of any age, with a disability if the purpose of the meeting is the consideration of the student's postsecondary goals and the transition services needed to assist the student in reaching those goals pursuant to 34 CFR 300.320(b)

If the student does not attend the IEP team meeting, the district shall take other steps to ensure that the student's preferences and interests are considered.

- b. To the extent appropriate, and with the consent of the parent/guardian, a representative of any other agency that is likely to be responsible for providing or paying for transition services

If a representative of such other local agency has been invited but does not attend the meeting, the district shall take other steps to obtain participation of the agency in the planning of any transition services. (Education Code 56341)

9. For students suspected of having a specific learning disability in accordance with 34 CFR 300.308 (formerly 300.540) and 34 CFR 300.310 (formerly 300.542), at least one individual who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist, or remedial reading teacher (Education Code 56341)

In accordance with 34 CFR 300.310 (formerly 300.542), at least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age. (Education Code 56341)

10. For students who have been placed in a group home by the juvenile court, a representative of the group home

If a student with a disability is identified as potentially requiring mental health services, the district shall request the participation of the county mental health program in the IEP team meeting. (Education Code 56331)

Upon request of the parent/guardian of a child who was previously served under Early Education for Individuals with Exceptional Needs (Education Code 56425-56432) or the California Early Intervention Services Act (Government Code 95000-95004), the district shall invite the Infant and Toddlers with Disabilities Coordinator or other representative of the early education or early intervention system to the initial IEP team meeting to assist with the smooth transition of services. (20 USC 1414(d)(1)(D); 34 CFR 300.321; Education Code 56341)

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents and the district agrees, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or

discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (20 USC 1414(d)(1)(C); 34 CFR 300.321; Education Code 56341)

Parent/Guardian Participation and Other Rights

ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continued

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the meeting at a mutually agreed upon time and place. (34 CFR 300.322; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings that: (34 CFR 300.322; Education Code 56341.5)

1. Indicate the purpose, time, and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform the parents/guardians of the provisions of 34 CFR 300.321(a)(6) and (c) relating to the participation on the IEP team of other individuals who have knowledge or special expertise about the student, and 34 CFR 300.321(f) relating to the participation of the Infant and Toddlers with Disabilities Coordinator at the initial IEP team meeting
4. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):
 - a. Indicate that the purpose of the meeting will be the consideration of postsecondary goals and transition services for the student pursuant to 20 USC 1414(d)(1)(A)(i)(VIII), 34 CFR 300.320(b), and Education Code 56345.1
 - b. Indicate that the district will invite the student to the IEP team meeting
 - c. Identify any other agency that will be invited to send a representative

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (Education Code 56500.1)

The parent/guardian shall have the right and opportunity to examine all of his/her child's school records upon request and before any IEP meeting. Upon receipt of an oral or written request, the district shall provide complete copies of the records within five business days. (Education Code 56043)

If neither parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conferences or individual or conference telephone calls. (20 USC 1414(f); 34 CFR 300.322; Education Code 56341.5)

An IEP team meeting may be conducted without a parent/guardian in attendance if the district is unable to convince the parent/guardian that he/she should attend. In such a case, the district shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (34 CFR 300.322; Education Code 56341.5)

1. Detailed records of telephone calls made or attempted and the results of those calls

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ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

2. Copies of correspondence sent to the parent/guardian and any responses received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Parents/guardians and the district shall have the right to audiotape the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the district gives notice of intent to audiotape a meeting and the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the meeting shall not be audiotaped. Parents/guardians also have the right to: (Education Code 56341.1)

1. Inspect and review the audiotapes
2. Request that the audiotapes be amended if the parents/guardians believe they contain information that is inaccurate, misleading, or in violation of the student's privacy rights or other rights
3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

The district shall take any action necessary to ensure that the parents/guardians understand the proceedings of the meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is not English. (34 CFR 300.322; Education Code 56345.1)

The district shall give the parents/guardians of a student with disabilities a copy of his/her child's IEP at no cost. (34 CFR 300.322)

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: (20 USC 1414(d)(1)(A); 34 CFR 300.320; Education Code 56043, 56345, 56345.1)

1. A statement of the present levels of the student's academic achievement and functional performance, including:
 - a. The manner in which the student's disability affects his/her involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students)
 - b. For a preschool child, as appropriate, the manner in which the disability affects his/her participation in appropriate activities
2. A statement of measurable annual goals, including academic and functional goals, designed to do the following:
 - a. Meet the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general education curriculum

ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continued

- b. Meet each of the student's other educational needs that result from his/her disability
 - c. For students with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives
3. A description of the manner in which the progress of the student toward meeting the annual goals described in item #2 above will be measured and when the district will provide periodic reports on the progress the student is making toward meeting the annual goals, such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards
 4. A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research, to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student to:
 - a. Advance appropriately toward attaining the annual goals
 - b. Be involved and make progress in the general education curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities
 - c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in Education Code 56345(a)
 5. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities described in item #4 above
 6. A statement of any appropriate individual accommodations necessary to measure the academic achievement and functional performance of the student on state and district-wide assessments

