

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION

Regular Meeting
September 11, 2013
5:30 p.m. – Closed Session; 6:30 p.m. – General Session
Support Services Center
2560 Skyway Drive, Santa Maria, CA 93455

The Santa Maria Joint Union High School District mission is to provide all students with an enriching high school experience that strives to enhance students' natural abilities, to promote the development of new capabilities, and to encourage the lifelong pursuit of wisdom and harmony as productive individuals in their community.

Any materials required by law to be made available to the public prior to a meeting of the Board of Education of the District can be inspected at the above address during normal business hours.

Individuals who require special accommodations including, but not limited to, American Sign Language interpreter, accessible seating or documentation in accessible formats should contact the superintendent or designee within a reasonable time before the meeting date.

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CSBA

PROFESSIONAL GOVERNANCE STANDARDS

Adopted by the Santa Maria Joint Union High School District April 11, 2001

THE BOARD

School districts and county offices of education are governed by boards, not by individual trustees. While understanding their separate roles, the board and superintendent work together as a “governance team.” This team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively.

To operate effectively, the board must have a unity of purpose and:

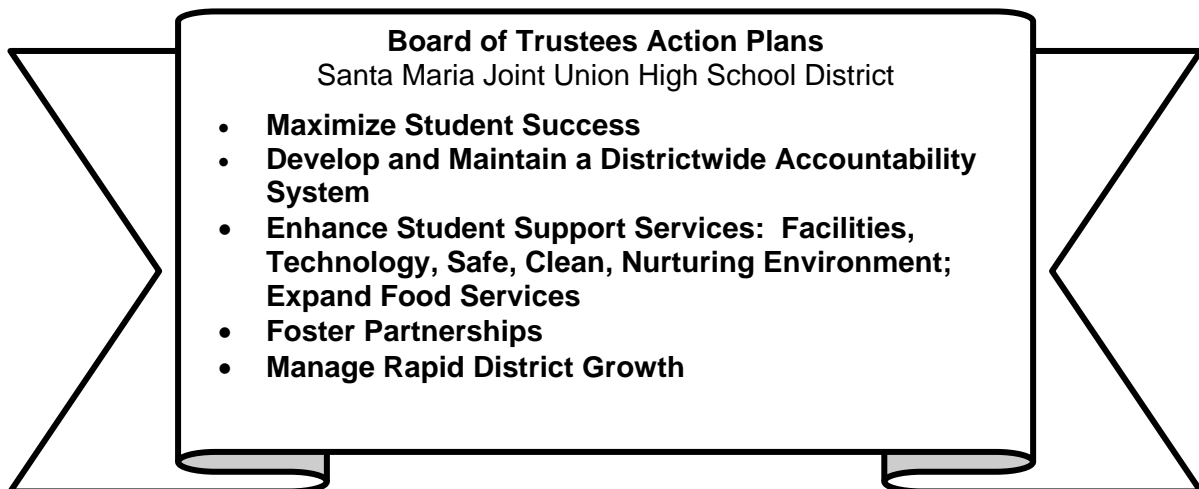
- Keep the district focused on learning and achievement for all students.
- Communicate a common vision.
- Operate openly, with trust and integrity.
- Govern in a dignified and professional manner, treating everyone with civility and respect.
- Govern within board-adopted policies and procedures.
- Take collective responsibility for the board’s performance.
- Periodically evaluate its own effectiveness.
- Ensure opportunities for the diverse range of views in the community to inform board deliberations.

THE INDIVIDUAL TRUSTEE

In California’s public education system, a trustee is a person elected or appointed to serve on a school district or county board of education. Individual trustees bring unique skills, values and beliefs to their board. In order to govern effectively, individual trustees must work with each other and the superintendent to ensure that a high quality education is provided to each student.

To be effective, an individual trustee:

- Keeps learning and achievement for all students as the primary focus.
- Values, supports and advocates for public education.
- Recognizes and respects differences of perspective and style on the board and among staff, students, parents and the community.
- Acts with dignity, and understands the implications of demeanor and behavior.
- Keeps confidential matters confidential.
- Participates in professional development and commits the time and energy necessary to be an informed and effective leader.
- Understands the distinctions between board and staff roles, and refrains from performing management functions that are the responsibility of the superintendent and staff.
- Understands that authority rests with the board as a whole and not with individuals.



THE BOARD'S JOBS

The primary responsibilities of the board are to set a direction for the district, provide a structure by establishing policies, ensure accountability and provide community leadership on behalf of the district and public education. To fulfill these responsibilities, there are a number of specific jobs that effective boards must carry out.

Effective boards:

- Involve the community, parents, students and staff in developing a common vision for the district focused on learning and achievement and responsive to the needs of all students.
- Adopt, evaluate and update policies consistent with the law and the district's vision and goals.
- Maintain accountability for student learning by adopting the district curriculum and monitoring student progress.
- Hire and support the superintendent so that the vision, goals and policies of the district can be implemented.
- Conduct regular and timely evaluations of the superintendent based on the vision, goals and performance of the district, and ensure that the superintendent holds district personnel accountable.
- Adopt a fiscally responsible budget based on the district's vision and goals, and regularly monitor the fiscal health of the district.
- Ensure that a safe and appropriate educational environment is provided to all students.
- Establish a framework for the district's collective bargaining process and adopt responsible agreements.
- Provide community leadership on educational issues and advocate on behalf of students and public education at the local, state and federal levels.

THE SUPERINTENDENT:

- Promotes the success of *all* students and supports the efforts of the Board of Trustees to keep the district focused on learning and achievement.
- Values, advocates and supports public education and all stake holders.
- Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents and the community — and ensures that the diverse range of views inform board decisions.
- Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior.
- Serves as a model for the value of lifelong learning and supports the Board's continuous professional development.
- Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture.
- Recognizes that the board/superintendent governance relationship is supported by the management team in each district.
- Understands the distinctions between board and staff roles, and respects the role of the Board as the representative of the community.
- Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole.
- Communicates openly with trust and integrity including providing all members of the Board with equal access to information, and recognizing the importance of both responsive and anticipatory communications.
- Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the district.

**SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
BOARD OF EDUCATION**

**Regular Meeting
September 11, 2013**

**Support Services Center
2560 Skyway Drive, Santa Maria, California 93455**

5:30 p.m. Closed Session/6:30 p.m. General Session

The Santa Maria Joint Union High School District mission is to provide all students with an enriching high school experience that strives to enhance students' natural abilities, to promote the development of new capabilities, and to encourage the lifelong pursuit of wisdom and harmony as productive individuals in their community.

Any materials required by law to be made available to the public prior to a meeting of the Board of Education of the District can be inspected at the above address during normal business hours.

Individuals who require special accommodation including, but not limited to, American Sign Language interpreter, accessible seating or documentation in accessible formats should contact the superintendent or designee within a reasonable amount of time before the meeting date.

I. Open Session

Call to Order

II. Public Comments on Closed Session Items

At this time any member of the public may address the Board concerning the Closed Session Items. Testimony is limited to three minutes each person and fifteen minutes each topic. The Board President will, if appropriate, direct administration to respond in writing.

III. Adjourn to Closed Session

Note: The Board will consider and may act upon any of the following items in closed session. They will report any action taken publicly at the end of the closed session as required by law.

- A. Student Matters – Education Code Sections 35146 & 48918. The Board will review proposed expulsions/suspended expulsion(s) and/or and requests for re-admission. *NOTE: The education code requires closed sessions in these cases to prevent disclosure of confidential student record information.*
- B. Certificated and Classified Personnel Actions. The Board will be asked to review and approve hiring, transfers, promotions, evaluations, terminations, and resignations as reported by the Assistant Superintendent, Human Resources.

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- C. Conference with Labor Negotiators. The Board will be provided a review of negotiations with the Faculty Association (California Teachers Association) and the California School Employees Association (CSEA).

IV. Reconvene in Open Session

Call to Order/Flag Salute

V. Announce Closed Session Actions

The Board will announce the following actions:

- A. Student Matters – Education Code Sections 35146 & 48918. The Board will review proposed expulsions/suspended expulsion(s) and/or and requests for re-admission. *NOTE: The education code requires closed sessions in these cases to prevent disclosure of confidential student record information.*
- B. Certificated and Classified Personnel Actions. The Board will be asked to review and approve hiring, transfers, promotions, evaluations, terminations, and resignations as reported by the Assistant Superintendent, Human Resources.
- C. Conference with Labor Negotiators. The Board will be provided a review of negotiations with the Faculty Association (California Teachers Association) and the California School Employees Association (CSEA).

VI. Presentations

- A. Report on Summer Facilities Projects (Gary Wuitschick and Reese Thompson)

VII. Reports

- A. Principal Reports
- B. Student Reports: TBA, Delta; Samantha Galicina, Santa Maria; Stephany Rubio, Pioneer Valley; and Shane Hunter, Righetti.
- C. Reports from Employee Organizations
- D. Board Member Reports

VIII. Items Scheduled for Action

A. Instruction

- 1. **Regional Occupational Program**

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Education Code 52304.1 requires the Governing Board to annually review and assess participation in Regional Occupational Programs (ROP). The law further requires the Board to prepare an annual plan to increase the participation of these pupils. The following plan is prepared to address Education Code requirements:

▶ Conduct annual meetings between SMJUHSD guidance/SMJUHSD administrative personnel and ROP guidance/ROP administrative personnel to conduct joint planning and continued integration to maximize ROP student enrollment.

▶ Maintain joint responsibility at each high school site between SMJUHSD and ROP administration and guidance personnel to maximize ROP student enrollment.

▶ Allow SMHS juniors and seniors to enroll in year-long ROP classes (i.e., take one ROP block in terms 1, 2, 3, and 4).

▶ Maintain timely communication between SMJUHSD and ROP guidance personnel regarding all registration/scheduling procedures and timelines.

▶ Continue with the effective ROP Publicity Program to all District sophomores, juniors, and seniors.

▶ Continue with the integration of the ROP Guidance and Publicity Programs with:

- a. SMHS, PVHS, RHS and DHS student career path and career counseling programs
- b. SMHS, PVHS and RHS Career Center efforts.

▶ Institute joint planning between SMJUHSD Superintendent, SMJUHSD Assistant Superintendent, SMHS Principal, PVHS Principal and RHS Principal and ROP Director to identify new potential ROP courses.

Resource Person: John Davis, Asst. Supt. of Curriculum/Instruction

***** IT IS RECOMMENDED THAT the Board of Education approve the proposed plan to improve and increase student participation in the Santa Barbara County Regional Occupational Program.**

Moved _____

Second _____

Vote _____

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2. Instructional Materials Certifications for 2013-2014

Pursuant to Education Code Section 60119, the governing board of a school district must conduct a public hearing to discuss “whether each pupil in each school in the district has, or will have prior to the end of the fiscal year, sufficient textbooks or instructional materials, or both, in each subject that are consistent with the content and cycles of curriculum framework adopted by the state board.” District Resolution Number 3-2013-2014 printed on the following indicates that the district has certified for 2013-2014 that Education Code Section 60119 has been followed.

A PUBLIC HEARING IS REQUIRED

Resource Person: John Davis, Asst. Supt. of Curriculum/Instruction

***** IT IS RECOMMENDED THAT the Board of Education adopt Resolution Number 3-2013-2014, which indicates that the district has fulfilled Education Code Section 60119.**

Moved _____

Second _____

Vote _____

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September 11, 2013

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
Resolution Number 3-2013-2014

SUFFICIENCY OF INSTRUCTIONAL MATERIALS - STATEMENT OF ASSURANCE

WHEREAS, the governing board of Santa Maria Joint Union High School District, County of Santa Barbara, State of California, in order to comply with the requirements of Education Code 60119 held a public hearing on September 11, 2013, at 6:30 pm, which is on or before the eighth week of school and which did not take place during or immediately following school hours, and;

WHEREAS, the governing board provided at least 10 days' notice of the public hearing posted in at least three public places within the district that stated the time, place, and purpose of the hearing, and;

WHEREAS, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

WHEREAS, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the Santa Maria Joint Union High School District, County of Santa Barbara, and;

WHEREAS, the definition of "sufficient textbooks or instructional materials" means that each pupil has a textbook or instructional materials, or both, to use in class and to take home to complete required homework assignments, and;

WHEREAS, sufficient textbooks and instructional materials were provided to each student, including English learners, in mathematics, science, history-social science, and English/language arts, including the English language development component of an adopted program, consistent with the cycles and content of the curriculum frameworks, and;

WHEREAS, sufficient textbooks or instructional materials were provided to each pupil enrolled in foreign language or health classes, and;

WHEREAS, sufficient laboratory science equipment was provided for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the 2013-2014 school year, the Santa Maria Joint Union High School District, County of Santa Barbara, State of California has provided each pupil with sufficient textbooks and instructional materials consistent with the cycles and content of the curriculum frameworks.

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Resolution 3-2013-2014 (page 2)
Sufficiency of Instructional Materials - Statement of Assurance

I hereby certify the foregoing to be a full, true, and correct copy of a resolution duly adopted by the Board of Education of the Santa Maria Joint Union High School District, County of Santa Barbara, and State of California at a regular meeting of the said board on this 14th day of September, 2011.

PASSED AND ADOPTED THIS 11TH day of September, 2013 by the following vote:

ROLL CALL

AYES:

NOES:

ABSENT:

ABSTAIN:

President/Secretary/Clerk of the Board of Education
Santa Maria Joint Union High School District

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B. General

1. Board Policies/Administrative Regulations

The administration has reviewed the following amended or new Board Policies/Administrative Regulations, aligned with California School Boards Association updates, which are provided as education code and laws change.

These policies and regulations are being presented for the Board's review and adoption and will be included in the existing sections upon approval.

A summary of revisions/changes made is presented in Appendix C. The complete revised policies and regulations are part of the agenda which is posted on the district's website at www.smjuhsd.k12.ca.us/

Philosophy, Goals, Objectives, Comprehensive Plans - Series 0000

Charter School Authorization	AR 0420.4
Charter School Renewal	BP 0420.42
Charter School Revocation	BP 0420.43

Personnel – Series 4000

Lactation Accommodation	BP 4033
Certification	AR 4112.2
Employee Notifications	BP/E 4112.9/4212/9/4312.9
Staff Teaching English Language Learners	AR 4112.22
Postretirement Employment	AR 4117.14/4317.14

Board Bylaws - Series 9000

Agenda/Meeting Materials	BB 9322
Actions by the Board	BB 9323.2

Resource Person(s): Superintendent Richardson and Tracy Marsh, Asst. Supt./Human Resources

*** **IT IS RECOMMENDED THAT the Board of Education approve the Board Policies/Administrative Regulations as presented.**

Moved _____ Second _____ Vote _____

2. Ratification of CSEA Labor Agreement

The District and CSEA have negotiated and agreed on comprehensive changes to language throughout the labor agreement for classified employees and a new article for the transportation department.

Resource Person: Tracy Marsh, Asst. Supt./Human Resources

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***** IT IS RECOMMENDED THAT the Board approve the new CSEA labor agreement in effect through June 30, 2016.**

Moved _____ Second _____ Vote _____

3. Strategic Plan Update

In the spring of 2013 the SMJUHS Board of Education directed the superintendent to develop a strategic plan for the district. The plan before you tonight is the result of several months of effort on the part of a diverse group of stakeholders. This strategic plan will become the foundation for collaborative action planning and implementation of the strategic initiatives. It is recommended that the board approve this plan as presented.

Resource Person: Superintendent Richardson

***** IT IS RECOMMENDED THAT the Board of Education approved the Strategic Plan as presented.**

Moved _____ Second _____ Vote _____

C. Business

1. 2012/2013 Unaudited Actuals

Pursuant to Education Code Section 42100, the school district must file an annual statement with the County Superintendent of Schools regarding prior year actual income and expenditures no later than September 15. This District closed its books for 2012/2013, and these figures are shown on the appropriate state forms which are posted on the District website at www.smjuhsd.org under "District News".

Yolanda Ortiz, Assistant Superintendent of Business Services, will discuss the year-end actuals, including the change in the 2012/2013 Ending Balance and its corresponding effect on the 2013/2014 Beginning Balances. A brief summary of the changes is shown in Appendix F.

Resource Person(s): Yolanda Ortiz, Asst. Supt./Business Services, Brenda Hoff, Director/Fiscal Services

***** IT IS RECOMMENDED THAT the Board of Education authorize the District to file the 2012/2013 Annual Statement with the County Superintendent of Schools.**

Moved _____ Second _____ Vote _____

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2. Adoption of 2013/14 Gann Limit

Education Code Section 42132 requires that by September 30th of each year, school district governing boards adopt a resolution identifying their estimated appropriations limit for the current year and their actual appropriations limit for the preceding year. Resolution Number 4-2013-2014, printed on the following page, reflects the calculation of the estimated appropriation limit for the 2013/14 school year.

Resource Person: Yolanda Ortiz, Asst. Supt./Business Services

***** IT IS RECOMMENDED THAT Resolution Number 4-2013-2014, adopting the 2013/14 Gann Limit be approved.**

Moved _____

Second _____

A ROLL CALL VOTE IS REQUIRED

Dr. Karamitsos	_____
Dr. Reece	_____
Dr. Walsh	_____
Mr. Tognazzini	_____
Dr. Garvin	_____

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SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
RESOLUTION NUMBER 4-2013-2014

ADOPTION OF THE 2013-2014 GANN LIMIT

BE IT RESOLVED by the Board of Education of the Santa Maria Joint Union High School District that pursuant to Article XIII-B of the State Constitution and Government Code Sections 7900, et. seq., an adjusted appropriation limit for the 2012-13 school year has been calculated in the amount of \$41,615,786.88.

BE IT FURTHER RESOLVED that the revenues applied to the 2013-14 school year are not anticipated to exceed the appropriations subject to limitation, \$43,790,261.68.

PASSED AND ADOPTED by the Board of Education of the Santa Maria Joint Union High School District this 11th day of September, 2013, by the following vote:

ROLL CALL:

Ayes:

Noes:

Absent:

Abstain:

President/Secretary/Clerk of the Board of Education
Santa Maria Joint Union High School District

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3. Public Disclosure of Collective Bargaining Agreement and Approval of Memorandum of Understanding (MOU) with Classified Unit

In accordance with AB 1200 reporting requirements, the District must make public disclosure of any proposed collective bargaining agreements with their various employee organizations as to the effects of the agreements on the District's financial status. The District reached tentative agreement with the Classified Bargaining Unit (California School Employees' Association Central Coast Chapter #455) on August 15, 2013 and the unit ratified the agreement on August 28, 2015.

The MOU provides for two percent (2.00%) increase to the classified bargaining unit salary schedule, retroactive to July 1, 2013. The MOU also includes a one-time payment to each unit member returning to the district for the 2013/14 school year that is equal to three percent (3.00%) of his/her 2013/14 base salary. The one-time payment, the salary schedule increase, and any retroactive pay due will be reflected in the September 30, 2013 pay warrant.

The estimated current year cost of the agreement is \$378,228 for the one-time payment, and \$252,152 for the salary schedule increase. The on-going cost of the salary schedule increase is projected to be \$257,195 for 2014-15, and \$262,339 for 2015-16. Further documentation of the fiscal impacts (as required by AB1200) is shown in Appendix D.

Resource Person(s): Yolanda Ortiz, Asst. Supt./Business Services and Tracy Marsh, Asst. Supt./Human Resources

***** IT IS RECOMMENDED THAT the Board of Education approve the AB 1200 Public Disclosure of Collective Bargaining Agreement and the MOU with the Classified Bargaining Unit for a one-time payment and an ongoing increase retroactive to July 1, 2013.**

Moved _____ Second _____ Vote _____

4. Public Disclosure of Agreement and Approval of salary increase for Confidential, Classified Management and Certificated Management

In accordance with AB 1200 reporting requirements, the District must make public disclosure of any proposed agreements with their various employee organizations as to the effects of the agreements on the District's financial status.

Administration is proposing the same increase given to the classified bargaining unit for non-bargaining unit members which consists of confidential, classified management and certificated management employees for two percent (2.00%) increase to the respective salary schedules, retroactive to July 1, 2013. The proposed increase also includes a one-time

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payment to each non-bargaining unit member returning to the district for the 2013/14 school year that is equal to three percent (3.00%) of his/her 2013/14 base salary. The one-time payment, the salary schedule increase, and any retroactive pay due will be reflected in the September 30, 2013 pay warrant.

The estimated current year cost of the agreement is \$122,150 for the one-time payment, and \$81,433 for the salary schedule increase. The on-going cost of the salary schedule increase is projected to be \$83,062 for 2014-15, and \$84,723 for 2015-16. Further documentation of the fiscal impacts (as required by AB1200) is shown in Appendix E.

Resource Person(s): Yolanda Ortiz, Asst. Supt./Business Services and Tracy Marsh, Asst. Supt./Human Resources

***** IT IS RECOMMENDED THAT the Board of Education approve the AB 1200 Public Disclosure of the Agreement and Approval of salary increase with the Confidential, Classified Management and Certificated Management for a one-time payment and an ongoing increase retroactive to July 1, 2013.**

Moved _____ Second _____ Vote _____

5. Authorization to Piggyback on Waterford Unified School District for School Buses District-Wide for the Length of the Contract through December 31, 2013

Authorization to Piggyback on Waterford Unified School District for School Buses District-Wide for the Length of the Contract through December 31, 2013

Section 20118 of the Public Contract Code provides an alternative for obtaining supplies, furniture, and equipment, commonly referred to as "piggybacking". Notwithstanding Section 20111 and 20112 of the Public Contract Code, the governing board of any school district without advertising for bids and with board determination that it is in the best interest of the district, may authorize the purchase of such supplies, furniture and equipment.