If the IEP team determines that the student shall take an alternate assessment instead of a particular regular state or district-wide assessment, a statement of all of the following:

- a. The reason that the student cannot participate in the regular assessment
 - b. The reason that the particular alternate assessment selected is appropriate for the student
7. The projected date for the beginning of the services and modifications described in item #4 above and the anticipated frequency, location, and duration of those services and modifications
 8. Beginning not later than the first IEP to be in effect when the student is 16 years of age, or younger if determined appropriate by the IEP team, and updated annually thereafter, the following:
 - a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills.
 - b. The transition services, including courses of study, needed to assist the student in reaching those goals
 9. Beginning at least one year before the student reaches age 18, a statement that the student has been

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

informed of his/her rights, if any, pursuant to Education Code 56041.5 that will transfer to the student upon reaching age 18

Where appropriate, the IEP shall also include: (Education Code 56345)

1. For students in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed proficiency standards required for graduation
2. Linguistically appropriate goals, objectives, programs, and services for students whose native language is not English
3. Extended school year services when the IEP team determines, on an individual basis, that the services are necessary for the provision of a free appropriate public education (FAPE)
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center or nonpublic, nonsectarian school into a regular education program in a public school for any part of the school day

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
 - b. Support the transition of the student from the special education program into the regular education program
5. Specialized services, materials, and equipment for students with low incidence disabilities, consistent with the guidelines pursuant to Education Code 56136

Development, Review, and Revision of the IEP

In developing the IEP, the IEP team shall consider all of the following: (20 USC 1414(d)(3)(A); 34 CFR 300.324; Education Code 56341.1, 56345)

1. The strengths of the student
2. The concerns of the parents/guardians for enhancing the education of their child
3. The results of the initial assessment or most recent assessment of the student
4. The academic, developmental, and functional needs of the student
5. In the case of a student whose behavior impedes his/her learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille. However, such instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an assessment of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.
8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode.

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, including the following: (Education Code 56345)

- a. The student's primary language mode and language, which may include the use of spoken language, with or without visual cues, and/or the use of sign language
 - b. The availability of a sufficient number of age, cognitive, and language peers of similar abilities which may be met by consolidating services into a local plan area-wide program or providing placement pursuant to Education Code 56361
 - c. Appropriate, direct, and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language consistent with existing law regarding teacher training requirements
 - d. Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities consistent with the federal Vocational Rehabilitation Act and the federal Americans with Disabilities Act
9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation, or other program modification, in order to receive FAPE, the IEP team must include a statement to that effect in the student's IEP. (Education Code 56341.1)

The Superintendent or designee shall ensure that the IEP team: (20 USC 1414(d)(4); 34 CFR 300.324; Education Code 56043, 56341.1, 56380)

1. Reviews the IEP periodically, but at least annually, to determine whether the annual goals for the student are being achieved and the appropriateness of placement
2. Revises the IEP, as appropriate, to address:
 - a. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

- b. The results of any reassessment conducted pursuant to Education Code 56381
 - c. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to 34 CFR 305(a)(2) and Education Code 56381(b)
 - d. The student's anticipated needs
 - e. Other matters
3. Considers the special factors listed in items #5-9 above when reviewing the IEP

The IEP team shall also meet: (Education Code 56343)

1. Whenever the student has received an initial formal assessment and, when desired, when the student receives any subsequent formal assessment
2. Upon request by the student's parent/guardian or teacher to develop, review, or revise the IEP
If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (20 USC 1414(d); 34 CFR 300.324; Education Code 56345.1)

As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review, and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.324; Education Code 56341)

1. Appropriate positive behavioral interventions and supports and other strategies for the student
2. Supplementary aids and services, program modifications, and supports for school personnel that will be provided for the student, consistent with 34 CFR 300.320

To the extent possible, the district shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A); 34 CFR 300.324)

The student shall be allowed to provide confidential input to any representative of his/her IEP team. (Education Code 56341.5)

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the district may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. The IEP team shall be informed of any such changes. Upon request, the district shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (20 USC 1414(d)(3)(D); 34 CFR 300.324)

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the district shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

student's needs. (Education Code 56157)(cf. 6173.1 - Education for Foster Youth)

When an IEP calls for a residential placement as a result of a review by an expanded IEP team, the IEP shall include a provision for a review, at least every six months, by the full IEP team of all of the following: (Education Code 56043)

1. The case progress
2. The continuing need for out-of-home placement
3. The extent of compliance with the IEP
4. Progress toward alleviating the need for out-of-home care
5. Timelines for the IEP and for the Provision of Services

At the beginning of each school year, the district shall have an IEP in effect for each student with a disability within district jurisdiction. (34 CFR 300.323; Education Code 56344)

The district shall ensure that a meeting to develop an initial IEP is conducted within 30 days of a determination that a student needs special education and related services. The district shall also ensure that, as soon as possible following development of the IEP, special education services and related services are made available to the student in accordance with his/her IEP. (34 CFR 300.323; Education Code 56344)