Waterford Unified School District has awarded their school buses bid to A-Z Bus Sales, Inc. (Piggyback Bid #01/12, expires December 31, 2013). With Board approval the district may "piggyback" on their bid.

Resource Person: Yolanda Ortiz, Asst. Supt./Business Services

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*** **IT IS RECOMMENDED THAT** notwithstanding Sections 20111 and 20112 of the Public Contract Code, the governing board has determined it to be in the best interest of the district to grant approval to obtain school buses pursuant to a “piggyback” clause in the Waterford Unified School District bid for which the originating district has complied with all competitive bidding requirements; pursuant to Piggyback Bid #01/12, expiring December 31, 2013.

Moved _____ Second _____ Vote _____

IX. Consent Items

*** **IT IS RECOMMENDED THAT** the Board of Education approve the following consent items as presented. *All items listed are considered to be routine and may be enacted by approval of a single motion. There will be no separate discussion of these items; however, any item may be removed from the consent agenda upon request of any member of the board and acted upon separately.*

Moved _____ Second _____ Vote _____

- A. Approval of Minutes
August 7, 2013 - Regular Meeting
- B. Approval of Warrants for the Month of August 2013

Payroll	\$1,610,542.58
Warrants	<u>2,797,123.46</u>
Total	\$4,407,666.04

- C. Facility Report – **Appendix B**
- D. Acceptance of Gifts

Santa Maria High School		
Donor	Recipient	Amount
The Jane Merlo Memorial Golf Fund	SMHS Golf	\$2,000.00
Paula M Dunlap	Auto Club	100.00
Micaela Ponce	FFA	270.00
Santa Maria FFA Boosters	FFA	10,000.00
California Women for Agriculture	FFA	500.00
Santa Maria Chapter		
Juan Gonzalez	FFA	270.00
Paula Mena	FFA	270.00
Altrusa Club of the Central Coast	FFA	500.00
Foundation, Inc		
Kevin & Stephanie Mendez	FFA	300.00
37th District Agricultural Association	FFA	200.00

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Rabobank	Auto Club	250.00
Elks Rodeo Parade	Band	<u>200.00</u>
Total Santa Maria High School		\$14,860.00

E. Student Discipline Matters

- Administrative Recommendation for Student Expulsion: Student # 333428
- Administrative Recommendation for Student Re-admission from Expulsion/Suspended Order and/or Expulsion: Student # 335038

F. Request for Travel

School	Instructor in Charge	Event/Location	Dates
PVHS	Shawna Van Gronigan	Shakespeare Festival, Ashland, Oregon	4/21-24/2014
RHS	Denise Paulus	Madrigals Camping Trip, Lake Nacimiento	9/6-8/2013
RHS	Deanna Byrne	Shakespeare Festival, Ashland, Oregon	4/21-24/2014

All required paperwork is/will be on file at the school before departure. No student was excluded from the field trip due to lack of funds.

G. Approval/Ratification of Purchase Order

<u>P.O. #</u>	<u>Vendor</u>	<u>Amount</u>	<u>Funding Source & Description</u>
14-0079	7Up/RC Bottling Co.	\$75,000.00	Cafeteria Fund 13: Open PO 7Up/RC Products
14-0082	Central Coast Produce	\$88,000.00	Open PO cafeteria supplies
14-0085	Gold Star Foods	\$365,000.00	Open PO for misc. supplies
14-0086	Jordano's	\$365,000.00	Open PO for misc. supplies
14-0091	Producers Dairy Foods	\$185,000.00	Open PO for misc. supplies
14-0092	Sysco Foods	\$275,000.00	Open PO for cafeteria foods
14-0093	Team So-Cal	\$122,000.00	Open PO. for products
14-0094	School Lunch Products	\$182,000.00	Open PO for cafeteria purchases

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14-0269	Presence Learning	\$100,000.00	Special Education Funding: Consulting Services for online Speech and Language Ser- vices for 2013-14
140296	CIO Solutions	\$97,828.43	Technology Funds: Network switches/extended service
14-0233	J.B. Dewar	\$250,000.00	General Funds: Bulk Fuel Bid

H. Teaching Agreements for 2013/14 School Year

California Polytechnic University/San Luis Obispo, Chapman University, National University, University of Phoenix, Western Governors University, University of Southern California, University of Phoenix and California State University have requested the District's participation in their teacher training programs for the 2013/14 school year, whereby the District would provide teaching experience through practice teaching to their students. The District's participation in these programs benefit both the new teachers that are training for the teacher credentialing program and also allows the District first-hand experience with prospective teaching candidates for future teaching vacancies.

I. Notice of Completion

The following project has been substantially completed and in order to file the necessary Notice of Completion forms with the County of Santa Barbara, the Acceptance of Substantial Completion needs to be formally accepted by the Board of Education.

- 1) Pioneer Valley High School – Site Concrete Repairs - Project #07-038.6; Vernon Edwards Constructors, Inc. - General Contractor

X. Open Session Public Comments

The public may address the Board on any matter (except personnel) concerning the District and not on the agenda. Note: The time limit to address the Board may not exceed three minutes. The Board is not required to respond to the Public Comment. The public may also address the Board on each item on the Agenda as the Board takes up those items. Persons wishing to speak should complete a blue request form and hand it to the Board secretary.

XI. Items not on the Agenda

Note: The law generally prohibits the Board from discussing items not on the agenda. Under limited circumstances, the Board may discuss and act on items not on the agenda if they involve an emergency affecting safety of persons or property, or a work stoppage, or if the need to act came to the attention of the District too late to include on the posted agenda.

REGULAR MEETING
September 11, 2013

XII. Next Meeting Date

Unless otherwise announced, the next regular meeting of the Board of Education will be held on October 9, 2013. Closed session begins at 5:30 p.m. Open session begins at 6:30 p.m. The meeting will be held at the Santa Maria Joint Union High School District Support Services Center at 2560 Skyway Drive, Santa Maria, CA 93455.

XIII. Future Regular Board Meetings for 2013:

November 13
December 11

XIV. Adjourn

CLASSIFIED PERSONNEL ACTIONS							
Name	Action	Assignment	Site	Effective	Pay Rate	Hours	
	Absent w/o Leave	Inst Asst-Special Ed II	PVHS	08/20/13	15/C	6	
	Employ	Energy Manager	DO	09/09/13	M/1	8	
	Resign	Inst Asst-Special Ed II	PVHS	08/13/13	15/E	6	
	Employ	Inst Asst-Special Ed I	SMHS	08/14/13	13/A	5.5	
	Employ	Inst Asst-Special Ed I	SMHS	08/13/13	13/A	5.5	
	Employ	Accounting Assistant I	PVHS	08/19/13	14/A	4	
	Employ	Food Service Worker I	PVHS	08/12/13	9/A	2	
	Employ	Intervention Lab Specialist	LPA	09/09/13	22/A	5x4	
	Resign	Campus Security Asst	PVHS	08/06/13	12/D	3	
	Contract	Music Therapy	DT	2013/14	\$1,500	10 sessions	
CERTIFICATED PERSONNEL ACTIONS							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Mgmt.	Employ	Assistant Principal	SMHS	TBD	Mgmt.	1
	Temp.	Employ	Science	SMHS	2013/14	V, 3	1
	Temp.	Employ	Special Ed	SMHS	2013/14	V, 5	0.2
	Temp.	Employ	Physical Ed	SMHS	8/16-6/5/13	V, 7	1
	Prob. 1	Employ	Art/OCS	SMHS	8/19-6/5/14	IV, 3	1
	Temp.	Employ	English	SMHS	8/19-12/13/	III, 3	0.33
EXTRA PAY ASSIGNMENTS:							
	Perm.	Extra-Pay	Intramural Coordinator	DHS	2013/14	\$2,000.00	~~~
	Perm	Extra-Pay	Yearbook	DHS	2013/14	\$2,774.59	~~~
	Temp	Extra-Pay	Agricultre Advisor	SMHS	2013/14	29.72.78	----
	Temp	Extra-Pay	10th Grade Advisor	SMHS	2013/14	\$792.40	~~~
	Perm	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	12th Grade Advisor	SMHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Co-FBLA	SMHS	2013/14	\$1,387.30	~~~
	Perm	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~

CERTIFICATED PERSONNEL ACTIONS (Continued)							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Perm	Extra-Pay	Ballet Folklorico	SMHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	AVID	SMHS	2013/14	\$2,180.04	~~~
	Temp	Extra-Pay	9th Grade Advisor	SMHS	2013/14	\$792.40	~~~
	Perm	Extra-Pay	AVID	SMHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	11th Grade Advisor	SMHS	2013/14	\$792.40	~~~
	Prob 1	Extra-Pay	AVID	SMHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	AVID	SMHS	2013/14	\$2,180.04	~~~
	Temp	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Co-FBLA	SMHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Agriculture Advisor	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Activities Director	SMHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Journalism	SMHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Yearbook	SMHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Music: Instrumental	SMHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	BTSA Coordinator	SMHS	2013/14	\$4,000.00	~~~
	Perm	Extra-Pay	11th Grade Advisor	RHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Drama	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	12th Grade Advisor	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Activities Director	RHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Music: Instrumental	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	WASC/FOL Coord	RHS	2013/14	\$3,369.15	~~~
	Perm	Extra-Pay	Yearbook	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	FOL Group Leader	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Intramural Coordinator	RHS	2013/14	\$2,000.00	~~~
	Perm	Extra-Pay	9th Grade Advisor	RHS	2013/14	\$792.40	~~~
	Perm	Extra-Pay	Agriculture Advisor	RHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Marimba/Ballet Folklorico	RHS	2013/14	\$1,387.30	~~~
	Perm	Extra-Pay	Journalism	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Agriculture Advisor	RHS	2013/14	\$2,972.78	~~~

CERTIFICATED PERSONNEL ACTIONS (Continued)							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Perm	Extra-Pay	Agriculture Advisor	RHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	AVID	RHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	AVID	RHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	AVID	RHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	AVID	RHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	FBLA	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Intramural Coordinator	RHS	2013/14	\$2,000.00	~~~
	Perm	Extra-Pay	Music: Vocal	RHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Cheer Advisor	RHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	10th Grade Advisor	RHS	2013/14	\$792.40	~~~
	Perm	Extra-Pay	AVID	PVHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	AVID	PVHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	FOL Group Leader	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Co-12th Grade Advisor	PVHS	2013/14	\$1,387.30	~~~
	Perm	Extra-Pay	Co-Journalism	PVHS	2013/14	\$1,387.30	~~~
	Perm	Extra-Pay	Music: Instrumental	PVHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	AVID	PVHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	FOL Coordinator	PVHS	2013/14	\$3,369.15	~~~
	Perm	Extra-Pay	Co-Journalism	PVHS	2012/13	\$1,387.30	~~~
	Perm	Extra-Pay	Agriculture Advisor	PVHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Co-12th Grade Advisor	PVHS	2013/14	\$1,387.30	~~~
	Perm	Extra-Pay	Music: Vocal	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Yearbook	PVHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	AVID	PVHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	Intramural Coordinator	PVHS	2013/14	\$2,000.00	~~~
	Perm	Extra-Pay	Agriculture Advisor	PVHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	FOL Group Leader	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	FOL Group Leader	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Ballet/Folklorico	PVHS	2013/14	\$1,387.30	~~~

CERTIFICATED PERSONNEL ACTIONS (Continued)							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Perm	Extra-Pay	Co-9th Grade Advisor	PVHS	2013/14	\$396.20	~~~
	Perm	Extra-Pay	FOL Group Leader	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Co-9th Grade Advisor	PVHS	2013/14	\$396.20	~~~
	Temp	Extra-Pay	Agriculture Advisor	PVHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	Intramural Coordinator	PVHS	2013/14	\$2,000.00	~~~
	Perm	Extra-Pay	10th Grade Advisor	PVHS	2013/14	\$792.40	~~~
	Perm	Extra-Pay	Cheer/Song	PVHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	11th Grade Advisor	PVHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	FBLA	PVHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Drama	PVHS	2013/14	\$2,774.59	~~~
	Perm	Extra-Pay	Activities Director	PVHS	2013/14	\$2,972.78	~~~
	Perm	Extra-Pay	AVID	PVHS	2013/14	\$2,180.04	~~~
	Perm	Extra-Pay	FOL Group Leader	PVHS	2013/14	\$2,576.41	~~~
	Perm	Extra-Pay	Agriculture Advisor	PVHS	2013/14	\$2,972.78	~~~
DEPARTMENT CHAIRS:							
	Perm	Extra-Pay	Agriculture	SMHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Business	SMHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	English	SMHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Co-Home Ec	SMHS	2013/14	\$1,783.65	~~~
	Perm	Extra-Pay	Co-Home Ec	SMHS	2013/14	\$1,783.65	~~~
	Perm	Extra-Pay	Industrial Arts	SMHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Intern. Languages	SMHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Mathematics	SMHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Physical Ed	SMHS	2013/14	\$3,765.52	~~~
	Perm	Extra-Pay	Co-Science	SMHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-Science	SMHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-Social Science	SMHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-Social Science	SMHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Special Ed	SMHS	2012/13	\$3,963.70	~~~

CERTIFICATED PERSONNEL ACTIONS (Continued)							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Perm	Extra-Pay	Co-VPA	SMHS	2013/14	\$1,783.67	~~~
	Perm	Extra-Pay	Co-VPA	SMHS	2013/14	\$1,783.67	~~~
	Perm	Extra-Pay	Agriculture	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Business	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	English	RHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Home Ec	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Industrial Arts	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Intern. Languages	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Mathematics	RHS	2013/14	\$3,765.52	~~~
	Perm	Extra-Pay	Physical Ed	RHS	2013/14	\$3,765.52	~~~
	Perm	Extra-Pay	Co-Science	RHS	2013/14	\$1,882.76	~~~
	Perm	Extra-Pay	Co-Science	RHS	2013/14	\$1,882.76	
	Perm	Extra-Pay	Social Science	RHS	2013/14	\$3,765.52	~~~
	Perm	Extra-Pay	Co-Special Ed	RHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-Special Ed	RHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Visual & Perform Arts	RHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Agriculture	PVHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Business	PVHS	2013/14	\$3,567.34	~~~
	Perm	Extra-Pay	Co-English	PVHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-English	PVHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Home Ec	PVHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Industrial Arts	PVHS	2013/14	\$3,567.33	~~~
	Perm	Extra-Pay	Co-Intern. Languages	PVHS	2013/14	\$1,783.67	~~~
	Perm	Extra-Pay	Co-Intern. Languages	PVHS	2013/14	\$1,783.67	~~~
	Perm	Extra-Pay	Mathematics	PVHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Physical Ed	PVHS	2013/14	\$3,765.52	~~~
	Perm	Extra-Pay	Science	PVHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Co-Social Science	PVHS	2013/14	\$1,981.85	~~~
	Perm	Extra-Pay	Co-Social Science	PVHS	2013/14	\$1,981.85	~~~

CERTIFICATED PERSONNEL ACTIONS (Continued)							
Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Perm	Extra-Pay	Special Ed	PVHS	2013/14	\$3,963.70	~~~
	Perm	Extra-Pay	Visual & Perform Arts	PVHS	2013/14	\$3,567.33	~~~
COACHING PERSONNEL ACTIONS							
Assignment	Name	Action	Site	Effective	District	ASB	
Boys Cross Country, Head Varsity		Stipend	ERHS	Fall	\$2,775.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,387.00		
Football, Head Varsity		Stipend	ERHS	Fall	\$3,766.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,400.00		
Head JV		Stipend	ERHS	Fall	\$1,279.00		
Asst JV		Stipend	ERHS	Fall	\$700.00		
Asst JV		Stipend	ERHS	Fall	\$700.00		
Asst JV		Stipend	ERHS	Fall	\$700.00		
Head Frosh		Stipend	ERHS	Fall	\$2,824.00		
Asst Frosh		Stipend	ERHS	Fall	\$1,883.00		
Girls Golf, Head Varsity		Stipend	ERHS	Fall	\$2,275.00		
Asst Varsity		Stipend	ERHS	Fall	\$500.00		
Girls Tennis, Head Varsity		Stipend	ERHS	Fall	\$2,775.00		
Girls Volleyball, Head Varsity		Stipend	ERHS	Fall	\$2,433.00		
Asst Varsity		Stipend	ERHS	Fall	\$1,000.00		
Head JV		Stipend	ERHS	Fall	\$2,000.00		
Head Frosh		Stipend	ERHS	Fall	\$2,000.00		
Boys WaterPolo, Co-Head Varsity		Stipend	ERHS	Fall	\$2,973.00		
Co-Head Varsity		Stipend	ERHS	Fall			\$2,655.95

COACHING PERSONNEL ACTIONS (Continued)						
Assignment	Name	Action	Site	Effective	District	ASB
Head JV		Stipend	ERHS	Fall	\$1,380.00	
Asst JV		Stipend	ERHS	Fall	\$8,500.00	
Asst Athletic Director		Stipend	ERHS	Fall	\$2,775.00	
Boys Cross Country , Head Varsity		Stipend	PVHS	Fall	\$2,775.00	
Girls Cross Country , Head Varsity		Stipend	PVHS	Fall	\$2,775.00	
Football , Head Varsity		Stipend	PVHS	Fall	\$3,652.00	
Asst Varsity		Stipend	PVHS	Fall	\$2,500.00	
Asst Varsity		Stipend	PVHS	Fall	\$2,000.00	
Asst Varsity		Stipend	PVHS	Fall	\$2,000.00	
Asst Varsity		Stipend	PVHS	Fall		\$893.35
Asst Varsity		Stipend	PVHS	Fall		\$1,786.71
Asst Varsity		Stipend	PVHS	Fall		\$163.35
Head JV		Stipend	PVHS	Fall	\$1,500.00	
Asst JV		Stipend	PVHS	Fall	\$1,000.00	
Asst JV		Stipend	PVHS	Fall	\$1,500.00	
Asst JV		Stipend	PVHS	Fall	\$500.00	
Asst JV		Stipend	PVHS	Fall	\$500.00	
Head Frosh		Stipend	PVHS	Fall	\$1,500.00	
Co-Asst Frosh		Stipend	PVHS	Fall	\$1,500.00	
Co-Asst Frosh		Stipend	PVHS	Fall	\$1,500.00	
Girls Golf , Head Varsity		Stipend	PVHS	Fall	\$2,775.00	
Girls Tennis , Head Varsity		Stipend	PVHS	Fall	\$1,800.00	
Head JV		Stipend	PVHS	Fall	\$1,800.00	
Asst JV		Stipend	PVHS	Fall	\$1,256.00	
Girls Volleyball , Head Varsity		Stipend	PVHS	Fall	\$2,973.00	
Head JV		Stipend	PVHS	Fall	\$2,230.00	
Head Frosh		Stipend	PVHS	Fall	\$2,230.00	
Boys WaterPolo , Head Varsity		Stipend	PVHS	Fall	\$2,973.00	
Head JV		Stipend	PVHS	Fall	\$2,230.00	

COACHING PERSONNEL ACTIONS (Continued)						
Assignment	Name	Action	Site	Effective	District	ASB
Co-Asst Athletic Director		Stipend	PVHS	Fall	\$1,975.00	
Co-Asst		Stipend	PVHS	Fall	\$800.00	
Boys Cross Country , Head Varsity		Stipend	SMHS	Fall	\$2,775.00	
Girls Cross Country , Head Varsity		Stipend	SMHS	Fall	\$2,775.00	
Football , Head Varsity		Stipend	SMHS	Fall	\$3,766.00	
Asst Varsity		Stipend	SMHS	Fall	\$2,300.00	
Asst Varsity		Stipend	SMHS	Fall	\$1,500.00	
Asst Varsity		Stipend	SMHS	Fall	\$1,450.00	
Head JV		Stipend	SMHS	Fall	\$2,300.00	
Asst JV		Stipend	SMHS	Fall	\$1,386.00	
Asst JV		Stipend	SMHS	Fall	\$1,350.00	
Asst JV		Stipend	SMHS	Fall	\$1,350.00	
Head Frosh		Stipend	SMHS	Fall	\$1,600.00	
Asst Frosh		Stipend	SMHS	Fall	\$1,250.00	
Asst Frosh		Stipend	SMHS	Fall	\$1,200.00	
Asst Frosh		Stipend	SMHS	Fall	\$1,200.00	
Asst Frosh		Stipend	SMHS	Fall	\$1,000.00	
Girls Golf , Head Varsity		Stipend	SMHS	Fall	\$2,775.00	
Girls Tennis , Head Varsity		Stipend	SMHS	Fall	\$1,550.00	
Head JV		Stipend	SMHS	Fall	\$975.00	
Asst Varsity		Stipend	SMHS	Fall	\$975.00	
Asst JV		Stipend	SMHS	Fall	\$550.00	
Asst JV		Stipend	SMHS	Fall	\$550.00	
Asst JV		Stipend	SMHS	Fall	\$256.00	
Girls Volleyball , Head Varsity		Stipend	SMHS	Fall	\$2,973.00	
Head JV		Stipend	SMHS	Fall	\$2,230.00	
Head Frosh		Stipend	SMHS	Fall	\$2,230.00	
Boys WaterPolo , Head Varsity		Stipend	SMHS	Fall	\$2,603.00	
Head JV		Stipend	SMHS	Fall	\$1,300.00	

Appendix B

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT FACILITIES REPORT August 2013

1. Ernest Righetti High School Construction Projects

ERHS Demolition of Existing Greenhouse – Support Services

- Construction activities were completed July 31st, 2013. Final pay application and retention payment release are in process pending receipt of final closeout documentation.

ERHS Portable Roof Replacement - Greenhouse Restroom, Portable 628 – Support Services

- Construction activities were completed June 24th, 2013. Retention payment release is pending receipt of final closeout documentation.

ERHS Mobile Book Storage – Westberg + White Architects

- A meeting was held with the primary contractors, Facilities and Site project personnel. It was determined no additional site construction storage would be required as previously thought. There is adequate space in the room to store materials and construct the units. The mobile book storage materials are on order. Carpet will be removed September 9th to allow assessment of the concrete floor level to determine if work is required to provide for proper ADA access. Once reviewed, a defined construction schedule will be developed.
- Construction start is anticipated to be in September 2013.

ERHS Portable 735 Removal and Relocation – Support Services

- Construction activities were completed July 26th, 2013. Final pay application and retention release are complete. This project is closed.

ERHS Fencing Replacement – Support Services (Photos)

- All chain link fencing included in this work is complete. Decorative fencing to be placed along the west side of the 100 block is pending material receipt and installation but is anticipated to be completed in September.

ERHS Paving – Areas J, I, and M – Flowers and Associates Consultants

- Construction activities were completed July 26th, 2013. Final pay application and retention release are in process pending receipt of final closeout documentation.

2. Santa Maria High School Construction Projects

C2004 SMHS New Classroom Building at Broadway – Rachlin Architects

- Reviews by the California Department of Education (CDE) and Division of State Architect (DSA) continue. The DSA review has now moved to the final back-check phase. Structural comments are expected in late September. Final DSA approval is expected in early October with the bid process to occur during October and November.
- The estimated construction start is now estimated for mid to late January 2014.

SMHS Portable Roof Replacement - 611, 612, 613, & 614 – Support Services

- Construction activities were completed June 28th, 2013. Retention payment release is pending receipt of final closeout documentation.

SMHS Band Room Window Replacement – Support Services

- Contractor construction activities were completed July 8th, 2013. Release of final pay applications and retention release for each trade is in process.

3. Pioneer Valley High School Construction Projects

C2004 District Performing Arts Building – BCA Architects

- The Construction Documents development phase is proceeding in preparation for submittal to DSA in October 2013. California Environmental Quality Act (CEQA) reviews are proceeding.
- Construction start is estimated to occur in November 2014.

PVHS Remediation Phase 3: Concrete Repair – Westberg + White Architects (Photos)

- Substantial completion of the project occurred August 27th, 2013. Final pay application and retention payment release are in process pending receipt of final closeout documentation.

4. New Facility

C2004 New Facility School CTE Component – Architect to Be Determined

- Direction related to this item is pending Board and District Administration programming determination. The District's realtor continues to search for potential properties.

5. District Wide and Support Services Center

District Wide Energy Upgrade – Johnson Controls Inc.

- Upgrade Work completed this period includes interior lighting and power meters at all sites.
- A final completion schedule is pending, but substantial completion is anticipated to occur this fall.

District Wide Project Closeout – Support Services

- Review of issues related to project closeouts continues. Assessment activities will increase this fall and winter now that summer construction activities are winding down.
- After significant effort by Facilities and WWCOT/DLR (project architects) personnel, the Delta High School project received a Final Certification and Close Letter August 28th, 2013 from DSA. An administrative error identified to be on the DSA side related to a check supposedly received and cashed by the District was holding up the closing. It was determined the check was never sent to the District, but was instead returned to the DGS and erroneously noted as being cashed. The error was corrected and the close letter issued the same day.

SSC Wall Crack Assessment and Repair – Support Services

- Structural engineers from Fred Schott & Associates inspected the building and reviewed the previously completed seismic retrofit work. They are proceeding with structural assessment activities.

SSC District Multiple Purpose Room – Architect Pending

- Initial review and design meetings occurred during July and August. It was determined work will also need to be done in adjacent restrooms to bring them up to current ADA code. Additionally, structural work related to the tilt-up concrete walls will also be required. The architect is continuing development of plans, schedules, and cost estimates.
- Construction start estimates are pending current architectural assessment results.

6. Summer Activities

District Wide Summer Projects Planning

- Assessment and planning meetings for 2014 summer projects will commence in October 2013.

Maintenance & Operations

PVHS

- Installed power and communications cables to convert a classroom in the library to a computer lab.
- Painted new student assembly assignment areas for emergency evacuation. (Photo)
- Painted the athletic fields for band, drill team, and football practice.
- Power washed concrete at all entry doors and cleaned the walls at the school entrance.
- Installed new ground cover and mulch at the gymnasium lobby entrance and the entrances to the two story classroom buildings. (Photo)
- Repaired broken student chairs.
- Completed carpet cleaning in the two-story classroom buildings as well as the modular classrooms, administration, and the business office.
- Moved student desks and chairs to accommodate changes in classroom usage for the new school year.
- Deep cleaned the cafeteria kitchen, including cleaning the fans and exhaust hoods.
- Installed new wireless transmitters and receivers for the varsity baseball and softball scoreboards. (Photo)
- Replaced carpet in two classrooms.
- Installed a sliding white board in room 424.
- Relocated cabinets in room 325 following the installation of a commercial sink in the food preparation room.
- Provided traffic control before school.
- Tile floors recoated – 8,000 square feet.
- Carpet floors cleaned – 12,000 square feet.
- Gym floor recoated – 17,000 square feet.
- Preventive work order hours – 18
- Routine work order hours – 33
- Total work orders completed – 92
- Event setup hours – 35

ERHS

- Installed privacy slats in the fencing at the football stadium restroom.
- Prepared the stadium and practice fields for football season.
- Setup the nets at the outdoor volleyball courts for physical education.
- Assembled new lunch tables for the quad area. (Photo)
- Cleaned the campus for Back to School Night.
- Renovated book lockers in the classroom building quad areas and removed excess book lockers on the back of the buildings. This will improve supervision and traffic flow during passing periods. (Photos)
- Repainted the front of the school, including the ornamental fencing, columns, and building fascia. (Photo)
- Removed sunshades on all permanent buildings to update the appearance of the school. This project will include removal of the supporting steel and repainting the columns. (Photo)
- Repaired a collapsed drain line in the cafeteria food preparation area. (Photo)
- Replaced the water heater in the cafeteria kitchen.
- Replaced the carpet in rooms 605 and 608.
- Completed a security camera system conversion that will allow all the cameras on campus to be operated and accessed by one software program.
- Serviced KaiVac restroom cleaning equipment and mounted the unit on a new trailer in preparation for the new school year.
- Pressure washed the campus walkways and washed windows.
- Setup several start-of-school year events: Army recruiting, staff development day, student responsibility assemblies, a rally, FFA meeting, coaches meetings, and police explorers' academy graduation.
- Relocated the Associated Student Body (ASB) equipment storage.
- Relocated a Smart Board from room 312 and installed it in room 233 as well as installed a projector in room 233.
- Cleaned the dust collector attached to the wood shop exhaust fan.

REGULAR MEETING

September 11, 2013

- Provided online training for Cal/OSHA required annual safety training.
- Serviced the gymnasium bleachers.
- Moved teachers and furniture to coordinate with changes in classroom assignments.
- Burnished the cafeteria dining room floor.
- Tile floors recoated – 10,000 square feet.
- Carpet floors cleaned – 28,000 square feet.
- Preventive work order hours – 138
- Routine work order hours – 116
- Total work orders completed – 107
- Event setup hours – 40

SMHS

- Prepared the stadium for football season.
- Completed the renovation of the practice field lawn.
- Serviced the gymnasium bleachers.
- Moved teachers and furniture to coordinate with changes in classroom assignments.
- Continued mapping and documenting irrigation sprinkler information to be included in the Johnson Controls energy conservation project.
- Installed umbrellas on the lunch tables at the Learning Center. (Photo)
- Recoated the stage floor in Ethel Pope Auditorium.
- Repaired the cafeteria buffet serving unit.
- Repaired cafeteria refrigeration compressors.
- Repaired student chairs.
- Replaced the flooring and partitions in the learning center restroom. (Photo)
- Replaced the carpet in the Ag Science computer Lab, and the teacher's office. (Photo)
- Repaired the tennis team tennis ball serving machine.
- Completed the installation of equipment for a computer mini-lab in room 632 and full computer labs in rooms 618, 619, and 311.
- Provided set up and restore for a dance recital, Math Academy, freshman orientation night, anti-gang forum, alumni football game, baseball and softball tournaments, Allan Hancock College summer classes.
- Cleaned the track.
- Tile floors recoated – 21,000 square feet.
- Carpet floors cleaned – 45,000 square feet.
- Preventive work order hours – 30
- Routine work order hours – 95
- Total work orders completed – 96
- Event setup hours – 154

Graffiti & Vandalism

· ERHS	\$	0
· DHS	\$	0
· SMHS	\$	0
· PVHS	\$	0

Reese Thompson
Director – Facilities and Operations

Photo Gallery



ERHS - New Bradley Road Fencing Improves Curb Appeal



EHRS - Fencing Between the Science Building and Student Parking Lot



PVHS - Final Concrete Remediation Item - Ramp to the Detention Basin



PVHS - Concrete Ramp to the Detention Basin Formed and Ready to Pour



PVHS – Revised Evacuation Assembly Areas



PVHS – Jose Gamino Plants New Ground Cover at the Science Building Planters



PVHS – New Wireless Transmitters for Baseball and Softball Scoreboards



ERHS – Denton Tilley Assembles New Lunch Tables for the Quad Area



ERHS - Renovated Book Lockers Before...



and After.



ERHS - Ernest Paz Painting the Trim in the Front of the School



ERHS - Jose Placencia removing Sun Shades to Update the Look of the School



ERHS – Flavio Rodriguez Repairing a Collapsed Drain in the Cafeteria



SMHS – Learning Center Received New Umbrellas for the Lunch Tables



SMHS - Erik Fulton Replaces Restroom Partitions at the Learning Center



SMHS - Marc DeBernardi Enjoys New Carpet in His Computer Lab

**Board Policies for Approval
September 11, 2013 Board Meeting**

APPENDIX C

POLICY No.	DESCRIPTION
AR 0420.4	Charter School Authorization (AR revised) - Regulation updated to reflect NEW LAW (SB 1290) which requires a charter school petition to include a description of measurable student outcomes both schoolwide and for all "numerically significant" student subgroups served by the charter school, as defined in Education Code 52052. Regulation also clarifies the responsibility of the petition review committee to evaluate proposals based on criteria specified in law and Board policy for approval and denial of petitions.
BP 0420.42	Charter School Renewal (BP revised) - Policy updated to reflect NEW LAW (SB 1290) which requires the Board to consider increases in student achievement for all "numerically significant" student subgroups served by the charter school as the most important factor in determining whether to grant a charter renewal. Policy also reflects provision of SB 1290 requiring that, when making a written finding that the charter school failed to attain its Academic Performance Index (API) growth target, the Board must base its finding on the API growth target in the prior year or in two of the last three years, rather than in the aggregate for the prior three years.
BP 0420.43	Charter School Revocation (BP revised) - Policy updated to reflect NEW LAW (SB 1290) which requires the Board to consider increases in student achievement for all "numerically significant" student subgroups served by the charter school as the most important factor in determining whether to revoke a charter.
BP 4033 (new)	Lactation Accommodation: New policy reflects state law and new federal law (PL 111-148) requiring employers to provide reasonable break time and an appropriate place for employees who are nursing mothers to express breast milk for their infant children, including requirements related to the designated location and the limited circumstances under which accommodation can be denied.
AR 4112.2	Certification: Regulation revised to reflect new Title 5 Regulations which (1) provide that the Short-Term Staff Permit (STSP) and Provisional Internship Permit (PIP) now include an English learner authorization allowing the holder to provide services in English language development (ELD) or specially designed instruction in English (SDAIE); (2) allow the district to request that the holder of a STSP or PIP be granted a bilingual authorization to provide instruction in primary language development or content instruction delivered in the primary language; and (3) replace the Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit with an Emergency Bilingual Authorization Permit. Regulation also revises section on "Verification of Credentials" to reflect use of the Commission on Teacher Credentialing's online system to verify

**Board Policies for Approval
September 11, 2013 Board Meeting**

POLICY No.	DESCRIPTION
	credentials, and revises the section on “Basic Skills Proficiency” to clarify that there are multiple ways that teachers can fulfill the requirement to demonstrate basic skills proficiency beyond the California Basic Educational Skills Test (CBEST).
BP/E 4112.9 4212.9 4312.9	Employee Notifications: New policy contains Board philosophical statement regarding the importance of clear communications with staff and the circumstances under which employees will be asked to sign an acknowledgement that they have received notifications. Regulation deleted and replaced with new exhibit listing notifications required by law, categories of employees who must be provided each notification, applicable legal cites, and the board policy and/or administrative regulation that addresses the notification requirement.
AR 4112.22	Staff Teaching English Language Learners: Regulation retitled and revised to add definitions of “English learner” and “primary language instruction.” Regulation also reflects new Title 5 Regulations which authorize holders of the STSP and PIP to provide ELD and SDAIE services or, upon approval by the Commission on Teacher Credentialing for qualified individuals, to provide primary language instruction. Material regarding Certificate of Completion of Staff Development revised to reflect sunseting of law which allowed multiple subject, single subject, and education specialist holders to qualify to provide SDAIE by completing a CTC-approved staff development program and to clarify that this option is now available only to holders of the designated subjects teaching credential or service credential with a special class authorization. New paragraph added to reflect requirements related to employment of teachers from a foreign country who hold a sojourn credential.
BP/AR 4112.42 4212.42 4312.42	Drug & Alcohol Testing of Bus Drivers: Policy revised to more directly reflect prohibitions against drug and alcohol use and clarify that alcohol testing conducted under the federal testing program should follow federal law regarding the blood alcohol concentration level that triggers specified consequences. Policy also adds language on confidentiality of test results, reports to the Department of Motor Vehicles, option to impose rehabilitation or return-to-duty program, and option to establish a voluntary self-identification program. New regulation reflects requirements pertaining to pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing. Regulation also adds definitions of key terms and designation of “designated employer representative,” and expands material on driver notifications formerly in BP.

**Board Policies for Approval
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POLICY No.	DESCRIPTION
AR 4117.14 4317.14	Postretirement Employment: Regulation revised to reflect new law (AB 340, 2012) which exempts a retired individual who has attained normal retirement age from the prohibition against returning to postretirement employment for at least six months after retirement, provided that certain conditions are met. Regulation deletes postretirement earning limitation exemptions based on expired law, including those for retirees employed to provide a specified instructional service or employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills. Regulation also deletes material describing exemptions for certain state-appointed trustees/administrators and County Superintendent of Schools appointments, since those assignments are not the responsibility of the district.
AR 4161.11 4261.11 4361.11	Industrial Accident/Illness Leave: Regulation revised to clarify that the district must set the maximum number of days allowed for such leave, which must be at least 60 working days in one fiscal year for the same industrial accident or illness, and provides options for the district regarding the process of issuing salary payments that take into account the amount of the employee's workers' compensation check. Regulation also clarifies retention of status and benefits, notification when leave is exhausted, and placement on a reemployment list when the employee is not medically able to resume his/her duties after all available leave is exhausted.
AR 4161.8 4261.8 4361.8	Family Care & Medical Leave: Regulation updated to reflect provisions related to pregnancy disability leave under state law and regulations, including clarification of the calculation of the four months to which employees are entitled. Also reflects new court decision finding unconstitutional the definition of marriage, for purposes of benefits under federal law, as a "union between a man and a woman." Section of "Military Family Leave Resulting from Qualifying Exigencies" updated to revise definitions of "military member" and "covered active duty," increase allowable exigency leave for rest and recuperation from five to fifteen days, allow use of such leave to care for a military member's parent under specified conditions, and expand the list of information which a district may require an employee to provide. Section on "Military Caregiver Leave" updated to amend the conditions that must be present for a veteran's injury or illness to qualify as a "serious injury or illness" for purpose of this leave and expanding the definition of "authorized health care provider" qualified to certify the need for the leave.

**Board Policies for Approval
September 11, 2013 Board Meeting**

POLICY No.	DESCRIPTION
BB 9322	Agenda/Meeting Materials (BB revised) - MANDATED bylaw revised to update material related to the consent agenda/calendar, including deleting outdated information and reflecting NEW LAW (SB 1003) which requires the Board to have a separate agenda item (not on consent agenda) when it is considering approving or rescinding its unconditional commitment to refrain from taking certain actions in violation of the Brown Act.
BB 9323.2	Actions by the Board (BB revised; E(2) added) - Bylaw updated to reflect NEW LAW (SB 1003) which expands the types of past Board actions that may be challenged by the district attorney or other interested person provided that certain requirements are met, including the sending of a "cease and desist" letter to the Board within nine months of the alleged violation. New exhibit provides a sample letter that the Board may use to respond to the cease and desist letter with an unconditional commitment to desist from repeating the past action, which would prevent the district attorney or other interested person from filing an action in court.

Charter School Authorization

Petition Signatures

A petition for the establishment of a start-up charter school must be signed by one of the following: (Education Code 47605)

1. A number of parents/guardians equivalent to at least one-half of the number of students that the charter school estimates will enroll in the school for its first year of operation
2. A number of teachers equivalent to at least one-half of the number of teachers that the charter school estimates will be employed at the school during its first year of operation

If the charter petition calls for an existing public school to be converted to a charter school, the petition must be signed by at least 50 percent of the permanent status teachers currently employed at the school. (Education Code 47605)

(cf. 4116 - Permanent/Probationary Status)

In circulating a petition, the petitioners shall include a prominent statement explaining that a parent/guardian's signature means that the parent/guardian is meaningfully interested in having his/her child attend the charter school or, in the case of a teacher's signature, that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition. (Education Code 47605)

Components of Charter Petition

A petition shall include affirmations of the conditions described in Education Code 47605(d) as well as reasonably comprehensive descriptions of: (Education Code 47605, 47611.5)

1. The educational program of the school, designed, among other things, to identify those whom the school is attempting to educate, what it means to be an "educated person" in the 21st century, and how learning best occurs. The goals identified in that program shall include the objective of enabling students to become self-motivated, competent, and lifelong learners.

If the proposed school will serve high school students, the petition shall describe the manner in which the charter school will inform parents/guardians about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable, and courses approved by the University of California or the California State University as creditable under the "a-g" admissions criteria may be considered to meet college entrance requirements.

AR 0420.4(b)

2. The measurable student outcomes identified for use by the charter school. Student outcomes means the extent to which all students of the school demonstrate that they have attained the skills, knowledge, and attitudes specified as goals in the school's educational program, including outcomes that address increases in student academic achievement both schoolwide and for each "numerically significant" subgroup of students served by the charter school, as defined in Education Code 52052.
3. The method by which student progress in meeting the identified student outcomes is to be measured.
4. The governance structure of the school, including, but not limited to, the process to be followed by the school to ensure parent/guardian involvement.
5. The qualifications to be met by individuals to be employed by the school.
6. The procedures that the school will follow to ensure the health and safety of students and staff, including the requirement that each school employee furnish the school with a criminal record summary as described in Education Code 44237.
7. The means by which the school will achieve a racial and ethnic balance among its students that is reflective of the general population residing within the district's territorial jurisdiction.
8. Admission requirements, if applicable.
9. The manner in which annual, independent financial audits shall be conducted, which shall employ generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the Governing Board's satisfaction.
10. The procedures by which students can be suspended or expelled.
11. The manner by which staff members of the charter school will be covered by the State Teachers' Retirement System, the Public Employees' Retirement System, or federal social security.
12. The public school attendance alternatives for students residing within the district who choose to not attend the charter school.
13. A description of the rights of any district employee upon leaving district employment to work in the charter school and of any rights of return to the district after employment at the charter school.
14. The procedures to be followed by the charter school and the Board to resolve disputes relating to charter provisions.