An IEP required as a result of an assessment of the student shall be developed within 60 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56344)

However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for a student for whom a referral has been made 20 days or less prior to the end of the regular school year. In the case of school vacations, the 60-day time limit shall recommence on the date that student's school days reconvene. (Education Code 56344)

When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filing such a request. (Education Code 56043, 56343.5)

A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Director of Pupil Personnel Services. The Director of Pupil Personnel Services shall consider the request within 20 days of receiving it, not counting days when school is not in session or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction, and/or related services, the Director of Pupil Personnel Services shall convene an IEP team meeting, which shall be held within 30 days of the Director's review, not counting days when school is not in session or days when school is off track, unless the student's

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

parent/guardian consents in writing to an extension of time.

The district shall ensure that the student's IEP is accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation. The district shall also ensure that such teachers and providers are informed of their specific responsibilities related to implementing the IEP and the specific accommodations, modifications, and supports that must be provided to the student in accordance with the IEP. (34 CFR 300.323)

Before providing special education and related services, the district shall seek to obtain informed consent pursuant to 20 USC 1414(a)(1). If the parent/guardian refuses to consent to the initiation of services, the district shall not provide the services by utilizing the due process hearing procedures pursuant to 20 USC 1415(f). If the parent/guardian does not consent to all of the components of the IEP, then those components to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (Education Code 56346)

If the parent/guardian refuses all services in the IEP after having consented to those services in the past, the district shall file a request for a due process hearing. If the district determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide the student FAPE, a due process hearing shall be initiated in accordance with 20 USC 1415(f). While the due process hearing is pending, the student shall remain in the current placement unless the parent/guardian and the district agree otherwise. (Education Code 56346)

Transfer Students

To facilitate a transfer student's transition, this district shall take reasonable steps to promptly obtain the records of a student with disabilities transferring into this district, including his/her IEP and the supporting documents related to the provision of special education services. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this district during the school year from a district within this same SELPA, this district shall continue, without delay, to provide services comparable to those described in the existing IEP, unless the student's parent/guardian and district agree to develop, adopt, and implement a new IEP that is consistent with state and federal law. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this district during the school year from a California district outside of this district's SELPA, this district shall provide the student with FAPE, including services comparable to those described in the previous district's IEP. Within 30 days, this district shall, in consultation with the parents/guardians, adopt the other district's IEP or shall develop, adopt, and implement a new IEP that is consistent with state and federal law. (34 CFR 300.323; Education Code 56325)

If a student with disabilities transfers to this district during the school year from an out-of-state district, this district shall provide the student with FAPE, including services comparable to the out-of-state district's IEP, in consultation with the parent/guardian, until such time as this district conducts an assessment, if this district determines that such an assessment is necessary, and develops, adopts, and implements a new IEP, if appropriate. (34 CFR 300.323; Education Code 56325)

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ADMINISTRATIVE REGULATION

AR 6159

INDIVIDUALIZED EDUCATION PROGRAMCurrentRe-
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~~At the beginning of each school year, the district shall have an individualized education program (IEP) in effect for each student with a disability within district jurisdiction. (34 CFR 300.342)~~

Members of the IEP Team

The IEP team for any student with a disability shall include the following members: (20 USC 1414(d)(1); 34 CFR 300.344; Education Code 56341, 56341.2, 56341.5)

1. One or both of the student's parents/guardians, and/or a representative selected by the parent/guardian
2. If the student is or may be participating in the regular education program, at least one regular education teacher
3. If more than one regular education teacher is providing instructional services to the student, the district may designate one such teacher to represent the others.
4. At least one special education teacher or, where appropriate, at least one special education provider for the student
5. A representative of the district, ~~Special Education Local Plan Area (SELPA) or county office of education~~ who is:
 - a. Qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities
 - b. Knowledgeable about the general education curriculum
 - c. Knowledgeable about the availability of district and/or SELPA resources

An individual who conducted an assessment of the student or who is knowledgeable about the assessment procedures used to assess the student and is:

- a. Familiar with the assessment results or recommendations
- b. Qualified to interpret the instructional implication of assessment results

This individual may already be a member of the team as described in items #1-4 above or in item #6 below.

6. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate

The determination of whether the individual has special expertise regarding the student shall be made by the party who invites the individual to be a member of the IEP team. (Education Code 56341)

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

7. Whenever appropriate, the student with the disability
8. For transition service participants pursuant to 34 CFR 300.347:
 - a. The student, of any age, with the disability if the purpose of the meeting is the consideration of the student's transition service needs under Education Code 56345.1(a) or (b)

If the student does not attend the IEP team meeting, the district shall take other steps to ensure that the student's preferences and interests are considered.

- b. A representative of any other agency that is likely to be responsible for providing or paying for transition services

If a representative does not attend the meeting, the district shall take other steps to obtain participation of the agency in the planning of any transition services.