AR 0420.4(c)

15. A declaration as to whether or not the charter school shall be deemed the exclusive public school employer of the school's employees for purposes of collective bargaining under Government Code 3540-3549.3.
16. The procedures to be used if the charter school closes, including, but not limited to: (5 CCR 11962)
 - a. Designation of a responsible entity to conduct closure-related activities
 - b. Notification to parents/guardians, the Board, the county office of education, the special education local plan area in which the school participates, the retirement systems in which the school's employees participate, and the California Department of Education, providing at least the following information:
 - (1) The effective date of the closure
 - (2) The name(s) and contact information of the person(s) to whom reasonable inquiries may be made regarding the closure
 - (3) The students' districts of residence
 - (4) The manner in which parents/guardians may obtain copies of student records, including specific information on completed courses and credits that meet graduation requirements
 - c. Provision of a list of students at each grade level, the classes they have completed, and their districts of residence to the responsible entity designated in accordance with item #16a above
 - d. Transfer and maintenance of all student records, all state assessment results, and any special education records to the custody of the responsible entity designated in accordance with item #16a above, except for records and/or assessment results that the charter may require to be transferred to a different entity
 - e. Transfer and maintenance of personnel records in accordance with applicable law
 - f. Completion of an independent final audit within six months after the closure of the school that includes an accounting of all financial assets and liabilities pursuant to 5 CCR 11962 and an assessment of the disposition of any restricted funds received by or due to the school
 - g. Disposal of any net assets remaining after all liabilities of the school have been paid or otherwise addressed pursuant to 5 CCR 11962
 - h. Completion and filing of any annual reports required pursuant to Education Code 47604.33

- i. Identification of funding for the activities identified in item #16a-h above

Charter school petitioners shall provide information to the Board regarding the proposed operation and potential effects of the school, including, but not limited to: (Education Code 47605)

- 1. The facilities to be used by the school, including where the school intends to locate
(cf. 7160 - Charter School Facilities)
- 2. The manner in which administrative services of the school are to be provided
- 3. Potential civil liability effects, if any, upon the school and district
- 4. Financial statements that include a proposed first-year operational budget, including start-up costs and cash-flow and financial projections for the first three years of operation

Location of Charter School

Unless otherwise exempted by law, the charter petition shall identify a single charter school that will operate within the geographic boundaries of the district. A charter school may propose to operate at multiple sites within the district as long as each location is identified in the petition. (Education Code 47605, 47605.1)

A charter school that is unable to locate within the district's jurisdictional boundaries may establish one site outside district boundaries but within the county, provided that: (Education Code 47605, 47605.1)

- 1. The district is notified prior to approval of the petition.
- 2. The County Superintendent of Schools and Superintendent of Public Instruction are notified before the charter school begins operations.
- 3. The charter school has attempted to locate a single site or facility to house the entire program but such a facility or site is unavailable in the area in which the school chooses to locate, or the site is needed for temporary use during a construction or expansion project.

A charter school may establish and locate a resource center, meeting space, or other satellite facility in an adjacent county if both of the following conditions are met: (Education Code 47605.1)

- 1. The facility is used exclusively for the educational support of students who are enrolled in nonclassroom-based independent study of the charter school.

2. The charter school provides its primary educational services in, and a majority of the students it serves are residents of, the county in which the school is authorized.

Petition Review Committee

At his/her discretion, the Superintendent or designee may establish a staff advisory committee to review submitted petitions and supporting documentation. Such a committee may be used to evaluate the completeness of proposals, the merits of the proposed educational programs, and any concerns that should be addressed by the petitioners, taking into consideration the criteria specified in law and Board policy for approval or denial of petitions. The Superintendent or designee shall also consult with legal counsel, as appropriate, regarding compliance of the charter proposals with legal requirements.

(cf. 1220 - Citizen Advisory Committees)

CSBA 11/12

Charter School Renewal

The Governing Board believes that the ongoing operation of a charter school established within the district should be dependent on the school's effectiveness in achieving its mission and goals for student learning and other student outcomes. Whenever a charter school submits a petition for renewal of its charter, the Board shall review the petition thoroughly and in a timely manner.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.43 - Charter School Revocation)

(cf. 0500 - Accountability)

Each renewal granted by the Board shall be for a period of five years. (Education Code 47607)

Submission of Renewal Petition

A charter school seeking renewal of its charter is encouraged to submit its petition for renewal to the Board sufficiently early before the term of the charter is due to expire.

The signature requirement applicable to new charter petitions is not applicable to petitions for renewal. (5 CCR 11966.4)

The petition for renewal shall include a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed. The petition also shall include documentation that the charter school meets at least one of the criteria for academic performance specified in Education Code 47607(b), as listed in item #5 in the section "Criteria for Granting or Denying Renewal" below. (Education Code 47607; 5 CCR 11966.4)

Criteria for Granting or Denying Renewal

Renewals shall be governed by the same standards and criteria that apply to new charter petitions as set forth in Education Code 47605. The Board shall consider the past performance of the charter school's academics, finances, and operations in evaluating the likelihood of future success, along with plans for improvement, if any. (Education Code 47607; 5 CCR 11966.4)

In determining whether to grant a charter renewal, the Board shall consider increases in academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

The Board shall deny a renewal petition only if it makes a written factual finding setting forth specific facts to support one or more of the following grounds: (Education Code 47605, 47607; 5 CCR 11966.4)

BP 0420.42(b)

1. The charter school presents an unsound educational program for the students enrolled in the school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain an affirmation of each of the conditions described in Education Code 47605(d).
4. The petition does not contain reasonably comprehensive descriptions of the charter provisions in Education Code 47605(b).
5. The charter school has failed to meet at least one of the following criteria of academic performance:
 - a. Attainment of its Academic Performance Index (API) growth target in the prior year or in two of the last three years, both schoolwide and for all numerically significant groups of students served by the charter school as defined in Education Code 52052.
 - b. An API ranking in deciles 4-10 in the prior year or in two of the last three years.
 - c. An API ranking in deciles 4-10 for a demographically comparable school in the prior year or in two of the last three years.
 - d. Academic performance at least equal to the academic performance of the public schools that the charter school students would otherwise have been required to attend as well as the academic performance of district schools, taking into account the composition of the student population that is served at the charter school. In determining whether the charter school satisfies this criterion, the Board shall base its decision on:
 - (1) Documented clear and convincing data
 - (2) Student achievement data from assessments, including, but not limited to, the Standardized Testing and Reporting Program, for demographically similar student populations in comparison schools
 - (3) Information submitted by the charter school

Whenever the Board makes a determination based on this criterion, the Superintendent or designee shall submit copies of supporting documentation and a written summary of the basis for the Board's determination to the Superintendent of Public Instruction.

(cf. 6162.51 - Standardized Testing and Reporting Program)

- e. Qualification for an alternative accountability system pursuant to Education Code 52052(h)

Timelines for Board Action

Within 30 days of receiving the renewal petition, the Board shall hold a public hearing to review documentation submitted by the charter school and obtain public input.

If the charter school submits documentation pursuant to item #5d in the section "Criteria for Granting or Denying Renewal" above, the Board shall not grant a renewal until at least 30 days after the submission of such documentation. (Education Code 47607)

Within 60 days of receiving the renewal petition, or within 90 days if extended by mutual written agreement of the Board and the charter school, the Board shall either grant or deny the request to renew the charter. (Education Code 47607; 5 CCR 11966.4)

If the Board fails to make a written factual finding pursuant to items #1-5 in the section "Criteria for Granting or Denying Renewal" above within the required time period, the absence of a written factual finding shall be deemed an approval of the renewal petition. (5 CCR 11966.4)

The Superintendent or designee shall provide notification to the California Department of Education, within 10 calendar days of the Board's action, whenever a renewal of the charter is granted or denied. (Education Code 47604.32; 5 CCR 11962.1)

If the Board denies a renewal petition, the charter school may submit its application for renewal to the County Board of Education within 30 days of the Board's written factual findings supporting the denial. If the County Board then fails to deny or grant the petition within 60 days of receiving the petition, or within 90 days if extended by written mutual agreement of the charter school and the County Board, the charter school may submit the petition to the State Board of Education. (Education Code 47605, 47607.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992

52052 Alternative accountability system; definition of numerically significant student subgroup

56145-56146 Special education services in charter schools

60600-60649 Assessment of academic achievement

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools

UNITED STATES CODE, TITLE 20

7223-7225 Charter schools

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

CSBA 11/12

Charter School Revocation

The Governing Board expects any charter school it authorizes to provide a sound educational program that promotes student learning and to carry out its operations in a manner that complies with law and the terms of its charter.

(cf. 0420.4 - Charter School Authorization)

(cf. 0420.41 - Charter School Oversight)

(cf. 0420.42 - Charter School Renewal)

(cf. 0500 - Accountability)

The Board may revoke a charter before the date it is due to expire whenever the Board makes a written factual finding, supported by substantial evidence, that the charter school has done any of the following: (Education Code 47607)

1. Committed a material violation of any of the conditions, standards, or procedures set forth in the charter
2. Failed to meet or pursue any of the student outcomes identified in the charter
3. Failed to meet generally accepted accounting principles or engaged in fiscal mismanagement
4. Violated any provision of law

In determining whether to revoke a charter, the Board shall consider increases in student academic achievement for all "numerically significant" groups of students served by the charter school, as defined in Education Code 52052, as the most important factor. (Education Code 47607)

At least 72 hours prior to any Board meeting at which the Board will consider issuing a Notice of Violation, the Board shall provide the charter school with notice and all relevant documents related to the proposed action. (5 CCR 11968.5.2)

(cf. 9320 - Meetings and Notices)

If the Board takes action to issue a Notice of Violation, it shall deliver the Notice of Violation to the charter school's governing body. The Notice of Violation shall identify: (Education Code 47607; 5 CCR 11965, 11968.5.2)

1. The charter school's alleged violation(s).
2. All evidence relied upon by the Board in determining that the charter school committed the alleged violation(s), including the date and duration of the alleged violation(s). The Notice shall show that each alleged violation is both material and uncured and that it occurred within a reasonable period of time before the Notice of Violation is issued.

BP 0420.43(b)

3. The period of time that the Board has concluded is a reasonable period of time for the charter school to remedy or refute the identified violation(s). In identifying this time period, the Board shall consider the amount of time reasonably necessary to remedy each identified violation, which may include the charter school's estimation as to the anticipated remediation time.

By the end of the remedy period identified in the Notice of Violation, the charter school's governing body may submit to the Board a detailed written response and supporting evidence addressing each identified violation, including the refutation, remedial action taken, or proposed remedial action. (5 CCR 11968.5.2)

Within 60 calendar days of the conclusion of the remedy period, the Board shall evaluate any response and supporting evidence provided by the charter school's governing body and shall take one of the following actions: (5 CCR 11968.5.2)

1. Discontinue revocation of the charter and provide timely written notice of such action to the charter school's governing body
2. If there is substantial evidence that the charter school has failed to remedy a violation identified in the Notice of Violation or to refute a violation to the Board's satisfaction, continue revocation of the charter by issuing a Notice of Intent to Revoke to the charter school's governing body

If the Board issues a Notice of Intent to Revoke, it shall hold a public hearing concerning the revocation on the date specified in the notice, which shall be no later than 30 days after providing the notice. Within 30 calendar days after the public hearing, or within 60 calendar days if extended by written mutual agreement of the Board and the charter school, the Board shall issue a final decision to revoke or decline to revoke the charter. (Education Code 47607; 5 CCR 11968.5.2)

If the Board fails to meet the timelines specified above for issuing a Notice of Intent to Revoke or a final decision, the revocation process shall be deemed terminated. (5 CCR 11968.5.2)

Within 10 calendar days of the Board's final decision, the Superintendent or designee shall provide a copy of the final decision to the California Department of Education (CDE) and the County Board of Education. (Education Code 47604.32; 5 CCR 11968.5.2)

Severe and Imminent Threat

The procedures specified above shall not be applicable when the Board determines, in writing, that any violation under Education Code 47607 constitutes a severe and imminent threat to the health or safety of students. In such circumstances, the Board may immediately revoke the school's charter by approving and delivering a Notice of Revocation by Determination of a Severe and Imminent Threat to Pupil Health or Safety to the charter school's governing body, the County Board, and the CDE. (Education Code 47607; 5 CCR 11968.5.3)

Appeals

In the event that the Board revokes the charter, the charter school may, within 30 days of the Board's final decision, appeal the revocation to the County Board. Either the charter school or the district may subsequently appeal the County Board's decision to the SBE. (Education Code 47607; 5 CCR 11968.5.3-11968.5.5)

Legal Reference:

EDUCATION CODE

47600-47616.7 Charter Schools Act of 1992, especially:

47607 Charter renewals and revocations

52052 Numerically significant student subgroup; definition

CODE OF REGULATIONS, TITLE 5

11960-11969 Charter schools, especially:

11968.5-11968.5.5 Charter revocations

COURT DECISIONS

Today's Fresh Start, Inc. v. Los Angeles County Office of Education, (2011) 197 Cal.App.4th 436

Management Resources:

CSBA PUBLICATIONS

The Role of the Charter School Authorizer, Online Course

Charter Schools: A Manual for Governance Teams, rev. 2012

WEB SITES

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

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

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

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

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

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Lactation Accommodation

The Board of Education recognizes the immediate and long-term health advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030)

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)

Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE

43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE

12940 Discriminatory employment practices

12945 Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE

Lactation Accommodation

Legal Reference – continued:

1030-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2

7291.2-7291.16 Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29

207 Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS

Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS

Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS

Minimum Requirements of the California Lactation Accommodation Law

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Lactation Support Program Toolkit

FEDERAL REGISTER

Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

The Business Case for Breastfeeding: Steps for Creating a Breastfeeding Friendly Worksite, Toolkit, 2008

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS

Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES

California Department of Industrial Relations, Division of Labor and Standards Enforcement:

<http://www.dir.ca.gov/dlse>

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

California Women, Infants and Children: <http://www.wicworks.ca.gov>

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

Health Resources and Services Administration: <http://www.hrsa.gov>

U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers:

<http://www.dol.gov/whd/nursingmothers>

CSBA 7/11

Policy

Adopted 9/11/13

SMJUHSD
Santa Maria, CA

Personnel

AR 4112.2(a)

Certification

Verification of Credentials

The Superintendent or designee shall verify that each employee in a position requiring certification qualifications possesses a valid credential or permit issued by the Commission on Teacher Credentialing (CTC). Such verification shall occur not later than 60 days after the commencement of employment or the renewal of a credential. (Education Code 44857)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Language Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

The Superintendent or designee shall maintain records of the appropriate certification of all employees serving in certificated positions.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

Basic Skills Proficiency

The district shall not initially hire, on a permanent, temporary, or substitute basis, a certificated person seeking employment in the capacity designated in his/her credential unless that person has demonstrated basic skills proficiency in reading, writing, and mathematics or is specifically exempted from the requirement by law. (Education Code 44252, 44252.6, 44830)

The district may hire a certificated teacher who has not taken a test of basic skills proficiency if he/she has not yet been afforded the opportunity to take the test. The employee shall take the test at the earliest opportunity and may remain employed by the district pending the receipt of his/her test results. (Education Code 44830)

An out-of-state prepared teacher shall meet the basic skills requirement within one year of being issued a California preliminary credential by the CTC unless he/she has completed a basic skills proficiency test in another state or is otherwise exempted by law. An out-of-state prepared teacher applying to the CTC for a one-year nonrenewable credential pending completion of the basic skills requirement shall pass the district's basic skills proficiency test which is at least equivalent to the district test required for high school graduation. (Education Code 44252, 44274.2; 5 CCR 80071.4, 80413.3)

Personnel

AR 4112.2(b)

Certification

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.2 - Certificate of Proficiency)

(cf. 6162.5 - High School Exit Examination)

Any person holding or applying for a designated subjects special subjects credential which does not require possession of a bachelor's degree shall pass the district proficiency test in lieu of meeting the state basic skills requirement. (Education Code 44252, 44830)

The district shall charge a fee to cover the costs of developing, administering, and grading the district proficiency test.

Short-Term Staff Permit

The district may request that the CTC issue a short-term staff permit (STSP) to an applicant who meets the qualifications specified in 5 CCR 80021 whenever there is a need to immediately fill a classroom based on unforeseen circumstances, including, but not limited to: (5 CCR 80021)

1. Enrollment adjustments requiring the addition of another teacher
2. Inability of the teacher of record to finish the school year due to approved leave or illness
3. The applicant's need for additional time to complete preservice requirements for enrollment into an approved internship program
4. Inability of the applicant to enroll in an approved internship program due to timelines or lack of space in the program
5. Unavailability of a third-year extension of an internship program or the applicant's withdrawal from an internship program

When requesting issuance of an STSP, the district shall submit to the CTC: (5 CCR 80021)

1. Verification that it has conducted a local recruitment for the permit being requested
2. Verification that it has provided the permit holder with orientation to the curriculum and to instruction and classroom management techniques and has assigned a mentor teacher for the term of the permit

(cf. 4131 - Staff Development)

3. Written justification for the permit signed by the Superintendent or designee

Personnel

AR 4112.2(c)

Certification

The holder of an STSP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021)

Provisional Internship Permit

The district may request that the CTC issue a provisional internship permit (PIP) to an applicant who meets the qualifications specified in 5 CCR 80021.1 whenever a suitable credentialed teacher cannot be found after a diligent search. The district shall verify all of the following: (5 CCR 80021.1, 80026.5)

1. A diligent search has been conducted for a suitable credentialed teacher or suitable qualified intern as evidenced by documentation of the search.

The search shall include, but not be limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.

(cf. 4111/4211/4311 - Recruitment and Selection)

2. Orientation, guidance, and assistance shall be provided to the permit holder as specified in 5 CCR 80026.5.

The orientation shall include, but not be limited to, an overview of the curriculum the permit holder is expected to teach and effective instruction and classroom management techniques at the permit holder's assigned level. The Superintendent or designee shall assign an experienced educator to guide and assist the permit holder.

3. The district shall assist the permit holder in developing a personalized plan through a district-selected assessment that would lead to subject-matter competence related to the permit.

4. The district shall assist the permit holder to seek and enroll in subject-matter training, such as workshops or seminars and site-based courses, along with training in test-taking strategies, and shall assist the permit holder in meeting the credential subject-matter competence requirement related to the permit.

5. A notice of intent to employ the applicant in the identified position has been made public.

The district shall submit a copy of the agenda item presented at a public Board meeting which shall state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s), and grade(s) that he/she will be teaching, and that the applicant will be employed on the basis of a PIP. The district also shall submit a signed statement from the Superintendent or designee that the agenda item was acted upon favorably.

Personnel

AR 4112.2(d)

Certification

6. The candidate has been apprised of steps to earn a credential and enroll in an internship program.

The holder of a PIP may be assigned to provide the same service as a holder of a multiple subject, single subject, or education specialist credential in accordance with the authorizations specified on the permit. (5 CCR 80021.1)

Visiting Faculty Permits

The district may request that the CTC issue a visiting faculty permit authorizing an individual to teach in departmentalized classes if he/she has at least three years full-time teaching experience at an accredited postsecondary institution, possesses a master's degree in a subject area closely related to the subject he/she proposes to teach, and meets other qualifications specified in law. In such cases, the district shall provide the CTC with both of the following: (Education Code 44300.1)

1. Annual documentation that the district has implemented a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, and participating in job fairs in California, but has been unable to recruit a sufficient number of certificated teachers to teach the subject matter that the visiting faculty member proposes to teach
2. The Board-adopted Declaration of Need for Fully Qualified Educators based on the documentation set forth in item #1

Credential Waiver/Long-Term Emergency Permits

If a teacher who has completed a teacher preparation program is unavailable for an assignment, the district shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who is qualified to participate in and enrolls in an approved internship program in the region of the district
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is provided orientation, guidance, and assistance by the district

If an individual who meets the criteria specified in item #1 or 2 above is not available to the district, the district may, as a last resort, request from the CTC a credential waiver or an emergency permit for the assignment of an individual who does not meet those criteria. (Education Code 44225.7; 5 CCR 80023-80023.2, 80026)

Personnel

AR 4112.2(e)

Certification

The district may request an emergency permit authorizing resource specialist, Crosscultural, Language and Academic Development (CLAD), bilingual, or teacher librarian services.