9. For students suspected of having a specific learning disability, at least one member of the team who is qualified to conduct individual diagnostic examinations of the student, such as a school psychologist, speech language pathologist or remedial reading teacher

At least one team member other than the student's regular education teacher shall observe the student's academic performance in the regular classroom setting. If the child is younger than five years or not enrolled in school, a team member shall observe the child in an environment appropriate for a child of that age.

10. For students who have been placed in a group home by the juvenile court, a representative of the group home

If a student with disabilities is identified as potentially requiring mental health services, the district shall request the participation of the county mental health program in the IEP team meeting. (*Education Code 56331*)

Upon request of the parent/guardian of a child who was previously served under Part C of the Individuals

with Disabilities Education Act (20 USC 1431-1444 Infants and Toddlers with Disabilities), the district shall invite the Part C service coordinator or other representative of the system to the IEP team meeting to assist with the smooth transition of services. (*20 USC 1414(d)(1)(D)*)

In addition, any of the following may participate, as appropriate:

1. The program specialist, school psychologist, school nurse, school social worker, counselor, or other student services worker who has conducted an assessment of the student, when the assessment is significant to the development of the IEP
2. Any other person whose competence is needed because of the nature and extent of the student's disability
3. A public agency representative fluent in the student's primary language

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continuedMeetings of the IEP Team

~~The IEP team shall meet: (20 USC 1414(d); Education Code 56343)~~

- ~~1. Whenever a student has received an initial formal assessment and, when desired, when a student receives any subsequent formal assessment~~
- ~~2. Whenever the student demonstrates a lack of anticipated progress~~
- ~~3. Whenever the parent/guardian or teacher requests a meeting to develop, review or revise the IEP~~
- ~~4. At least annually to:

 - ~~a. Review the student's progress to determine whether the student's annual goals are being achieved~~
 - ~~b. Review the IEP and the appropriateness of placement~~
 - ~~c. Make any necessary revisions to the IEP~~~~

Refer to
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~~The IEP team shall conduct this review. Others may participate if they have essential expertise or knowledge. (Education Code 56341; 34 CFR 300.344)~~

~~If a participating agency other than the district fails to provide the transition services described in the student's IEP, the team shall reconvene to identify alternative strategies to meet the transition service objectives set out for the student in the IEP. (20 USC 1414(d); Education Code 56345.1)~~

~~A meeting to develop an initial IEP shall be conducted within 30 days of a determination that a student needs special education and related services pursuant to 34 CFR 300.343. (Education Code 56344)~~

~~An IEP required as a result of an assessment of the student shall be developed within 50 days (not counting days between the student's regular school sessions, terms or days of school vacation in excess of five school days) from the date of receipt of the parent/guardian's written consent for assessment, unless the parent/guardian agrees, in writing, to an extension. (Education Code 56344)~~

~~However, an IEP required as a result of an assessment of a student shall be developed within 30 days after the commencement of the subsequent regular school year for each student for whom a referral has been made 20 days or less prior to the end of the regular school year. In the case of student school vacations, the 50-day time limit shall recommence on the date that student school days reconvene. (Education Code 56344)~~

~~When a parent/guardian requests an IEP team meeting to review the IEP, the team shall meet within 30 days of receiving the parent/guardian's written request, not counting days between the student's regular school sessions, terms, or days of school vacation in excess of five school days. If a parent/guardian makes an oral request, the district shall notify the parent/guardian of the need for a written request and the procedure for filling a written request. (Education Code 56343.5)~~

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

~~A regular education or special education teacher may request a review of the classroom assignment of a special education student by submitting a written request to the Director of Pupil Personnel Services (PPS). The Director of PPS shall consider the request within 20 days of receiving it, not counting days in July and August or, for year-round schools, days when the school is off track. If the review indicates a need for change in the student's placement, instruction and/or related services, the Director of PPS shall convene an IEP team meeting, which shall be held within 30 days of the Director of PPS's review, not counting days in July or August or days when school is off track, unless the student's parent/guardian consents in writing to an extension of time.~~

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~~As a member of the IEP team, the regular education teacher shall, to the extent appropriate, participate in the development, review and revision of the student's IEP, including assisting in the determination of: (20 USC 1414(d)(3)(C); 34 CFR 300.346; Education Code 56341)~~

- ~~1. Appropriate positive behavioral interventions and strategies for the student~~
- ~~2. Supplementary aids and services, program modifications or supports for school personnel that will be provided for the student, consistent with 34 CFR 300.347(a)(3)~~

A member of the IEP team shall not be required to attend an IEP team meeting, in whole or in part, if the parent/guardian consents in writing and the district agrees that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting involves a discussion of the member's area of the curriculum or related service, the IEP team member may be excused from the meeting if the parent/guardian consents in writing to the excusal and the member submits to the parent/guardian and team written input into the development of the IEP prior to the meeting. (20USC 1414(d)(1)(C))

To the extent possible, the district shall encourage the consolidation of reassessment meetings and other IEP team meetings for a student. (20 USC 1414(d)(3)(A))

IEP Team Meetings: Parent/Guardian Notice and Attendance

The Superintendent or designee shall take steps to ensure that one or both of the parents/guardians of the student with a disability are present at each IEP team meeting or are afforded the opportunity to participate. These steps shall include notifying the parents/guardians of the meeting and scheduling the meeting at a mutually agreed on time and place. (34 CFR300.345; Education Code 56341.5)

The Superintendent or designee shall send parents/guardians notices of IEP team meetings (34 CFR300.345; Education Code 56341.5)

1. Indicate the purpose, time and location of the meeting
2. Indicate who will be in attendance at the meeting
3. Inform the parents/guardians of the provisions of 34 CFR 300.345(b)(1)(ii) relating to their right to have on the IEP team other individuals who have knowledge or special expertise about the student
4. Identify any other local agency that is likely to be responsible for providing or paying for transition services in accordance with 34 CFR 300.344

ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continued

Delete

~~5. For students beginning at age 14 (or younger than 14 if deemed appropriate by the IEP team):~~

- ~~a. Indicate that a purpose of the meeting will be the development of a statement of the transition service needs of the student pursuant to 34 CFR 300.347(b)(1)~~
- ~~b. Indicate that the district will invite the student to the IEP team meeting~~

6. For students beginning at age 16 (or younger than 16 if deemed appropriate by the IEP team):

- a. Indicate that the purpose of the meeting is the consideration of needed transition services for the student as required by 34 CFR 300.347(b)(2)
- b. Indicate that the district will invite the student to the IEP team meeting
- c. Identify any other agency that will be invited to send a representative

At each IEP team meeting convened by the district, the district administrator or specialist on the team shall inform the parent/guardian and student of the federal and state procedural safeguards included in the notice of parental rights provided pursuant to Education Code 56321. (*Education Code 56500.1*)

If no parent/guardian can attend the meeting, the Superintendent or designee shall use other methods to ensure parent/guardian participation, including video conference, individual or conference telephone calls. (*20 USC 1414(f); 34 CFR 300.345; Education Code 56341.5*)

An IEP team meeting may be conducted without a parent/guardian in attendance if the district is unable to convince the parent/guardian that he/she should attend. In this case, the district shall maintain a record of its attempts to arrange a mutually agreed upon time and place for the meeting, including: (*34 CFR 300.345; Education Code 56341.5*)

1. Detailed records of telephone calls made or attempted and the results of those calls
2. Copies of correspondence sent to the parent/guardian and any response received
3. Detailed records of visits made to the parent/guardian's home or place of employment and the results of those visits

Parents/guardians and the district shall have the right to audiotape the proceedings of IEP team meetings, provided members of the IEP team are notified of this intent at least 24 hours before the meeting. If the district gives notice of intent to audiotape a meeting, and if the parent/guardian objects or refuses to attend because the meeting would be audiotaped, the meeting shall not be audiotaped. Parents/guardians also have the right to: (*Education Code 56341.1*)

1. Inspect and review the audiotapes
2. Request that the audiotapes be amended if the parents/guardians believe they contain information that is inaccurate, misleading or in violation of the student's privacy rights or other rights

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

3. Challenge, in a hearing, information that the parents/guardians believe is inaccurate, misleading, or in violation of the student's privacy rights or other rights

Contents of the IEP

The IEP shall be a written statement determined in a meeting of the IEP team. It shall include, but not be limited to, all of the following: *(20 USC 1414(d)(1)(A); 34 CFR 300.347; Education Code 56043, 56345, 56345.1)*

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1. A statement of the present levels of the student's educational performance, including how the student's disability affects his/her involvement and progress in the general curriculum (i.e., the same curriculum as for nondisabled students)

For a preschool child, as appropriate, how the disability affects his/her participation in appropriate activities

2. A statement of measurable annual goals, including benchmarks or short-term objectives related to:

- a. Meeting the student's needs that result from his/her disability in order to enable the student to be involved in and progress in the general curriculum

b.

For a preschool child, as appropriate, meeting the child's needs that result from his/her disability to enable the child to participate in appropriate activities

- a. Meeting each of the student's other educational needs that result from the student's disability

3. A statement of the specific special educational instruction and related services and supplementary aids and services, based on peer-reviewed research if practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to:

- a. Advance appropriately toward attaining the annual goals

- b. Be involved and progress in the general curriculum in accordance with item #1 above and to participate in extracurricular and other nonacademic activities

- c. Be educated and participate with other students with disabilities and nondisabled students in the activities described in Education Code 56345

4. An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in the extracurricular and other nonacademic activities described in item #3 above and other activities pursuant to Education Code 56345

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5. A statement of appropriate accommodations or any individual modifications in the administration of state or district assessments of student achievement that are needed in order for the student to participate in such assessments

ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continuedRe-
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If the IEP team determines that the student will not participate in the administration of a state or district assessment of student achievement (or part of such an assessment), the IEP shall include a statement as to why that assessment is not appropriate for the student and how the student will be assessed.