In order to request an emergency permit, the district shall annually submit a Board-approved Declaration of Need for Fully Qualified Educators on a form provided by the CTC. The declaration shall include certification that the district has made reasonable efforts to recruit a fully prepared teacher for the assignment. (Education Code 44225.7; 5 CCR 80023.2, 80026)

The Superintendent or designee shall provide any first-time recipient of an emergency teaching permit with an orientation to teaching which, to the extent reasonably feasible, shall occur before he/she begins a teaching assignment. The orientation shall include, but not be limited to, the curriculum the teacher is expected to teach and effective techniques of classroom instruction at the assigned grade-level span. The emergency permit holder also shall receive guidance and assistance from an experienced educator who is a certificated district employee or a certificated retiree from a California district or county office of education and who has completed at least three years of full-time classroom teaching experience. (5 CCR 80026.5)

(cf. 4117.14/4317.14 - Postretirement Employment)

Emergency Substitute Teaching Permits

The district may employ for day-to-day substitute teaching, at any grade level, a person with an emergency substitute permit issued by the CTC with the following restrictions:

1. A person holding an emergency 30-day substitute permit, or any valid teaching or services credential that requires at least a bachelor's degree and completion of the CBEST, shall not serve as a substitute for more than 30 days for any one teacher during the school year. He/she shall not serve as a substitute in a special education classroom for more than 20 days for any one teacher during the school year. (5 CCR 80025, 80025.3, 80025.4)
2. A person with an emergency career substitute teaching permit shall not serve as a substitute for more than 60 days for any one teacher during the school year. (5 CCR 80025.1)
3. A person with an emergency substitute permit for prospective teachers shall not serve as a substitute for more than 30 days for any one teacher during the school year and not more than 90 days total during the school year. (5 CCR 80025.2)
4. A person with an emergency substitute permit for career technical education shall teach only in a program of technical, trade, or vocational education and not serve as a substitute for more than 30 days for any one teacher during the school year. (5 CCR 80025.5)

Before employing a person with an emergency substitute permit pursuant to item #1 or #4 above,

Personnel**AR 4112.2(f)****Certification**

the Superintendent or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

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Personnel

BP 4112.9(a)

4212.9

Employee Notifications

4312.9

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and any other notifications he/she believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

Legal Reference:

EDUCATION CODE

231.5 Sexual harassment policy

17612 Notification of pesticide use

22455.5 STRS information to potential members

22461 Postretirement compensation limitation

35031 Nonreelection of superintendent, assistant superintendent, or manager of classified services

35171 Notice of regulations pertaining to certificated employee evaluations

37616 Notice of public hearing on year-round schedule

44031 Personnel file contents, inspection

44663-44664 Evaluation of certificated employees

44842 Reemployment notices, certificated employees

44896 Transfer of administrator or supervisor to teaching position

44916 Written statement of employment status

44929.21 Reelection or nonreelection of probationary employee after second year

44934 Notice of disciplinary action for cause

44938 Notice of unprofessional conduct and opportunity to correct

44940.5-44941 Notification of suspension and intent to dismiss

44948.3-44948.5 Dismissal of probationary employees

44949 Cause, notice and right to hearing

44951 Continuation in position unless notified, administrative or supervisory personnel

44954 Nonreelection of temporary employees

44955 Reduction in number of employees

45113 Notification of charges, classified employees

45117 Notice of layoff, classified employees

45169 Employee salary data, classified employees

45192 Industrial and accident leave

45195 Additional leave

Personnel

BP 4112.9(b)

4212.9

Employee Notifications

4312.9

46162 Notice of public hearing on block schedule

49079 Notification to teacher; student who has engaged in acts re: grounds for suspension or expulsion

GOVERNMENT CODE

1126 Incompatible activities of employees

3100-3109 Oath or affirmation of allegiance

8355 Certification of drug-free workplace, including notification

12950 Sexual harassment

54957 Complaints against employees; right to open session

54963 Unauthorized disclosure of confidential information

HEALTH AND SAFETY CODE

104420 Tobacco-free schools

120875 Information on AIDS, AIDS-related conditions, and hepatitis B

120880 Notification to employees re AIDS, AIDS-related conditions, and hepatitis B

LABOR CODE

2800.2 Notification of availability of continuation health coverage

3550-3553 Notifications re: workers' compensation benefits

5401 Workers' compensation; claim form and notice of potential eligibility

PENAL CODE

11165.7 Child Abuse and Neglect Reporting Act; notification requirement

11166.5 Employment; statement of knowledge of duty to report child abuse or neglect

UNEMPLOYMENT INSURANCE CODE

2613 Disability insurance; notice of rights and benefits

CODE OF REGULATIONS, TITLE 2

7288.0 Sexual harassment training, provision of district policy

CODE OF REGULATIONS, TITLE 5

4622 Uniform complaint procedures

80303 Reports of change in employment status, alleged misconduct

CODE OF REGULATIONS, TITLE 8

3204 Employees exposed to bloodborne pathogens, access to exposure and medical records

5193 California bloodborne pathogens standard

UNITED STATES CODE, TITLE 38

4344 Uniformed Services Employment and Reemployment Rights Act, notice requirement

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 29

825.300 Family and Medical Leave Act; notice requirement

CODE OF FEDERAL REGULATIONS, TITLE 34

104.8 Nondiscrimination

106.9 Dissemination of policy, nondiscrimination on basis of sex

CODE OF FEDERAL REGULATIONS, TITLE 40

763.84 Asbestos inspections, response actions and post-response actions

Personnel

BP 4112.9(c)

4212.9

Employee Notifications

4312.9

763.93 Asbestos management plans

CODE OF FEDERAL REGULATIONS, TITLE 49

382.601 Controlled substance and alcohol use and testing notifications

Policy

Approved 8/7/13 (CSBA 7/12)

SMUUHSD

Santa Maria, CA

All Personnel

E 4112.9(a)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
I. To All Employees			
At the beginning of school year or upon employment	231.5, Government Code 12950, 2 CCR 7288.0	AR 4119.11 4219.11 4319.11	The district's policy on sexual harassment, legal remedies, complaints
Annually to all employees	17612	AR 3514.2	Use of pesticide product, active ingredients, Internet address to access information
To all employees, prior to implementing year-round schedule	37616	AR 6112	Public hearing on year-round program
To all employees, prior to implementing block schedule	46162	AR 6112	Public hearing on block schedule
Annually to all employees	49013; 5 CCR 4622	AR 1312.3 BP 3260	Uniform complaint procedures, available appeals, civil law remedies, identity of coordinator, complaints about student fees
To all employees	Government Code 1126	BP 4136 4236 4336	Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal
Prior to beginning employment	Government Code 3102	AR 4112.3 4212.3 4312.3	Oath or affirmation of allegiance required of public employees
To all employees	Government Code 8355; 41 USC 8102	BP 4020 BP 4159 4259 4359	District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs
Upon placement of automated external defibrillator (AED) in school, and annually thereafter	Health and Safety Code 1797.196	AR 5141	Proper use of AED; location of all AEDs on campus
To all employees, if the district receives Tobacco-Use Prevention Education funds	Health and Safety Code 104420	AR 3513.3	District's tobacco-free schools policy and enforcement procedures

All Personnel

E 4112.9(b)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
Annually to all employees	Health and Safety 120875, 120880	AR 4119.43 4219.43 4319.43	AIDS and hepatitis B, methods to prevent exposure
To covered employees and former employees	Labor Code 2800.2	AR 4154 4254 4354	Availability of COBRA/ Cal-COBRA continuation and conversion coverage
Upon employment or by end of first pay period	Labor Code 3551	BP 4157.1 4257.1 4357.1	Workers' compensation benefits, how to obtain medical care, role of primary physician,
Prior to beginning employment	Penal Code 11165.7, 11166.5	AR 5141.4	Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law
Upon employment, and when employee goes on leave for specified reasons	Unemployment Insurance Code 2613	AR 4154 4254 4354	Disability insurance rights and benefits
To all employees via employee handbook, or to each new employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Benefits through Family and Medical Leave Act
To all employees and job applicants	34 CFR 104.8, 106.9	BP 0410 BP 4030	District's policy on nondiscrimination and related complaint procedures
Annually to all employees	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

II. To Certificated Employees

To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire	22455.5	AR 4121	Criteria for membership in retirement system; right to elect membership at any time
Upon employment of a retired certificated individual	22461	AR 4117.14 4317.14	Postretirement compensation limitation

All Personnel

E 4112.9(c)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
To certificated employees	35171	AR 4115 BP 4315	District regulations related to performance evaluations
30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated	44663	AR 4115	Copy of employee's evaluation
To a certificated employee with unsatisfactory evaluation	44664	AR 4115	Notice and description of the unsatisfactory performance
By May 30, if district elects to issue reemployment notices to certificated employees	44842	AR 4112.1	Request to notify district of intent to remain in service for the following school year; copy of law
To certificated employees upon employment	44916	AR 4112.1 AR 4121	Employment status and salary
To probationary employees in district with ADA of 250 or more, by March 15 of employee's second consecutive year of employment	44929.21	AR 4117.6	Whether or not employee is reelected for next school year
When certificated employee is subject to disciplinary action for cause	44934	AR 4117.4 AR 4118	Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice
To certificated employee charged with unprofessional conduct	44938	AR 4118	Notice of deficiency and opportunity to correct
To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings	44940.5	AR 4118	Notice of intent to dismiss 30 days from notice
To probationary employees 30 days prior to dismissal, or not later than March 15 for second-year probationary employees	44948.3	AR 4117.4	Reasons for dismissal and opportunity to appeal

All Personnel

E 4112.9(d)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
To probationary employees in districts with less than 250 ADA, before notice of nonreelection but no later than March 15, with final notice by May 15	44948.5	AR 4117.4	Recommendation of nonreelection notice for reason other than personnel reduction; statement of reasons upon request
By March 15 when necessary to reduce certificated personnel, with final notice by May 15	44949, 44955	BP 4117.3	Reasons for personnel reduction and employees' right to hearing; final notice of Board decision re: termination
On or before June 30, to temporary employee who served 75 percent of school year but will be released	44954	BP 4121	District's decision not to reelect employee for following school year
To teacher, when student engages in or is reasonably suspected of specified acts	49079	AR 4158 4258 4358	Student has committed specified act that constitutes grounds for suspension or expulsion
To certificated employee upon change in employment status due to alleged misconduct	5 CCR 80303	AR 4117.7	Contents of state regulation re: report to Commission on Teacher Credentialing
III. To Classified Employees			
To classified employee charged with mandatory leave of absence offense, in merit system district	44940.5	AR 4218	Notice of intent to dismiss in 30 days
When classified employee is subject to disciplinary action for cause, in nonmerit district	45113	AR 4218	Notice of charges, procedures, and employee rights
To classified employees, at least 60 days prior to layoff, or by April 29 if specially funded program is expiring at end of school year	45117	AR 4217.3	Notice of layoff and reemployment rights
To classified employees upon employment and upon each change in classification	45169	AR 4212	Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

All Personnel

E 4112.9(e)

4212.9

EMPLOYEE NOTIFICATIONS

4312.9

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
To classified permanent employee whose leave is exhausted	45192, 45195	AR 4261.1 AR 4261.11	Exhaustion of leave, opportunity to request additional leave
To school bus and school activity bus drivers upon employment and at least once per year thereafter	13 CCR 2480	AR 3514	Limitations on vehicle idling; consequences of not complying
To school bus drivers, prior to district drug testing program and thereafter upon employment	49 CFR 382.601	BP 4112.42 4212.42 4312.42	Explanation of federal requirements for drug testing program and district's policy
IV. To Administrative/Supervisory Personnel			
To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract	35031	BP 4312.1	Decision not to reelect or reemploy upon expiration of contract or term
Upon request by administrative or supervisory employee transferred to teaching position	44896	AR 4313.2	Statement of the reasons for the release or reassignment
By March 15 to employee who may be released/reassigned the following school year	44951	AR 4313.2	Notice that employee may be released or reassigned the following school year
Prior to placing derogatory information in personnel file	44031	AR 4112.6 4212.6 4312.6	Notice of derogatory information, opportunity to review and comment
24 hours before Board meets in closed session to hear complaints or charges against employee	Government Code 54957	BB 9321	Employee's right to have complaints/charges heard in open session
Notice or training to employee with access to confidential information	Government Code 54963	BP 4119.23 4219.23 4319.23	Law prohibiting disclosure of confidential information obtained in closed session
Within one working day of work-related injury or victimization of crime at workplace	Labor Code 3553, 5401	BP 4157.1 4257.1 4357.1	Potential eligibility for workers' compensation benefits, claim form

All Personnel

E 4112.9(f)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

When/Whom to Notify	Education or Other Legal Code	Board Policy/ Administrative Regulation #	Subject
V. To Individual Employees Under Special Circumstances			
To any employee with exposure to bloodborne pathogens, upon initial employment and at least annually thereafter	8 CCR 3204, 5193	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for family care and medical leave	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Whether or not employee is eligible for FMLA leave, rights and obligations; consequences of failure to meet obligations

Staff Teaching English Language Learners**Definitions**

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English that is specially designed to meet the needs of English learners. (Education Code 44253.2)

Primary language instruction includes both primary language development designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and content instruction delivered in the primary language in any subject area. (Education Code 44253.2)

(cf. 6174 - Education for English Language Learners)

Teacher Qualifications

The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary language instruction.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 - Assignment)

(cf. 4222 - Teacher Aides/Paraprofessionals)

A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC-approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)

(cf. 4131 - Staff Development)

Staff Teaching English Language Learners

The Board may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

Legal Reference:**EDUCATION CODE**

306 Definition, English learner

44253.1-44253.11 Certification for bilingual-crosscultural competence

44258.9 County superintendent review of teacher assignments

44259.5 Standards for teachers of all students, including English language learners

44380-44386 Alternative certification

44856 Employment of teachers from foreign countries

52160-52178 Bilingual-Bicultural Act of 1976

52180-52186 Bilingual teacher training assistance program

62001-62005. 5 Evaluation and sunseting of programs

99230-99242 Mathematics and Reading Professional Development Program

CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act

80015 Requirements for the CLAD certification or English learner authorization

80015.1-80015.4 Requirements for CLAD, English learner authorization or bilingual authorization

80021 Short-Term Staff Permit

80021.1 Provisional Internship Program

80024.7-80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

6601-6651 Training and recruiting high-quality teachers

6801-7014 Language instruction for English learners and immigrant students

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al (1989) 724 F.Supp. 698

Management Resources:**COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS**

CL-622 Serving English Learners, December 2010

Staff Teaching English Language Learners

CL-626B Bilingual Authorizations, November 2010

CL-626C Crosscultural, Language and Academic Development Certificate, November 2010

CL-568 The Sojourn Certificated Employee Credential, August 2009

WEB SITES

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

California Association for Bilingual Education: <http://www.bilingualeducation.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

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

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

CSBA 7/11

Personnel

BP 4112.42(a)

4212.42

Drug and Alcohol Testing for School Bus Drivers

4312.42

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

(cf. 3540 - Transportation)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

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

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

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

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

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

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

Consequences Based on Test Results

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

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

Personnel

BP 4112.42(b)

4212.42

Drug and Alcohol Testing for School Bus Drivers

4312.42

(49 CFR 40.21, 382.107, 382.119)

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

A driver who has violated federal drug and alcohol regulations, and has a confirmed positive test by a certified medical review officer, may be subject to disciplinary action up to and including dismissal in accordance with law and administrative regulations.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

Voluntary Self-Identification

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

1. No adverse action shall be taken against the driver by the district.
2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish control over his/her drug or alcohol problem.
3. The driver shall be permitted to participate in safety-sensitive functions only after:
 - a. Successfully completing an education or treatment program, as determined by a drug and alcohol abuse evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor
 - b. Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative result for drug use

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

Personnel

BP 4112.42(c)

4212.42

Drug and Alcohol Testing for School Bus Drivers

4312.42

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

GOVERNMENT CODE

8355 Drug-free workplace; employee notification

VEHICLE CODE

13376 Driver certificates; revocation or suspension

34500-34520.5 Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293 Motor carrier safety, especially:

1213.1 Placing drivers out-of-service

UNITED STATES CODE, TITLE 41

8101-8106 Drug-Free Workplace Act

UNITED STATES CODE, TITLE 49

31306 Alcohol and drug testing

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.11-1308.15 Controlled substances

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413 Procedures for transportation workplace drug and alcohol testing programs

382.101-382.605 Drug and alcohol use and testing; especially:

382.205 On-duty use

382.207 Pre-duty use

382.209 Use following an accident

Management Resources:

CALIFORNIA HIGHWAY PATROL PUBLICATIONS

Controlled Substances and Alcohol Testing Compliance Checklist, 2007

What is CSAT? Controlled Substances and Alcohol Testing, 2005

WEB SITES

California Highway Patrol: <http://www.chp.ca.gov>

Federal Motor Carrier Safety Administration: <http://www.fmcsa.dot.gov>

U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance:

<http://www.dot.gov/ost/dapc>

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Policy

Revised 9/11/13

SMJUHSD
Santa Maria, CA

Drug and Alcohol Testing for School Bus Drivers

Definitions

For purposes of drug testing required by the U.S. Department of Transportation (DOT), drugs included in the tests are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates. (49 CFR 40.3, 40.85, 382.107)

Alcohol concentration or level means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath. For purposes of the DOT alcohol testing program, an alcohol level between 0.02 and 0.04 requires removal of the bus driver for a 24-hour period following the test. An alcohol level of 0.04 or higher requires immediate removal of the driver from performing safety-sensitive functions until the driver has successfully completed the return-to-duty process. (49 CFR 382.107, 382.201, 382.505)

Safety-sensitive function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions include, but are not limited to, all time driving or otherwise in the bus; waiting at a district facility to be dispatched; inspecting, servicing, or conditioning the bus or bus equipment; loading or unloading the bus; supervising or assisting in the loading or unloading of the bus; and repairing, obtaining assistance, or remaining in attendance upon a disabled bus. (49 CFR 382.107)

(cf. 3540 - Transportation)
(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 4020 - Drug and Alcohol-Free Workplace)

Designated Employer Representative

The Superintendent or Assistant Superintendent of Human Resources shall identify a designated employer representative and shall provide his/her name and telephone number to the testing contractor to contact about any problems or issues that may arise during the testing process. (49 CFR 40.35, 40.215)

The designated employer representative shall be responsible for receiving test results and other communications, taking immediate action(s) to remove drivers from safety-sensitive functions, and making other required decisions in the testing and evaluation processes. (49 CFR 40.3)

Pre-employment Testing

When hiring a new driver, the Superintendent or designee shall, with the driver's written consent, request the driver's past drug and alcohol testing record, as specified in 49 CFR 40.25, from any employer who has employed the driver at any time during the previous two years. Additionally,

Drug and Alcohol Testing for School Bus Drivers

the Superintendent or designee shall ask the driver if he/she tested positive, or refused to test, on any pre-employment drug or alcohol test that was administered during the past two years in the course of applying for another safety-sensitive transportation position that he/she did not obtain. The driver shall not be permitted to perform safety-sensitive functions if he/she refuses to provide consent to obtain the information from previous employers, the information from previous employers is not received within 30 days of the date on which the driver first performed safety-sensitive functions for the district, or the driver or a previous employer reports a violation of a drug or alcohol regulation without subsequent completion of the return-to-duty process. (49 CFR 40.25, 382.413)

Upon making a contingent offer of employment to a driver and prior to the first time the driver performs safety-sensitive functions for the district, the Superintendent or designee shall require the driver to undergo testing for drugs and to receive a verified negative test result. This testing requirement may be waived if all of the following conditions exist: (49 CFR 382.301)

1. The driver has participated in a qualified drug testing program within the previous 30 days.
2. While participating in the program, the driver either was tested within the past six months or participated in a random drug testing program for the previous 12 months.
3. The Superintendent or designee has contacted the testing program(s) in which the driver has participated and has obtained information about the program and the driver's participation as specified in 49 CFR 382.301.
4. No prior employer of the driver of whom the district has knowledge has records of the driver's violation of federal drug testing regulations within the previous six months.

Post-Accident Testing

As soon as practicable following an accident involving a school bus or student activity bus, the Superintendent or designee shall ensure that the driver involved is tested for alcohol and/or drugs under either of the following conditions: (49 CFR 382.303)

1. The accident involved loss of human life.
2. The driver receives a citation for alcohol use within eight hours of the accident, or for drug use within 32 hours of the accident, and the accident involved bodily injury to a person who required immediate medical treatment away from the scene of the accident and/or disabling damage to one or more vehicles requiring towing.

The Superintendent or designee shall attempt to administer a required alcohol test up to eight (8)

Drug and Alcohol Testing for School Bus Drivers

hours following the accident and/or a drug test up to 32 hours following the accident. The results of an alcohol or drug test conducted by federal, state, or local officials having independent authority for the test shall be considered to meet this requirement. If the alcohol test is not administered within two hours following the accident, or the test for drugs is not administered within 32 hours following the accident, the Superintendent or designee shall make a record stating the reasons the test was not promptly administered. (49 CFR 382.303)

Random Testing

The Superintendent or designee shall ensure that random, unannounced drug and alcohol tests of bus drivers are conducted on testing dates reasonably spread throughout the year. Such tests shall be conducted during, immediately before, or immediately after the performance of safety-sensitive functions. (49 CFR 382.305)

The Superintendent or designee shall ensure that the percentage of district drivers randomly tested for drugs and alcohol meets or exceeds the minimum annual percentage rates specified in 49 CFR 382.305 or subsequently published in the Federal Register.