6. The projected date for the beginning of the services and modifications described in item #3 above and the anticipated frequency, location and duration of those services and modifications

~~7. Appropriate objective criteria, evaluation procedures, and schedules for determining, on at least an annual basis, whether the annual goals are being achieved~~

~~8. A statement of:~~

~~a. How the student's progress toward the annual goals described in item #2 above will be measured~~

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~~b. How the student's parents/guardians will be regularly informed (by such means as periodic report cards), at least as often as parents/guardians of nondisabled students, of:~~

~~(1) Their child's progress towards the annual goals described in item #2 above~~

~~(2) The extent to which that progress is sufficient to enable the student goals by the end of the year~~

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9. A statement of transition service needs, as defined in Education Code 56345.1, as follows:

1. Beginning at age 14 (or younger than 14 if determined appropriate by the IEP team), and updated annually, a statement of transition service needs of the student under the applicable components of the IEP that focus on the student's courses of study (such as participation in Advanced Placement courses or a vocational education program)

2. Beginning at age 16 (or younger than 16 if determined appropriate by the IEP team), and annually thereafter, a statement of needed transition services for the student, including, when appropriate, a statement of the interagency responsibilities or any needed linkages

10. Beginning at least one year before the student reaches age 18, a statement that the student has been informed of his/her rights, if any, pursuant to 34 CFR 300.517 and Education Code 56041.5 that will transfer to the student upon reaching age 18

Where appropriate, the IEP shall also include: (*Education Code 56345*)

1. For students in grades 7-12, any alternative means and modes necessary for the student to complete the district's prescribed course of study and to meet or exceed standards required for graduation (*cf. 6146.1 - High School Graduation Requirements*) (*cf. 6146.11 - Alternative Credits Toward Graduation*)

2. Linguistically appropriate goals, objectives, programs and services for students whose native language is not English.

ADMINISTRATIVE REGULATION - continued

AR 6159

INDIVIDUALIZED EDUCATION PROGRAM - continued

3. Extended school year services when needed, as determined by the IEP team (*cf.* 6177 – *Summer School*)
4. Provision for transition into the regular education program if the student is to be transferred from a special class or center, or nonpublic, nonsectarian school, into a regular education program in a public school for any part of the school day

The IEP shall include descriptions of activities intended to:

- a. Integrate the student into the regular education program, including indications of the nature of each activity and the time spent on the activity each day or week
- b. Support the transition of the student from the special education program into the regular education program (*cf.* 6176 - *Weekend/Saturday Classes*) (*cf.* 6178 - *Vocational Education*) (*cf.* 6181 - *Alternative Schools*)
5. Specialized services, materials and equipment for students with low incidence disabilities, consistent with the guidelines of Education Code 56136

Development, Review and Revision of the IEP

In developing the IEP, the IEP team shall consider the following: (*20 USC 1414(d)(3)(A)*; *34 CFR 300.346*; *Education Code 56341.1, 56345*)

1. The strengths of the student and the concerns of the parents/guardians for enhancing the education of their child
2. The results of the initial assessment or most recent assessment of the student
3. The academic, developmental, and functional needs of the student
4. ~~As appropriate, the results of the student's performance on any general state or district assessment programs~~
5. In the case of a student whose behavior impedes his/her learning or that of others, if appropriate, positive behavioral interventions, strategies and supports to address that behavior
6. In the case of a student with limited English proficiency, the language needs of the student as such needs relate to the student's IEP
7. In the case of a student who is blind or visually impaired, the need to provide for instruction in Braille and instruction in the use of Braille. However, instruction need not be included in the IEP if the IEP team determines that instruction in Braille or the use of Braille is not appropriate for the student. This determination shall be based upon an evaluation of the student's reading and writing skills, his/her future needs for instruction in Braille or the use of Braille, and other appropriate reading and writing media.
8. The communication needs of the student, and in the case of a student who is deaf or hard of hearing, the student's language and communication needs, opportunities for direct

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ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continued

communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode

The team shall also consider the related services and program options that provide the student with an equal opportunity for communication access, including the following:

- a. The student's ~~native~~ primary language mode and language, which may include the use of spoken language with or without visual cues and/or the use of sign language
 - b. The availability of a sufficient number of age, cognitive and language peers of similar abilities
 - c. Appropriate, direct and ongoing language access to special education teachers and other specialists who are proficient in the student's primary language mode and language
 - d. Services necessary to ensure communication-accessible academic instructions, school services, and extracurricular activities
9. Whether the student requires assistive technology devices and services

If, in considering the special factors in items #1-9 above, the IEP team determines that a student needs a particular device or service, including an intervention, accommodation or other program modification, in order to receive a free and appropriate public education, the IEP team must include a statement to that effect in the student's IEP. *(34 CFR 300.346; Education Code 56341.1)*

All IEPs shall be reviewed on an annual basis for student progress, appropriateness of placement, and to include any necessary revisions. *(Education Code 56380)*

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1. The IEP may be revised, as appropriate, to address: *(20 USC 1414 (d)(4); Education Code 56341.1)*
2. Any lack of expected progress toward the annual goals and in the general curriculum, where appropriate