Each driver selected for random testing shall have an equal chance of being tested each time selections are made. (49 CFR 382.305)

Each driver who is selected for testing shall proceed to the test site immediately or, if performing a safety-sensitive function other than driving a bus, then as soon as possible after ceasing that function. (49 CFR 382.305)

Reasonable Suspicion Testing

A driver shall be required to submit to a drug or alcohol test whenever the Superintendent, Transportation Manager or other designee's trained in reasonable cause has reasonable suspicion that the driver has violated the prohibitions against the use of drugs or alcohol. Such reasonable suspicion shall be based on specific, contemporaneous, articulable observations, conducted during, immediately before, or immediately after the performance of safety-sensitive functions, concerning the driver's appearance, behavior, speech, and/or body odors. Reasonable suspicion of drug use may also include indications of the chronic and withdrawal effects of drugs. (49 CFR 382.307)

The person who makes the required observations for reasonable suspicion testing for drugs or alcohol shall be trained in accordance with 49 CFR 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not be the same person who conducts the alcohol test. (49 CFR 382.307)

Within 24 hours of the observed behavior or before the results of the drug or alcohol test are

Drug and Alcohol Testing for School Bus Drivers

released, whichever is earlier, the Superintendent or designee shall prepare and sign a written record of the observations leading to a reasonable suspicion test. (49 CFR 382.307)

An alcohol test required as a result of reasonable suspicion shall be administered within eight hours following the determination of reasonable suspicion. If the test is not administered within two hours, the Superintendent or designee shall prepare and maintain on file a record stating the reasons the test was not promptly administered. (49 CFR 382.307)

In the absence of a reasonable suspicion alcohol test, the district shall take no action against a driver based solely on the driver's behavior and appearance, except that the driver shall not be allowed to report for or remain on safety-sensitive functions until an alcohol test is administered and the results show a concentration less than 0.02 or 24 hours have elapsed following the determination of reasonable suspicion. (49 CFR 382.307)

Return-to-Duty Testing

The Superintendent or designee may permit a driver who participates in the voluntary self-identification program to return to safety-sensitive functions after the driver has successfully complied with the education and treatment services prescribed by a substance abuse professional and has taken a return-to-duty drug or alcohol test. The driver shall not resume performance of safety-sensitive functions unless the drug test shows a negative result and/or the alcohol test shows a concentration of less than 0.02. (49 CFR 40.305, 382.309)

Follow-Up Testing

Upon receiving a written follow-up testing plan from a substance abuse professional, the Superintendent or designee shall determine the actual dates for follow-up testing consistent with those recommendations and shall ensure that such tests are unannounced and follow no discernible pattern as to their timing. No additional tests beyond those included in the plan shall be imposed by the district. (CFR 382.121, 49 CFR 40.307-40.309, 382.11149)

Notifications

The Superintendent or designee shall provide each driver with materials explaining the federal regulations and the district's policy and procedure related to drug and alcohol testing and shall notify representatives of employee organizations of the availability of this information. This information shall include a detailed discussion of at least the following: (49 CFR 382.303, 382.113, 382.601)

1. The identity of the person designated by the district to answer driver questions about the materials

Drug and Alcohol Testing for School Bus Drivers

2. The categories of drivers who are subject to drug and alcohol testing
3. Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the workday the driver is required to be in compliance
4. Specific information concerning prohibited driver conduct
5. The circumstances under which a driver will be tested for drugs and/or alcohol, including post-accident testing
6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver
7. The requirement that a driver submit to drug and alcohol tests
8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences
9. The consequences for drivers found to have violated the prohibitions against drug or alcohol use, including the circumstances under which drivers will be removed immediately from safety-sensitive functions and the requirements for education, treatment, and return-to-duty testing
10. The consequences for drivers found to have a blood alcohol concentration between 0.02 and 0.04
11. Information concerning the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management

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

Each driver shall sign a statement certifying that he/she has received a copy of the above materials. The Superintendent or designee shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (49 CFR 382.601)

In addition, prior to administering each alcohol or drug test, the driver shall be notified that the test is required pursuant to Title 49, Part 382, of the Code of Federal Regulations. (49 CFR 382.113)

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AR 4112.42(f)

Drug and Alcohol Testing for School Bus Drivers

The driver shall be notified of the results of drug and alcohol tests in accordance with 49 CFR 382.411.

Records

The Superintendent or designee shall maintain records of the district's drug and alcohol testing program in accordance with 49 CFR 40.333 and 382.401. Such records shall be maintained in a secure location with controlled access and shall be disclosed only in accordance with 49 CFR 382.405.

(cf. 3580 - District Records)

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Postretirement Employment

When necessary, the district may, subject to specific legal requirements, hire a qualified retired certificated individual who possesses the knowledge and experience needed to perform specialized work or service for the district, as an employee, the employee of a third party, or an independent contractor/consultant.

(cf. 3600 - Consultants)

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112 - Appointment and Conditions of Employment)

Any retired certificated individual who is a member of the defined benefit program of the State Teachers' Retirement System (STRS) and who is hired by the district to perform any service pursuant to Education Code 22119.5 or 26113 shall be paid at a rate commensurate with that of other district employees performing comparable duties. However, such a retired individual shall not make contributions to the retirement fund or accrue service credits based on compensation earned from that service. (Education Code 24214)

No retired certificated individual who is a member of STRS shall be hired by the district for at least six calendar months after his/her retirement from service unless he/she has attained the normal retirement age. Such hiring shall only be made with Board approval in a public meeting, as reflected in a resolution that shall include information about the nature of the appointment and the following findings: (Education Code 24214.5)

1. The appointment is necessary to fill a critically needed position before 180 days have passed.
2. The retired individual is eligible for this exemption because he/she did not receive additional service credit pursuant to Education Code 22714 or 22715 or a financial inducement to retire.
3. The retired individual's termination of employment with the district is not the basis for the need to acquire the services of the retired individual.

(cf. 9320 - Meetings and Notices)

Postretirement Compensation Limitation

Whenever the district retains the services of a retired individual as a district employee, employee of a third party, or an independent contractor, the Superintendent or designee shall: (Education Code 22461, 24214)

1. Advise the retired individual of the postretirement compensation limitation set forth in Education Code 24214 or 24214.5 or any other applicable law

Postretirement Employment

2. Maintain accurate records of the retired individual's compensation and report it monthly to STRS and the individual, regardless of the method of payment or the fund from which the payments are made

When employing a retired individual who is eligible for any exemption from the postretirement compensation limitation, the Superintendent or designee shall submit to STRS all required documentation to substantiate eligibility for the exemption. (Education Code 24214, 24214.5)

Legal Reference:

EDUCATION CODE

- 22119.5 Creditable service, definition
- 22461 Notice of earnings limitation
- 22714 Encouragement of retirement
- 22715 Additional service credit
- 22716 Unpaid services
- 24116 Service at California State University
- 24214 Creditable service by retiree
- 24214.5 Postretirement compensation limit; members below normal retirement age
- 24215 Service at California State University
- 26113 Creditable service, definition
- 35046 Consultancy contracts
- 41320.1 Appointment of trustee
- 42120-42129 Budget completion
- 44830 Employment of certificated employees
- 44830.3 Employment of district interns
- 44929 Service credit under STRS; additional two years
- 44929.1 2+2 service and year credit option under STRS
- 52055.57-52055.60 Local Educational Agency Intervention program

Management Resources:

WEB SITES

California State Teachers' Retirement System: <http://www.calstrs.com>

Personnel

AR 4161.11(a)

4261.11

Industrial Accident/Illness Leave

4361.11

An eligible employee shall be entitled to a leave of absence for an industrial accident or illness arising in the course of his/her assigned duties. (Education Code 44984, 45192)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161/4261/4361 - Leaves)

For such leave, the employee shall be granted no more than 60 (sixty) working days in any one fiscal year for the same industrial accident or illness.

Allowable industrial accident or illness leave shall not be accumulated from year to year. (Education Code 44984, 45192)

When an employee is absent from his/her duties because of an industrial accident or illness: (Education Code 44043, 44044, 44984, 45192)

1. The leave shall start on the first day of absence.
2. During the period of absence, the employee shall be paid such portion of his/her wage or salary that, when added to the award granted under state workers' compensation laws, will not exceed his/her normal wage or salary.
3. The leave shall be reduced by one day for each day of authorized absence, regardless of an award granted under workers' compensation laws.
4. When the leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

During any paid leave of absence, the employee shall endorse to the district any workers' compensation checks received on account of an industrial accident or illness. The Superintendent or designee shall then issue payment of the employee's normal wage or salary less any appropriate deductions, including, but not limited to, employee retirement contributions. (Education Code 44043)

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within California unless the Board of Education authorizes travel outside the state. (Education Code 44984, 45192)

Absence for industrial accident or illness shall not be considered a break in service of the employee. An employee using such leave shall retain all status and benefits to which he/she

Personnel

AR 4161.11(b)

4261.11

Industrial Accident/Illness Leave

4361.11

would otherwise be entitled.

(cf. 4116 - Probationary/Permanent Status)

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

(cf. 4216 - Probationary/Permanent Status)

When available industrial accident or illness leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request any additional paid or unpaid leave available to the employee. (Education Code 45192)

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

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave provided pursuant to Education Code 44977, 44978, 44983, or 45191, as applicable, provided that such leave, when added to any continuing workers' compensation award, does not result in a payment to the employee of more than his/her full wage or salary. (Education Code 44984, 45192)

(cf. 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave)

If a certificated employee is unable to resume the duties of his/her position after exhausting all accumulated sick leave, including the consecutive five-month period provided by Education Code 44977, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 24 months if he/she is a probationary employee or 39 months if he/she is a permanent employee. If the employee becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be returned to employment in a position for which he/she is credentialed and qualified. (Education Code 44978.1)

If a classified employee has exhausted all available leaves of absence, paid or unpaid, and is not medically able to resume the duties of his/her position, he/she shall, if not placed in another position, be placed on a reemployment list for a period of 39 months. If he/she becomes medically able to resume duties during the period of reemployment eligibility, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other candidates except those on a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with seniority regulations. If the employee is medically released to return to duty but fails to accept an appropriate assignment, he/she shall be dismissed. (Education Code 45192)

(cf. 4217.3 - Layoff/Rehire)

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

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AR 4161.11(c)

4261.11

Industrial Accident/Illness Leave

4361.11

Legal Reference:

EDUCATION CODE

44043 Temporary disability

44044 Temporary disability checks; waiver of endorsement to district

44977 Salary deductions during absence from duties

44978 Provisions for certificated employee sick leave

44978.1 Inability of certificated employee to return to duty; placement in another position or on reemployment list

44983 Exception to sick leave

44984 Industrial accident and illness leave, certificated employees

45191 Personal illness and injury leave, classified employees

45192 Industrial accident and illness leave, classified employees

LABOR CODE

3200-6002 Workers' compensation

Management Resources:

WEB SITES

Department of Industrial Relations: <http://www.dir.ca.gov>

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Personnel

AR 4161.8(a)

4261.8

Family Care and Medical Leave

4361.8

The district shall not interfere with, restrain, or deny the exercise or attempted exercise by any eligible employee of his/her right to any family care and medical leave or pregnancy disability leave (PDL) provided through the Family and Medical Leave Act (FMLA), the California Family Rights Act (CFRA), or the Fair Employment and Housing Act (FEHA), nor shall it discharge or discriminate or retaliate against any employee for his/her involvement in any inquiry or proceeding related to any leave under any of these laws or his/her opposition to or challenge of any unlawful district practice in relation to any rights granted by any of these laws. (Government Code 12945, 12945.2; 29 USC 2615)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

Definitions

The words and phrases defined below shall have the same meaning throughout this administrative regulation except where a different meaning is otherwise specified.

Child (son or daughter) means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (Government Code 12945.2; 29 USC 2611)

Eligible employee for FMLA and CFRA purposes means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month period. However, these requirements shall not apply when an employee applies for PDL. (Government Code 12945.2; 29 USC 2611; 29 CFR 825.110)

Employee disabled by pregnancy means a woman who, in the opinion of her health care provider, is unable because of pregnancy to perform any one or more of the essential functions of her job or to perform any of them without undue risk to herself, her pregnancy's successful completion, or other persons; or who is suffering from severe "morning sickness" or needs to take time off for any pregnancy-related condition including, but not limited to, prenatal or postnatal care, bed rest, gestational diabetes, pregnancy-induced hypertension, preeclampsia, post-partum depression, childbirth, loss or end of pregnancy, or recovery from childbirth or loss or end of pregnancy. (2 CCR 7291.2)

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2611; 29 CFR 825.122)

Serious health condition means an illness, injury, impairment, or physical or mental condition

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that involves either of the following: (Government Code 12945.2; 29 USC 2611; 29 CFR 825.113-825.115)

1. Inpatient care in a hospital, hospice, or residential health care facility
2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. Any period of incapacity due to pregnancy or for prenatal care under FMLA
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
 - e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300. In addition, for purposes of CFRA, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5, 300; 2 CCR 7297.0; 29 CFR 825.122)

Eligibility

The district shall grant FMLA or CFRA leave to eligible employees for any of the following reasons: (Family Code 297.5; Government Code 12945.2; 29 USC 2612; 29 CFR 825.112)

1. The birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child
2. To care for the employee's child, parent, or spouse with a serious health condition
3. The employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position
4. Any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a military member on covered active duty or call to covered active duty (or has been notified of an impending call or order to covered active duty)

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5. To care for a covered servicemember with a serious injury or illness if the employee is the spouse, child, parent, or next of kin, as defined, of the servicemember

In addition, the district shall grant any pregnant female employee PDL during pregnancy, when she is disabled by pregnancy, childbirth, or any related medical condition. (Government Code 12945; 2 CCR 7291.4)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of FMLA or CFRA leave during any 12-month period, except in the case of leave to care for a covered servicemember as provided under "Military Caregiver Leave" below. (Government Code 12945.2; 29 USC 2612)

This 12-month period shall be a rolling period measured backward from the date an employee uses any family care and medical leave, as defined in 29 CFR 825.200. (29 CFR 825.200)

In addition, for each pregnancy, a female employee shall be entitled to PDL for the period of the disability not to exceed four months. (Government Code 12945; 2 CCR 7291.9)

PDL shall run concurrently with FMLA leave for disability caused by an employee's pregnancy. At the end of the employee's FMLA leave for disability caused by pregnancy, or at the end of four months of PDL, whichever occurs first, a CFRA-eligible employee may request to take CFRA leave of up to 12 work weeks for the reason of the birth of her child, if the child has been born by this date (e.g., baby bonding), whether or not she or the child has a serious health condition or disability. To the extent allowed by law, CFRA and FMLA leaves shall run concurrently. (Government Code 12945, 12945.2; 2 CCR 7291.13, 7297.6)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. The basic minimum duration of leave for the birth or placement of a child shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions. (2 CCR 7297.3; 29 USC 2612)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 weeks. This restriction shall apply whether the parents are married, not married, or registered domestic partners. (Government Code 12945.2; 2 CCR 7297.1; 29 USC 2612)

Use/Substitution of Paid Leave

An employee shall substitute his/her accrued vacation leave, other accrued time off, and any other paid or unpaid time off negotiated with the district for any FMLA or CFRA leave not

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involving his/her own serious health condition or pregnancy disability. For the employee's PDL or FMLA or CFRA leave due to his/her own serious health condition, the employee shall use accrued sick leave pursuant to the collective bargaining agreement and/or Board policy and may use accrued vacation leave and other paid or unpaid time off at his/her option. (Government Code 12945, 12945.2; 2 CCR 7291.11; 29 USC 2612)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

(cf. 4161.1/4261.1/4361.1 - Personal Illness/Injury Leave)

Intermittent Leave/Reduced Work or Leave Schedule

PDL and family care and medical leave for the serious health condition of an employee or his/her child, parent, or spouse may be taken intermittently or on a reduced work or leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district may limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave, not to be greater than one hour. (2 CCR 7291.9, 7297.3; 29 USC 2612)

The district may require an employee to transfer temporarily to an available alternative position if the employee is pregnant and provides medical certification from her health care provider of the medical need for intermittent leave or leave on a reduced work or leave schedule or if the employee's need for the intermittent leave or leave on a reduced work or leave schedule is foreseeable based on his/her planned medical treatment or that of a family member. This alternative position must have equivalent pay and benefits and must better accommodate recurring periods of leave than the employee's regular job, and the employee must be qualified for the position. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced work or leave schedule. (2 CCR 7291.8, 7297.3; 29 USC 2612)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

Request for Leave

An employee shall provide at least verbal notice sufficient to make the district aware of the need to take PDL or family care and medical leave and the anticipated timing and duration of the leave. (2 CCR 7291.17, 7297.4)

For family care and medical leave, the employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or

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designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 7297.4)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. (2 CCR 7297.4)

When the need for the PDL or family care and medical leave is foreseeable, the employee shall provide the district with at least 30 days advance notice before the leave. The employee shall consult with the Superintendent or designee and make a reasonable effort to schedule, subject to the health care provider's approval, any planned appointment or medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 7291.17, 7297.4)

When the 30 days notice is not practicable because of a lack of knowledge of when leave will be required to begin, a change in circumstances, a medical emergency, or other good cause, the employee shall provide the district with notice as soon as practicable. (2 CCR 7291.17, 7297.4)

Certification of Health Condition

Within five business days of an employee's request for family care and medical leave for his/her own or his/her child's, parent's, or spouse's serious health condition, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts. (2 CCR 7297.4; 29 CFR 825.305)

The certification shall include the following: (Government Code 12945.2; 2 CCR 7297.0; 29 USC 2613)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of the employee to provide care during a period of the treatment or supervision of the child, parent, or spouse

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- b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse

- 4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job

- 5. If the employee is requesting leave for intermittent treatment or on a reduced work or leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

In addition, at the employee's option, the certification may include a diagnosis identifying the serious health condition. (2 CCR 7297.0)

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA/CFRA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA/CFRA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA as long as there is no harm to the employee. (29 CFR 825.301)

If the Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (Government Code 12945.2; 29 USC 2613)

For PDL, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave at the time the employee gives notice of the need for PDL, or within two business days of giving the notice. If the need for PDL is unforeseen, the Superintendent or designee shall request the medical certification within two business days after the leave commences. The Superintendent or designee may request certification at some later date if he/she has reason to question the appropriateness of the leave or its duration. (2 CCR 7291.17)

For PDL that is foreseeable and for which at least 30 days notice has been given, the employee shall provide the medical certification before the leave begins. When this is not practicable, the employee shall provide the certification within the time frame specified by the Superintendent or designee which must be at least 15 days after the request, unless it is not practicable under the particular circumstances despite the employee's diligent, good faith efforts. (2 CCR 7291.17)

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Medical certification for PDL purposes shall include a statement that the employee needs to take the leave because she is disabled by pregnancy, childbirth, or a related medical condition, the date on which the employee became disabled because of pregnancy, and the estimated duration of the leave. (2 CCR 7291.17)

The Superintendent or designee shall not request any genetic information, as defined in 42 USC 2000ff, from any employee or his/her family member except as necessary to comply with a certification requirement for PDL or FMLA/CFRA leave purposes or with the prior written authorization of the employee. Any such genetic information received by the district shall be kept confidential in accordance with law. (42 USC 2000ff-1, 2000ff-5)

If additional PDL or family care and medical leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified for the leave. (Government Code 12945.2; 2 CCR 7291.17; 29 USC 2613)

Fitness for Duty Certification/Release to Return to Work

Upon expiration of an employee's PDL or family care and medical leave taken for his/her own serious health condition, the employee shall present certification from the health care provider that he/she is able to resume work.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.

Rights to Reinstatement

Upon granting an employee's request for PDL or family care and medical leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (Government Code 12945.2; 2 CCR 7291.10; 29 USC 2614)

However, the district may refuse to reinstate an employee returning from family care and medical leave to the same or a comparable position if all of the following apply: (Government Code 12945.2; 29 USC 2614)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.

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3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

(cf. 4117.3 - Personnel Reduction)

(cf. 4217.3 - Layoff/Rehire)

The district may refuse to reinstate an employee to the same position after taking PDL if, at the time the reinstatement is requested, the employee would not otherwise have been employed in that position for legitimate business reasons unrelated to the employee's PDL. (2 CCR 7291.10)

Maintenance of Benefits/Failure to Return from Leave

During the period when an employee is on PDL or family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (Government Code 12945.2; 29 USC 2614)

For up to a maximum of four months for PDL or 12 work weeks for other family care and medical leave, the district shall continue to provide an eligible employee the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the leave if he/she fails to return to district employment after the expiration of all available leaves and the failure is for a reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control. (Government Code 12945.2; 2 CCR 7291.11; 29 USC 2614; 29 CFR 825.213)

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

In addition, during the period when an employee is on PDL or family care and medical leave, the employee shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as would apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2; 2 CCR 7291.11)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the district while a military member is on covered active duty or call to covered active duty status for one or more qualifying exigencies. (29 USC 2612; 29 CFR 825.126)

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Military member means an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty in support of a contingency operation pursuant to law. (29 USC 2611; 29 CFR 825.126)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the covered active duty or call to covered active duty status
3. Arrange childcare or attend school activities arising from the covered active duty or call to covered active duty, such as arranging for alternative child care, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to 15 days of leave per instance) with a military member who is on short-term, temporary, Rest and Recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Care for a military member's parent who is incapable of self-care when the care is necessitated by the military member's covered active duty
9. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting such leave for the first time shall provide the Superintendent or designee with a copy of the military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the

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Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced work or leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be: (29 CFR 825.127)

1. A current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step, or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

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Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a current member of the Armed Forces, an injury or illness incurred by the member in the line of duty on active duty, or that existed before the beginning of the member's active duty and was aggravated by the member's service in the line of duty while on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating

2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran and that is at least one of the following:

- a. A continuation of a serious injury or illness incurred or aggravated while the veteran was a member of the Armed Forces and rendered him/her unable to perform the duties of his/her office, grade, rank, or rating
- b. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs (VA) Service-Related Disability Rating of 50 percent or greater, based wholly or partly on that physical or mental condition
- c. A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of one or more disabilities related to his/her military service or that would do so but for treatment received by the veteran
- d. An injury, including a psychological injury, on the basis of which the veteran has been enrolled in the VA's Program of Comprehensive Assistance for Family Caregivers

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

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The leave may be taken intermittently or on a reduced work or leave schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in the section "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications about state and federal law related to PDL or FMLA/CFRA leave:

1. General Notice: Information explaining the provisions of the FEHA and FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (2 CCR 7291.16, 7297.9; 29 USC 2619)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days' notice of the need for the leave, when the need for the leave is reasonably foreseeable. (2 CCR 7291.17, 7297.4)

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

2. Eligibility Notice: When an employee requests leave, including PDL, or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (2 CCR 7291.16; 29 CFR 825.300)

3. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate: (29 CFR 825.300)

- a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

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- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification
- c. The employee's right to substitute paid leave, whether the district will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
- d. Any requirements for the employee to make premium payments necessary to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
- f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

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If the district requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement. (29 CFR 825.300)

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (Government Code 12946; 29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500)

Legal Reference:

EDUCATION CODE

44965 Granting of leaves of absence for pregnancy and childbirth

FAMILY CODE

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

300 Validity of marriage

GOVERNMENT CODE

12940 Unlawful employment practices

12945 Pregnancy; childbirth or related medical condition; unlawful practice

12945.1-12945.2 California Family Rights Act

12946 Fair Employment and Housing Act: discrimination prohibited

CODE OF REGULATIONS, TITLE 2

7291.2-7291.17 Sex discrimination: pregnancy and related medical conditions

7297.0-7297.11 Family care leave

UNITED STATES CODE, TITLE 1

7 Definition of marriage

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act of 1993, as amended

UNITED STATES CODE, TITLE 42

2000ff-1-2000ff-11 Genetic Information Nondiscrimination Act of 2008

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 Family and Medical Leave Act of 1993

COURT DECISIONS

United States v. Windsor, (2013) 699 F.3d 169

Re Marriage Cases, (2008) 43 Cal.4th 757

Faust v. California Portland Cement Company, (2007) 150 Cal.App.4th 864

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

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Management Resources:

FEDERAL REGISTER

The Family and Medical Leave Act; Final Rule; February 6, 2013. Vol. 78, No. 25, pages 8903-8947

U.S. DEPARTMENT OF LABOR PUBLICATIONS

Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Labor, FMLA: <http://www.dol.gov/whd/fmla>

CSBA 8/13

Regulation

Revised 9/11/13

SMJUHSD

Santa Maria, CA

Agenda/Meeting Materials**Agenda Content**

Governing Board meeting agendas shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

(cf. 9320 - Meetings and Notices)

(cf. 9321- Closed Session Purposes and Agendas)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. The agenda shall also provide members of the public an opportunity to testify at regular meetings on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

(cf. 9323 - Meeting Conduct)

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

The agenda shall specify that an individual should contact the Superintendent or designee if he/she requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting. (Government Code 54954.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting. Each agenda shall reflect the district's vision and goals and the Board's focus on student learning.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 9121 - President)

(cf. 9122 - Secretary)

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least ten working days before the scheduled meeting date. Items submitted less than ten working days before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Agenda Meeting Materials (continued)

The Board president and Superintendent shall decide whether a request is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing the item on the agenda, the Board president and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation.