The results of any reassessment conducted pursuant to Education Code 56381

Delete

~~A reassessment of the student shall be conducted at least once every three years, or more frequently if conditions warrant a reassessment, or if the student's parent/guardian or teacher requests a reassessment and a new IEP to be developed. *(Education Code 56381)*~~

3. Information about the student provided to or by the parents/guardians regarding review of evaluation data pursuant to Education Code 56381(b)
4. The student's anticipated needs
5. Factors used to develop the IEP pursuant to Education Code 56341.1(a) and described above
6. Other matters

ADMINISTRATIVE REGULATION - continued

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INDIVIDUALIZED EDUCATION PROGRAM - continued

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~~The student shall be allowed to provide confidential input to any representative of his/her IEP team.~~

If a student with disabilities residing in a licensed children's institution or foster family home has been placed by the district in a nonpublic, nonsectarian school, the district shall conduct an annual evaluation as part of the IEP process of whether the placement is the least restrictive environment that is appropriate to meet the student's needs. (*Education Code 56157*) (*cf. 6173.1 -Education for Foster Youth*)

Replaced with new language

~~If a student with a disability transfers to this district during the school year, the district shall provide the student with a free, appropriate public education, including services comparable to those described in the previous district's IEP. For students who transfer from a district within California, these services shall be provided in consultation with the parents/guardians until such time as the district adopts the previously held IEP or develops, adopts and implements a new IEP. For students who transfer to this district from another state, these services shall be provided until such time as the district conducts an evaluation, if the district determines such an evaluation is necessary, and develops a new IEP if appropriate. (20 USC 1414(d)(2)(C))~~

When a change is necessary to a student's IEP after the annual IEP team meeting for the school year has been held, the parent/guardian and the district may agree not to convene an IEP team meeting for the purpose of making the change and instead may develop a written document to amend or modify the student's current IEP. Upon request, the district shall provide the parent/guardian with a revised copy of the IEP with the incorporated amendments. (*20 USC 1414(d)(3)(D)*)

Due Process/Mediation

~~A student shall not be required to participate in all or part of any special education program unless the parent/guardian is first informed in writing of the facts that make participation in the program necessary or desirable and the contents of the IEP, and the parent/guardian consents, in writing, to all or part of the IEP after receiving this notice. If the parent/guardian does not consent to all of the components of the IEP, then those components of the IEP to which the parent/guardian has consented shall be implemented so as not to delay providing instruction and services to the student. (*Education Code 56346*)~~

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~~If the Superintendent or designee determines that a part of the proposed IEP to which the parent/guardian does not consent is necessary in order to provide a free and appropriate public education to the student, he/she shall either initiate a due process hearing or a prehearing mediation conference with the state pursuant to Education Code 56500.3. While the due process hearing or prehearing mediation conference is pending, the student shall remain in his/her current placement unless the parent/guardian and the Superintendent or designee agree otherwise. (*Education Code 56346*)~~

~~While a due process hearing is pending, the Superintendent or designee may choose to meet informally with the parent/guardian pursuant to Education Code 56502 or may hold a mediation conference pursuant to Education Code 56503. If a due process hearing is held, the hearing decision shall be the final administrative determination and shall be binding upon the parties. (*Education Code 56346*)~~

BOARD AGENDA

REGULAR MEETING
March 13, 2008

STUDY, INFORMATION AND REVIEW

TO: Board of Education

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: Resignations

I. Certificated

1. Abbott, Mildred English Teacher - CHS
Employed September 8, 1971; resignation effective June 14, 2008. Retirement.
2. Anderson, Stephen Chemistry Teacher - BHS
Employed October 30, 2007; resignation effective June 14, 2008. Seeking employment elsewhere.
3. Congdon, Bonnie Elementary Teacher - Grant
Employed September 6, 1989; resignation effective June 14, 2008. Retirement.
4. Dybowski, Deborah Elementary Teacher – Reche Canyon
Employed September 14, 1986; resignation effective July 1, 2008. Retirement.
5. Head, Jeremiah Elementary Teacher – Lincoln
Employed July 2, 2007; resignation effective June 27, 2008. Personal reasons.
6. Nash, John General Science Teacher – BMS
Employed October 9, 2006; resignation effective June 14, 2008. Pursue other teaching opportunities.
7. Sein, Perry English Teacher – CHS
Employed March 20, 2007; resignation effective June 14, 2008. Personal reasons.
8. Sidrys, Raymond English Teacher – CHS
Employed September 17, 2007; resignation effective June 14, 2008. Personal reasons.

II. Classified

1. Rosiles, Eulalia Nutrition Services Worker I – Lewis
Employed May 2, 1994; resignation effective March 14, 2008. Medical reasons.