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

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

(cf. 9323.2 - Actions by the Board)

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

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 1312.3 - Uniform Complaint Procedures)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 3320 - Claims and Actions Against the District)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)

Consent Agenda/Calendar

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent agenda items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval.

When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. However, the agenda need not provide an opportunity for public comment when the consent agenda item has previously been considered at an open meeting of a committee comprised exclusively of all the Board members provided that members of the public were afforded an opportunity to comment on the item at that meeting, unless the item has been substantially changed since the committee considered it. (Government Code 54954.3)

Agenda Meeting Materials (continued)

Agenda Dissemination to Board Members

At least three days before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, citizens, and others; and other available documents pertinent to the meeting.

When special meetings are called, the Superintendent or designee shall make every effort to distribute the agenda and supporting materials to Board members as soon as possible before the meeting.

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

(cf. 9012 - Board Member Electronic Communications)

Agenda Dissemination to Members of the Public

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

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board, provided the document is a public record under the Public Records Act. The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

(cf. 1113 - District and School Web Sites)

(cf. 1340 - Access to District Records)

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

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a

Agenda Meeting Materials (continued)

disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

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

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

Legal Reference:

EDUCATION CODE

35144 Special meetings

35145 Public meetings

35145.5 Right of public to place matters on agenda

GOVERNMENT CODE

6250-6270 Public Records Act

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Public records

54960.2 Challenging board actions; cease and desist

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

Mooney v. Garcia, (2012) 207 Cal.App.4th 229

Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318

Management Resources:

CSBA PUBLICATIONS

Call to Order: A Blueprint for Great Board Meetings, 2010

The Brown Act: School Boards and Open Meeting Laws, rev. 2009

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

WEB SITES

CSBA, Agenda Online: <http://www.csba.org>

California Attorney General's Office: <http://www.oag.ca.gov> (CSBA 11/12)

Bylaw

Adopted: 9/11/13 (CSBA 11/12)

Santa Maria Joint Union High School District

Santa Maria, CA

Board Bylaws

BB 9323.2(a)

Actions by The Board

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

(cf. 9012 - Board Member Electronic Communications)

(cf. 9200 - Limits of Board Member Authority)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision
3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

(cf. 9324 - Minutes and Recordings)

Action on Non-Agenda Items

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the following conditions: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

Challenging Board Actions

The district attorney's office or any interested person may file an action in court to stop or prevent the Board's violation or threats of violations of the Brown Act, to determine the applicability of the Brown Act to ongoing or future threatened Board actions, to determine the validity, under California or federal law, of any Board rule or action to penalize any of its members or otherwise discourage the member's expression, or to compel the Board to audio record its closed sessions because of its violation of any applicable Government Code provision. (Government Code 54960)

The district attorney or any interested person may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of law regarding any of the following: (Government Code 54960.1)

1. Open meeting and teleconferencing (Government Code 54953)
2. Agenda posting (Government Code 54954.2)
3. Closed session item descriptions (Government Code 54954.5)
4. New or increased tax assessments (Government Code 54954.6)
5. Special meetings (Government Code 54956)
6. Emergency meetings (Government Code 54956.5)

Any demand to "cure and correct" an alleged violation shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)

Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)

1. Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.
2. Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.
3. Take no action. If the Board takes no action within the 30-day review period, its inaction shall be considered a decision not to cure or correct the action.

Challenging Board Actions (continued)

In addition, the district attorney's office or any interested party may file an action in court to determine the applicability of the Brown Act to any past Board action not specified in Government Code 54960.1, if the following conditions are met: (Government Code 54960.2)

1. Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.
2. The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.

Legal Reference:

EDUCATION CODE

15266 School construction bonds

17466 Declaration of intent to sell or lease real property

17481 Lease of property with residence for nondistrict purposes

17510-17511 Resolution requiring unanimous vote of all members constituting board

17546 Private sale of personal property

17556-17561 Dedication of real property

17582-17583 District deferred maintenance fund

35140-35149 Meetings

35160-35178.4 Powers and duties

48660-48661 Community day schools, establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue

1245.240 Eminent domain vote requirements

1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities

53724 Parcel tax resolution requirements

53790-53792 Exceeding the budget

53820-53833 Temporary borrowing

53850-53858 Temporary borrowing

54950-54963 The Ralph M. Brown Act, especially:

54952.6 Action taken, definition

54953 Meetings to be open and public; attendance; secret ballots

54960-54960.5 Actions to prevent violations

65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

3400 Bid specifications

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20113 Emergencies, award of contracts without bids

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003)

112 Cal.App.4th 1313

McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310

Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672

Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Management Resources:

CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, 2009

ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Local Legislative Bodies, 2003

LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

Open and Public IV: A Guide to the Ralph M. Brown Act, 2007

WEB SITES

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

California Attorney General's Office: <http://www.oag.ca.gov>

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

CSBA 11/12

CA

REGULAR MEETING
September 11, 2013

APPENDIX D

**Public Disclosure of Collective Bargaining
Agreement and Approval of Memorandum of
Understanding (MOU) with
Classified Unit**

**Santa Barbara County Education Office
School Business Advisory Services**

**PUBLIC DISCLOSURE OF PROPOSED COLLECTIVE BARGAINING AGREEMENT
in accordance with AB 1200 (Chapter 1213/1991), GC 3540.2(a), GC 3547.5, and CCR, Title V, Section 15449**

Name of School District:	SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
Name of Bargaining Unit:	CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455
Certificated, Classified, Other:	CLASSIFIED

The proposed agreement covers the period beginning: July 1, 2013 and ending: June 30, 2016
(date) (date)

The Governing Board will act upon this agreement on: September 11, 2013
(date)

A. Proposed Change in Compensation

Bargaining Unit Compensation All Funds - Combined	Current Budget (Prior to Proposed Agreement)	Fiscal Impact of Proposed Agreement (Complete Years 2 and 3 for multiyear and overlapping agreements only)		
		Year 1 Increase/(Decrease)	Year 2 Increase/(Decrease)	Year 3 Increase/(Decrease)
		FY 13 - 14	FY 14 - 15	FY 15 - 16
1. Salary Schedule Including Step and Column	\$ 10,559,080	\$ 515,992	\$ 285,978	\$ 276,047
		4.89%	2.58%	2.43%
2. Other Compensation Stipends, Bonuses, Longevity, Overtime, Differential, Callback or Standby Pay, etc.	\$ 150,541	\$ -	\$ -	\$ -
		0.00%	0.00%	0.00%
Description of Other Compensation		Longevity, professional growth	Longevity, professional growth	Longevity, professional growth
3. Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 2,367,425	\$ 114,388	\$ 63,141	\$ 60,988
		4.832%	2.54%	2.40%
4. Health/Welfare Plans	\$ 1,077,208	\$ -	\$ -	\$ -
		0.00%	0.00%	0.00%
5. Total Bargaining Unit Compensation Add Items 1 through 4 to equal 5	\$ 14,154,254	\$ 630,380	\$ 349,119	\$ 337,035
		4.454%	2.36%	2.23%
6. Total Number of Bargaining Unit Employees (Use FTEs if appropriate)	354.00			
7. Total Compensation Average Cost per Bargaining Unit Employee	\$ 39,984	\$ 1,781	\$ 986	\$ 952
		4.454%	2.36%	2.23%

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455

8. What was the negotiated percentage change? For example, if the change in "Year 1" was for less than a full year, what is the annualized percentage of that change for "Year 1"?

There are two components to the change: a one-time 3% payment, and a salary schedule adjustment (on-going) of 2%.

9. Were any additional steps, columns, or ranges added to the salary schedules? (If yes, please explain.)

NO.

10. Please include comments and explanations as necessary. (If more room is necessary, please attach an additional sheet.)

See attached MOU.

11. Does this bargaining unit have a negotiated cap for Health and Welfare Yes No

If yes, please describe the cap amount.

Subject to re-openers and re-negotiation each year, the current annual District contribution for health and welfare benefits is capped at \$4572 for single, \$6612 for two-party, and \$7452 for family coverage.

B. Proposed negotiated changes in noncompensation items (i.e., class size adjustments, staff development days, teacher prep time, classified staffing ratios, etc.)

None.

C. What are the specific impacts (positive or negative) on instructional and support programs to accommodate the settlement? Include the impact of changes such as staff reductions or increases, program reductions or increases, elimination or expansion of other services or programs (i.e., counselors, librarians, custodial staff, etc.)

None known.

D. What contingency language is included in the proposed agreement (e.g., reopeners, etc.)?

None noted.

E. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.

None known.

F. Source of Funding for Proposed Agreement:

1. Current Year

Existing District unallocated unappropriated reserves, projected increase in funding due to adoption of California State budget and implementation of Local Control Funding Formula ("LCFF").

2. If this is a single year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years?

3. If this is a multiyear agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years? (Remember to include compounding effects in meeting obligations.)

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Unrestricted General Fund**

Bargaining Unit: IF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ 50,387,210		\$ -	\$ 50,387,210
Federal Revenue 8100-8299	\$ -		\$ -	\$ -
Other State Revenue 8300-8599	\$ 1,296,913		\$ -	\$ 1,296,913
Other Local Revenue 8600-8799	\$ 149,000		\$ -	\$ 149,000
TOTAL REVENUES	\$ 51,833,123		\$ -	\$ 51,833,123
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 22,779,246	\$ -	\$ 1,080,580	\$ 23,859,826
Classified Salaries 2000-2999	\$ 7,722,817	\$ 323,325	\$ 46,473	\$ 8,092,615
Employee Benefits 3000-3999	\$ 8,878,369	\$ 72,444	\$ 140,759	\$ 9,091,572
Books and Supplies 4000-4999	\$ 1,952,901		\$ -	\$ 1,952,901
Services, Other Operating Expenses 5000-5999	\$ 3,091,595		\$ -	\$ 3,091,595
Capital Outlay 6000-6999	\$ 53,117		\$ -	\$ 53,117
Other Outgo 7100-7299 7400-7499	\$ 566,744		\$ -	\$ 566,744
Indirect/Direct Support Costs 7300-7399	\$ (824,729)		\$ -	\$ (824,729)
TOTAL EXPENDITURES	\$ 44,220,060	\$ 395,769	\$ 1,267,812	\$ 45,883,641
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ -	\$ -	\$ 257,878
Contributions 8980-8999	\$ (4,828,256)	\$ (159,278)	\$ (200,406)	\$ (5,187,940)
OPERATING SURPLUS (DEFICIT)*	\$ 2,526,929	\$ (555,047)	\$ (1,468,218)	\$ 503,664
BEGINNING FUND BALANCE				
9791	\$ 5,252,347			\$ 5,252,347
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 7,779,277	\$ (555,047)	\$ (1,468,218)	\$ 5,756,012
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ 136,533	\$ -	\$ -	\$ 136,533
Restricted Amounts 9740				
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ -	\$ -	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,880,143	\$ 17,744	\$ 48,077	\$ 1,945,964
Unassigned/Unappropriated Amount 9790	\$ 5,746,647	\$ (572,791)	\$ (1,516,295)	\$ 3,657,561

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Restricted General Fund

Bargaining Unit: IF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ 3,036,923		\$ -	\$ 3,036,923
Federal Revenue 8100-8299	\$ 3,580,459		\$ -	\$ 3,580,459
Other State Revenue 8300-8599	\$ 6,225,643		\$ -	\$ 6,225,643
Other Local Revenue 8600-8799	\$ 651,022		\$ -	\$ 651,022
TOTAL REVENUES	\$ 13,494,047		\$ -	\$ 13,494,047
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 6,108,291	\$ -	\$ 283,051	\$ 6,391,342
Classified Salaries 2000-2999	\$ 3,613,699	\$ 160,727	\$ 12,840	\$ 3,787,266
Employee Benefits 3000-3999	\$ 2,864,822	\$ 34,971	\$ 38,872	\$ 2,938,665
Books and Supplies 4000-4999	\$ 1,362,204		\$ -	\$ 1,362,204
Services, Other Operating Expenses 5000-5999	\$ 3,429,518		\$ -	\$ 3,429,518
Capital Outlay 6000-6999	\$ 125,000		\$ -	\$ 125,000
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ 689,944		\$ -	\$ 689,944
TOTAL EXPENDITURES	\$ 18,193,478	\$ 195,698	\$ 334,763	\$ 18,723,939
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
Contributions 8980-8999	\$ 4,828,255	\$ 159,278	\$ 200,406	\$ 5,187,939
OPERATING SURPLUS (DEFICIT)*	\$ 128,824	\$ (36,420)	\$ (134,357)	\$ (41,953)
BEGINNING FUND BALANCE				
9791	\$ 2,473,198			\$ 2,473,198
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 2,602,022	\$ (36,420)	\$ (134,357)	\$ 2,431,245
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 2,602,022	\$ (36,420)	\$ (134,357)	\$ 2,431,245
Committed Amounts 9750-9760				
Assigned Amounts 9780				
Reserve for Economic Uncertainties 9789		\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ -	\$ -	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Combined General Fund

Bargaining Unit:

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ 53,424,133		\$ -	\$ 53,424,133
Federal Revenue 8100-8299	\$ 3,580,459		\$ -	\$ 3,580,459
Other State Revenue 8300-8599	\$ 7,522,556		\$ -	\$ 7,522,556
Other Local Revenue 8600-8799	\$ 800,022		\$ -	\$ 800,022
TOTAL REVENUES	\$ 65,327,170		\$ -	\$ 65,327,170
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 28,887,537	\$ -	\$ 1,363,631	\$ 30,251,168
Classified Salaries 2000-2999	\$ 11,336,516	\$ 484,052	\$ 59,313	\$ 11,879,881
Employee Benefits 3000-3999	\$ 11,743,191	\$ 107,415	\$ 179,631	\$ 12,030,237
Books and Supplies 4000-4999	\$ 3,315,105		\$ -	\$ 3,315,105
Services, Other Operating Expenses 5000-5999	\$ 6,521,113		\$ -	\$ 6,521,113
Capital Outlay 6000-6999	\$ 178,117		\$ -	\$ 178,117
Other Outgo 7100-7299 7400-7499	\$ 566,744		\$ -	\$ 566,744
Indirect/Direct Support Costs 7300-7399	\$ (134,785)		\$ -	\$ (134,785)
TOTAL EXPENDITURES	\$ 62,413,538	\$ 591,467	\$ 1,602,575	\$ 64,607,580
OTHER FINANCING SOURCES/USES				
Transfer In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ -	\$ -	\$ 257,878
Contributions 8980-8999	\$ (1)	\$ -	\$ -	\$ (1)
OPERATING SURPLUS (DEFICIT)*	\$ 2,655,753	\$ (591,467)	\$ (1,602,575)	\$ 461,711
BEGINNING FUND BALANCE				
9791	\$ 7,725,545			\$ 7,725,545
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 10,381,299	\$ (591,467)	\$ (1,602,575)	\$ 8,187,257
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ 136,533	\$ -	\$ -	\$ 136,533
Restricted Amounts 9740	\$ 2,602,022	\$ (36,420)	\$ (134,357)	\$ 2,431,245
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ -	\$ -	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,880,143	\$ 17,744	\$ 48,077	\$ 1,945,964
Unassigned/Unappropriated Amount 9790	\$ 5,746,647	\$ (572,791)	\$ (1,516,295)	\$ 3,657,561

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Fund 13/61 - Cafeteria Fund**

Bargaining Unit: IF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ -		\$ -	\$ -
Federal Revenue 8100-8299	\$ 1,851,483		\$ -	\$ 1,851,483
Other State Revenue 8300-8599	\$ 164,209		\$ -	\$ 164,209
Other Local Revenue 8600-8799	\$ 894,020		\$ -	\$ 894,020
TOTAL REVENUES	\$ 2,909,712		\$ -	\$ 2,909,712
EXPENDITURES				
Certificated Salaries 1000-1999	\$ -	\$ -	\$ -	\$ -
Classified Salaries 2000-2999	\$ 859,986	\$ 31,940	\$ 4,060	\$ 895,986
Employee Benefits 3000-3999	\$ 192,477	\$ 6,970	\$ 886	\$ 200,333
Books and Supplies 4000-4999	\$ 1,825,500		\$ -	\$ 1,825,500
Services, Other Operating Expenses 5000-5999	\$ 41,100		\$ -	\$ 41,100
Capital Outlay 6000-6999	\$ 10,000		\$ -	\$ 10,000
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ 134,785		\$ -	\$ 134,785
TOTAL EXPENDITURES	\$ 3,063,848	\$ 38,910	\$ 4,946	\$ 3,107,704
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ (154,136)	\$ (38,910)	\$ (4,946)	\$ (197,992)
BEGINNING FUND BALANCE				
9791	\$ 811,247			\$ 811,247
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 657,111	\$ (38,910)	\$ (4,946)	\$ 613,255
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 657,111	\$ (38,910)	\$ (4,946)	\$ 613,255
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ -	\$ -	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Public Disclosure of Proposed Collective Bargaining Agreement

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455

Explanations for Column 3 "Other Revisions" entered on Pages 4a through 4h:

Page 4a: Unrestricted General Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 1,267,812	See below
Other Financing Sources/Uses	\$ (200,406)	See below

Page 4b: Restricted General Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 334,763	See below
Other Financing Sources/Uses	\$ 200,406	See below

Page 4d: Fund 11 - Adult Education Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4e: Fund 12 - Child Development Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4f: Fund 13/61 - Cafeteria Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 4,946	See below
Other Financing Sources/Uses	\$ -	

Page 4g: Other	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4h: Other	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Additional Comments:

The "other revisions" reflect the cost of an equivalent settlement with the Certificated bargaining unit, and the management/confidential group of employees. However no settlements have been finalized yet. "Other financing sources/uses" in the unrestricted and restricted sections reflect the impact of such potential settlements on contributions necessary to support the District's special education, transportation, and maintenance functions, based on where staff are currently charged.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Unrestricted General Fund MYP