SS.1

BOARD AGENDA

**REGULAR MEETING
March 13, 2008**

STUDY, INFORMATION AND REVIEW

TO: **Board of Education**

PRESENTED BY: Jerry Almendarez, Assistant Superintendent, Human Resources

SUBJECT: **FMLA Leave For Certificated Employee (EIN #5848)**

GOAL: Human Resources Development

BACKGROUND: A certificated employee, EIN #5848, employed February 8, 2005, as an elementary teacher at Crestmore Elementary School, is requesting an unpaid leave under the Family and Medical Leave Act of 1993 guidelines from February 22, 2008 through March 27, 2008, to care for a new dependent.

SS. 2

BOARD AGENDA

REGULAR MEETING
March 13, 2008

STUDY, INFORMATION AND REVIEW

TO: **Board of Education**

PRESENTED BY: Rick Dischinger, Assistant Superintendent, Student Services

SUBJECT: **Proposed Amendment and Adoption of Board Policies:**
BP 0430 Comprehensive Local Plan for Special Education
BP 3541.2 Transportation for Students with Disabilities (New)

BACKGROUND: The Administration is updating Board Policies and Administrative Regulations under the guidelines of the California School Boards' Association.

SS.3

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

BP 3541.2

The Governing Board shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP.

The Superintendent or designee shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or accommodation plan.

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

The Superintendent or designee shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.

Legal Reference:

EDUCATION CODE

39807.5 Payment of transportation cost

39839 Guide dogs, signal dogs and service dogs on bus

41850-41854 Allowances for transportation

48300-48315 Alternative interdistrict attendance program

48915.5 Expulsion of students with exceptional needs

56195.8 Adoption of policies

56327 Assessment for special education and related services

56345 Individualized education program

56366 Nonpublic nonsectarian schools or agencies

56366.1 Waiver of requirements under section 56365 and 56366

CODE OF REGULATIONS, TITLE 5

15050 Transfer of funds to child development fund and development center for handicapped pupil fund

15243 Physically handicapped minors

15271 Exclusion from report

UNITED STATE CODE, TITLE 20

1400-1487 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 34

104.4 Equal opportunity under the Rehabilitation Act of 1973, Section 504

CODE OF FEDERAL REGULATIONS, TITLE 49

571.222 Federal requirements for bus securement systems

Management Resources:

CDE MANAGEMENT ADVISORIES

0500.92 Implementation of Special Education Transportation Apportionment (#92-02)

CDE PROGRAM ADVISORIES

060.9.95 School transportation fee exemption for handicapped children and pupils whose parents or guardians are indigent (LO:2-95)

COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION

BP 0430

The Governing Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the district, including children who have been suspended or expelled or placed by the district in a nonpublic, nonsectarian school.

Students shall be referred for special education instruction and services only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

In order to meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the district participates as a member of the East Valley Special Education Local Plan Area (EVSELPA).

The Superintendent or designee shall extend the district's full cooperation to the EVSELPA. The policies and procedures of the EVSELPA shall be applied as policies and regulations of this district, with the exception of those that apply to complaints, unless the EVSELPA plan specifically authorizes the district to operate under its own policies and regulations.

~~The special education local plan area shall administer a local plan and administer the allocation of funds. (Education Code 56195)~~

Legal Reference:

EDUCATION CODE

- 56000-56001 Education for individuals with exceptional needs*
- 56020-56035 Definitions*
- 56040-56046 General provisions*
- 56048-56050 Surrogate parents*
- 56055 Foster parents*
- 56060-56063 Substitute teachers*
- 56170-56177 Children enrolled in private schools*
- 56190-56194 Community advisory committees*
- 56195-56195.10 Local plans*
- 56205-56208 Local plan requirements*
- 56213 Special education local plan areas with small or sparse populations*
- 56240-56245 Staff development*
- 56300-56385 Identification and referral, assessment, instructional planning, implementation, and review*
- 56440-56449 Programs for individuals between the ages of three and five years*
- 56500-56508 Procedural safeguards, including due process rights*
- 56520-56524 Behavioral interventions*
- 56600-56606 Evaluation, audits and information*
- 56836-56836.05 Administration of local plan*

GOVERNMENT CODE

- 95000-95029 California Early Intervention Services Act*
- CODE OF REGULATIONS, TITLE 5*
- 3000-3089 Regulations governing special education*
- UNITED STATES CODE, TITLE 20*
- 1400-1482 Individuals with Disabilities Education Act*
- UNITED STATES CODE, TITLE 29*
- 794 Rehabilitation Act of 1973, Section 504*
- UNITED STATES CODE, TITLE 42*
- 12101-12213 Americans with Disabilities Act*
- CODE OF FEDERAL REGULATIONS, TITLE 34*
- 99.10-99.22 Inspection, review and procedures for amending education records*
- 104.1-104.39 Section 504 of the Rehabilitation Act of 1973*
- 300.500-300.514 Due process procedures for parents and children*
- 303.1-303.654 Early intervention program for infants and toddlers with disabilities*

Management Resources:

WEB SITES

- CDE, Special Education Division: <http://www.cde.ca.gov/spbranch/sed>*
- U.S. Department of Education, Office of Special Education Programs: <http://www.ed.gov/offices/OSERS/OSEP>*

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