Bargaining Unit: SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 50,387,210	\$ 49,727,129	\$ 49,789,011
Federal Revenue 8100-8299	\$ -	\$ -	\$ -
Other State Revenue 8300-8599	\$ 1,296,913	\$ 1,292,151	\$ 1,293,890
Other Local Revenue 8600-8799	\$ 149,000	\$ 149,000	\$ 149,000
TOTAL REVENUES	\$ 51,833,123	\$ 51,168,280	\$ 51,231,901
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 23,859,826	\$ 23,463,781	\$ 23,634,656
Classified Salaries 2000-2999	\$ 8,092,615	\$ 7,917,161	\$ 7,950,610
Employee Benefits 3000-3999	\$ 9,091,572	\$ 9,119,828	\$ 9,268,835
Books and Supplies 4000-4999	\$ 1,952,901	\$ 1,821,893	\$ 1,792,353
Services, Other Operating Expenses 5000-5999	\$ 3,091,595	\$ 2,823,572	\$ 2,638,732
Capital Outlay 6000-6999	\$ 53,117	\$ 63,500	\$ 63,500
Other Outgo 7100-7299 7400-7499	\$ 566,744	\$ 387,065	\$ 343,518
Indirect/Direct Support Costs 7300-7399	\$ (824,729)	\$ (824,729)	\$ (824,729)
Other Adjustments		\$ -	\$ -
TOTAL EXPENDITURES	\$ 45,883,641	\$ 44,772,071	\$ 44,867,475
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ 257,878	\$ 257,878
Contributions 8980-8999	\$ (5,187,940)	\$ (5,521,161)	\$ (7,692,978)
OPERATING SURPLUS (DEFICIT)*	\$ 503,664	\$ 617,170	\$ (1,586,430)
BEGINNING FUND BALANCE			
9791	\$ 5,252,347	\$ 5,756,012	\$ 6,373,182
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 5,756,012	\$ 6,373,182	\$ 4,786,752
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ 136,533	\$ 136,533	\$ 136,533
Restricted Amounts 9740			
Committed Amounts 9750-9760	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ 15,954	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
Unassigned/Unappropriated Amount 9790	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Restricted General Fund MYP

Bargaining Unit: SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 3,036,923	\$ 3,036,923	\$ 3,036,923
Federal Revenue 8100-8299	\$ 3,580,459	\$ 3,580,459	\$ 3,580,459
Other State Revenue 8300-8599	\$ 6,225,643	\$ 4,807,443	\$ 2,507,443
Other Local Revenue 8600-8799	\$ 651,022	\$ 510,836	\$ 510,836
TOTAL REVENUES	\$ 13,494,047	\$ 11,935,661	\$ 9,635,661
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 6,391,342	\$ 6,365,289	\$ 6,501,949
Classified Salaries 2000-2999	\$ 3,787,266	\$ 3,710,895	\$ 3,743,286
Employee Benefits 3000-3999	\$ 2,938,665	\$ 2,917,602	\$ 2,941,003
Books and Supplies 4000-4999	\$ 1,362,204	\$ 1,356,619	\$ 1,334,003
Services, Other Operating Expenses 5000-5999	\$ 3,429,518	\$ 3,429,518	\$ 3,429,518
Capital Outlay 6000-6999	\$ 125,000	\$ -	\$ -
Other Outgo 7100-7299 7400-7499	\$ -	\$ -	\$ -
Indirect/Dirrect Support Costs 7300-7399	\$ 689,944	\$ 689,944	\$ 689,944
Other Adjustments		\$ 1,418,200	\$ (1,311,064)
TOTAL EXPENDITURES	\$ 18,723,939	\$ 19,888,067	\$ 17,328,639
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -
Contributions 8980-8999	\$ 5,187,939	\$ 5,521,161	\$ 7,692,978
OPERATING SURPLUS (DEFICIT)*	\$ (41,953)	\$ (2,431,245)	\$ -
BEGINNING FUND BALANCE 9791	\$ 2,473,198	\$ 2,431,245	\$ 0
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 2,431,245	\$ 0	\$ 0
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ -	\$ -	
Restricted Amounts 9740	\$ 2,431,245	\$ -	
Committed Amounts 9750-9760			
Assigned Amounts 9780			
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ 0	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Combined General Fund MYP

Bargaining Unit: SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 53,424,133	\$ 52,764,052	\$ 52,825,934
Federal Revenue 8100-8299	\$ 3,580,459	\$ 3,580,459	\$ 3,580,459
Other State Revenue 8300-8599	\$ 7,522,556	\$ 6,099,594	\$ 3,801,333
Other Local Revenue 8600-8799	\$ 800,022	\$ 659,836	\$ 659,836
TOTAL REVENUES	\$ 65,327,170	\$ 63,103,941	\$ 60,867,562
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 30,251,168	\$ 29,829,070	\$ 30,136,605
Classified Salaries 2000-2999	\$ 11,879,881	\$ 11,628,056	\$ 11,693,896
Employee Benefits 3000-3999	\$ 12,030,237	\$ 12,037,430	\$ 12,209,838
Books and Supplies 4000-4999	\$ 3,315,105	\$ 3,178,512	\$ 3,126,356
Services, Other Operating Expenses 5000-5999	\$ 6,521,113	\$ 6,253,090	\$ 6,068,250
Capital Outlay 6000-6999	\$ 178,117	\$ 63,500	\$ 63,500
Other Outgo 7100-7299 7400-7499	\$ 566,744	\$ 387,065	\$ 343,518
Indirect/Direct Support Costs 7300-7399	\$ (134,785)	\$ (134,785)	\$ (134,785)
Other Adjustments		\$ 1,418,200	\$ (1,311,064)
TOTAL EXPENDITURES	\$ 64,607,580	\$ 64,660,138	\$ 62,196,114
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ 257,878	\$ 257,878
Contributions 8980-8999	\$ (1)	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ 461,711	\$ (1,814,075)	\$ (1,586,430)
BEGINNING FUND BALANCE 9791	\$ 7,725,545	\$ 8,187,257	\$ 6,373,182
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 8,187,257	\$ 6,373,182	\$ 4,786,752
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ 136,533	\$ 136,533	\$ 136,533
Restricted Amounts 9740	\$ 2,431,245	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ 15,954	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
Unassigned/Unappropriated Amount 9790	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
 CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455

I. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES

1. State Reserve Standard

		2013-14	2014-15	2015-16
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 64,865,458	\$ 64,918,016	\$ 62,453,992
b.	Less: Special Education Pass-Through Funds	\$ -	\$ -	\$ -
c.	Net Expenditures, Transfers Out, and Uses	\$ 64,865,458	\$ 64,918,016	\$ 62,453,992
d.	State Standard Minimum Reserve Percentage for this District Enter percentage →	3.00%	3.00%	3.00%
e.	State Standard Minimum Reserve Amount for this District (For districts with less than 1,001 ADA, this is the greater of Line a, times Line b. or \$50,000)	\$ 1,945,964	\$ 1,947,540	\$ 1,873,620

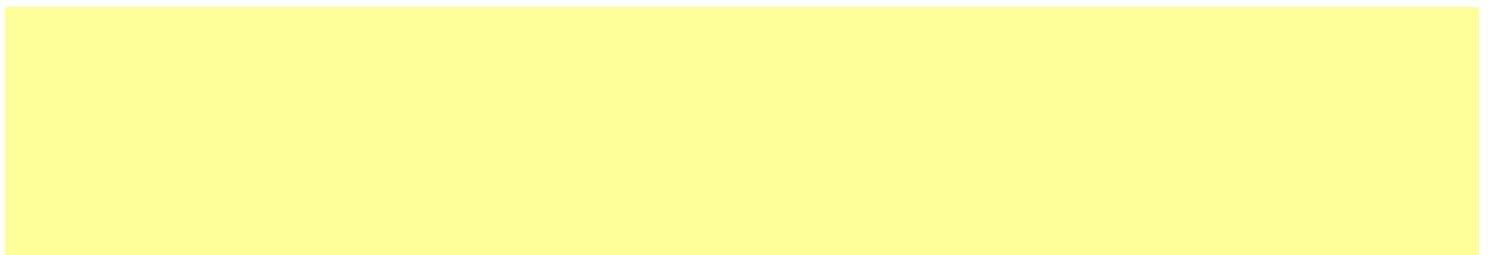
2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a.	General Fund Budgeted Unrestricted Designated for Economic Uncertainties (9789)	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
b.	General Fund Budgeted Unrestricted Unassigned/Unappropriated Amount (9790)	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646
c.	Special Reserve Fund (Fund 17) Budgeted Designated for Economic Uncertainties (9789)	\$ -	\$ -	\$ -
d.	Special Reserve Fund (Fund 17) Budgeted Unassigned/Unappropriated Amount (9790)	\$ 1,186,954	\$ 1,199,939	\$ 1,208,939
e.	Total Available Reserves	\$ 6,790,479	\$ 7,420,634	\$ 5,843,204
f.	Reserve for Economic Uncertainties Percentage	10.47%	11.43%	9.36%

3. Do unrestricted reserves meet the state minimum reserve amount?

2013-14	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2014-15	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2015-16	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

4. If no, how do you plan to restore your reserves?

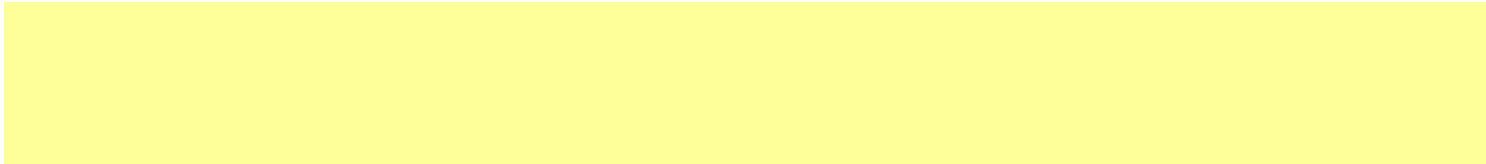


SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455

5. Does the Total Compensation Increase/(Decrease) on Page 1, Section A, #5 agree with the Total Increase/(Decrease) for all funds as a result of the settlement(s)? Please explain any variance.

Total Compensation Increase/(Decrease) on Page 1, Section A, #5	\$	630,380
General Fund balance Increase/(Decrease), Page 4c, Column 2	\$	(591,467)
Adult Education Fund balance Increase/(Decrease), Page 4d, Column 2	\$	-
Child Development Fund balance Increase/(Decrease), Page 4e, Column 2	\$	-
Cafeteria Fund balance Increase/(Decrease), Page 4f, Column 2	\$	(38,910)
Other Fund balance Increase/(Decrease), Page 4g, Column 2	\$	-
Other Fund balance Increase/(Decrease), Page 4h, Column 2	\$	-
Total all fund balances Increase/(Decrease) as a result of the settlement(s)	\$	(630,377)
	Variance	\$ 3

Variance Explanation:



6. Will this agreement create or increase deficit financing in the current or subsequent years?

"Deficit Financing" is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If a deficit is shown below, provide an explanation and any deficit reduction plan, as necessary.

General Fund Combined	Surplus/(Deficit)	(Deficit) %	Deficit primarily due to:
2013-14 Surplus/(Deficit) before settlement(s)?	\$ 2,655,753	4.24%	
2013-14 Surplus/(Deficit) after settlement(s)?	\$ 461,711	0.71%	
2014-15 Surplus/(Deficit) after settlement(s)?	\$ (1,814,075)	(2.79%)	Spending down of available restricted balances
2015-16 Surplus/(Deficit) after settlement(s)?	\$ (1,586,430)	(2.54%)	Spending down of available restricted balances

Deficit Reduction Plan (as necessary):



7. Were "Other Adjustments" amount(s) entered in the multiyear projections (pages 5a and 5b) for 2014-15 and/or 2015-16?

"Other Adjustments" could indicate that a budget reduction plan was/is being developed to address deficit spending and to rebuild reserves. Any amount shown below must have an explanation. If additional space is needed, attach a separate sheet or use Page 9a.

MYP	Amount	"Other Adjustments" Explanation
2014-15 Unrestricted, Page 5a	\$ -	
2014-15 Restricted, Page 5b	\$ 1,418,200	Planned expenditures of CCSS funding received in 13-14; not categorized elsewhere
2015-16 Unrestricted, Page 5a	\$ -	
2015-16 Restricted, Page 5b	\$ (1,311,064)	Required reduction to be made due to end of QEIA program; not categorized elsewhere

K. CERTIFICATION NO. 1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF THE COLLECTIVE BARGAINING AGREEMENT

This certification page must be signed by the district's Superintendent and Chief Business Official at the time of public disclosure and is intended to assist the district's Governing Board in determining whether the district can meet the costs incurred under the tentative Collective Bargaining Agreement in the current and subsequent years. The absence of a certification signature or if "I am unable to certify" is checked should serve as a "red flag" to the district's Governing Board.

In accordance with the requirements of Government Code Sections 3540.2(a) and 3547.5, the Superintendent and Chief Business Official of the Santa Maria Joint Union High School District, hereby certify that the District can meet the costs incurred under this Collective Bargaining Agreement during the term of the agreement from July 1, 2013 to June 30, 2016.

Board Actions

The board actions necessary to meet the cost of the agreement in each year of its term are as follows:

Current Year

Budget Adjustment Categories:

Revenues/Other Financing Sources
 Expenditures/Other Financing Uses
 Ending Balance(s) Increase/(Decrease)

	Budget Adjustment Increase/(Decrease)
\$	-
\$	2,237,898
\$	(2,237,898)

Subsequent Years

Budget Adjustment Categories:

Revenues/Other Financing Sources
 Expenditures/Other Financing Uses
 Ending Balance(s) Increase/(Decrease)

	Budget Adjustment Increase/(Decrease)
\$	-
\$	-

Budget Revisions

If the district does not adopt and submit within 45 days all of the revisions to its budget needed in the current year to meet the costs of the agreement at the time of the approval of the proposed collective bargaining agreement, the county superintendent of schools is required to issue a qualified or negative certification for the district on its next interim report.

Assumptions

See attached page for a list of the assumptions upon which this certification is based.

Certifications

I hereby certify I am unable to certify

**District Superintendent
 (Signature)**

Date

I hereby certify I am unable to certify

**Chief Business Official
 (Signature)**

Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CALIF SCHOOL EMPLOYEES ASSN CENTRAL COAST CHAPTER #455

Assumptions and Explanations (enter or attach documentation)

The assumptions upon which this certification is made are as follows:

Funding of LCFF towards target of 11.78% in 2013-14; thereafter flat funding per pupil with adjustments made only for changes in ADA. There is no minimum funding requirement in the LCFF law; nor does "statutory COLA" drive the funding mechanism.

The District believes that there will in all likelihood be some sort of increase in per-pupil funding in the subsequent years, but in the interest of fiscal prudence, will not forecast that amount until it is known.

Concerns regarding affordability of agreement in subsequent years (if any):

The District has shown an increase in contributions to restricted programs in years 2014-15 and 2015-16 to cover the cost of this agreement and agreements of substantially the same benefit being offered to other units/groups in the District.

It should be noted that ALL LCFF funding has been reflected by the District in the "unrestricted" portion of the MYP schedules, pending further guidance from CDE regarding SACS coding. It is entirely possible that the portion of LCFF funding related to the Supplemental and Concentration grants, since these are dependent upon the Districts EL and low-income students - a population which was formerly served by the restricted EIA-SCE and EIA-LEP programs - will end up being moved from the unrestricted to the restricted schedule.

L. CERTIFICATION NO. 2

The disclosure document must be signed by the district Superintendent at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Sections 3540.2(a) and 3547.5.

Santa Maria Joint Union High School District

District Name

District Superintendent
(Signature)

Brenda Hoff, Fiscal Services Director

Contact Person

Date

805-922-4573 x4403

Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on September 11, 2013, took action to approve the proposed agreement with the California School Employees Association Central Coast Chapter #455 Bargaining Unit(s). The fiscal impacts of this agreement will be incorporated into the District's 1st Interim Revised Budget.

President (or Clerk), Governing Board
(Signature)

Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.

MEMORANDUM OF UNDERSTANDING
between
SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
and
CSEA CENTRAL COAST CHAPTER 455

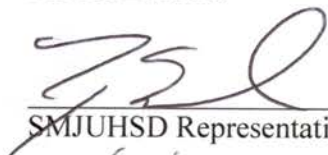
TENTATIVE AGREEMENT FOR A SUCCESSOR COLLECTIVE BARGAINING
AGREEMENT
Including
A SALARY SCHEDULE INCREASE
and
A ONE-TIME, OFF-SCHEDULE PAYMENT

The Santa Maria Joint Union High School District (hereinafter "District") and the California School Employees Association Central Coast Chapter 455 (hereinafter "Association") do hereby agree to the following:

- The successor agreement to the 2012-2013 District/CSEA Chapter #455 collective bargaining agreement is attached hereto.
- The successor agreement includes an increase to the classified bargaining unit salary schedule (Appendix C) of two percent (2.00%), retroactive to July 1, 2013.
- In addition, a one-time payment to each unit member returning to District employment for the 2013-14 school year that is equal to three percent (3.00%) of his or her 2013-2014 base salary. The one-time payment, the salary schedule increase, and any retroactive pay due will be reflected in the September 30, 2013 pay warrant.

Tentatively agreed to on the 15th day of August, 2013. This MOU shall become final upon ratification by the membership of California School Employees Association Chapter #455 and adoption by the Santa Maria Joint Union High School District Board of Education.


For the District:



SMJUHSD Representative
8/15/13

Date

For the Association:



CSEA Representative
8/15/2013

Date

2013/2014 Classified Salary Schedule

APPENDIX C

PROPOSED

PROPOSED

PROPOSED

Monthly rate is based upon 8 hours per day and 12 months per year

EFFECTIVE 07/01/13

2.00% increase

RANGE	Step A		Step B		Step C		Step D		Step E	
	HOURLY	MONTHLY	HOURLY	MONTHLY	HOURLY	MONTHLY	HOURLY	MONTHLY	HOURLY	MONTHLY
1	\$ 11.268	\$1,960.63	\$ 11.831	\$2,058.59	\$ 12.423	\$2,161.60	\$ 13.044	\$2,269.66	\$ 13.697	\$2,383.28
2	\$ 11.549	\$2,009.53	\$ 12.127	\$2,110.10	\$ 12.734	\$2,215.72	\$ 13.370	\$2,326.38	\$ 14.038	\$2,442.61
3	\$ 11.838	\$2,059.81	\$ 12.431	\$2,162.99	\$ 13.052	\$2,271.05	\$ 13.705	\$2,384.67	\$ 14.389	\$2,503.69
4	\$ 12.134	\$2,111.32	\$ 12.741	\$2,216.93	\$ 13.378	\$2,327.77	\$ 14.047	\$2,444.18	\$ 14.749	\$2,566.33
5	\$ 12.438	\$2,164.21	\$ 13.060	\$2,272.44	\$ 13.713	\$2,386.06	\$ 14.398	\$2,505.25	\$ 15.118	\$2,630.53
6	\$ 12.749	\$2,218.33	\$ 13.386	\$2,329.16	\$ 14.056	\$2,445.74	\$ 14.758	\$2,567.89	\$ 15.496	\$2,696.30
7	\$ 13.067	\$2,273.66	\$ 13.721	\$2,387.45	\$ 14.406	\$2,506.64	\$ 15.128	\$2,632.27	\$ 15.883	\$2,763.64
8	\$ 13.394	\$2,330.56	\$ 14.064	\$2,447.14	\$ 14.767	\$2,569.46	\$ 15.505	\$2,697.87	\$ 16.280	\$2,832.72
9	\$ 13.729	\$2,388.85	\$ 14.416	\$2,508.38	\$ 15.136	\$2,633.66	\$ 15.893	\$2,765.38	\$ 16.687	\$2,903.54
10	\$ 14.072	\$2,448.53	\$ 14.776	\$2,571.02	\$ 15.514	\$2,699.44	\$ 16.290	\$2,834.46	\$ 17.104	\$2,976.10
11	\$ 14.424	\$2,509.78	\$ 15.145	\$2,635.23	\$ 15.903	\$2,767.12	\$ 16.697	\$2,905.28	\$ 17.533	\$3,050.74
12	\$ 14.785	\$2,572.59	\$ 15.523	\$2,701.00	\$ 16.300	\$2,836.20	\$ 17.115	\$2,978.01	\$ 17.970	\$3,126.78
13	\$ 15.154	\$2,636.80	\$ 15.912	\$2,768.69	\$ 16.708	\$2,907.19	\$ 17.543	\$3,052.48	\$ 18.420	\$3,205.08
14	\$ 15.533	\$2,702.74	\$ 16.310	\$2,837.94	\$ 17.125	\$2,979.75	\$ 17.982	\$3,128.87	\$ 18.880	\$3,285.12
15	\$ 15.921	\$2,770.25	\$ 16.718	\$2,908.93	\$ 17.553	\$3,054.22	\$ 18.431	\$3,206.99	\$ 19.352	\$3,367.25
16	\$ 16.319	\$2,839.51	\$ 17.135	\$2,981.49	\$ 17.992	\$3,130.61	\$ 18.891	\$3,287.03	\$ 19.836	\$3,451.46
17	\$ 16.727	\$2,910.50	\$ 17.563	\$3,055.96	\$ 18.442	\$3,208.91	\$ 19.364	\$3,369.34	\$ 20.332	\$3,537.77
18	\$ 17.145	\$2,983.23	\$ 18.003	\$3,132.52	\$ 18.903	\$3,289.12	\$ 19.848	\$3,453.55	\$ 20.841	\$3,626.33
19	\$ 17.575	\$3,058.05	\$ 18.453	\$3,210.82	\$ 19.376	\$3,371.42	\$ 20.344	\$3,539.86	\$ 21.362	\$3,716.99
20	\$ 18.013	\$3,134.26	\$ 18.914	\$3,291.04	\$ 19.859	\$3,455.47	\$ 20.853	\$3,628.42	\$ 21.895	\$3,809.73
21	\$ 18.464	\$3,212.74	\$ 19.387	\$3,373.34	\$ 20.356	\$3,541.94	\$ 21.374	\$3,719.08	\$ 22.443	\$3,905.08
22	\$ 18.925	\$3,292.95	\$ 19.872	\$3,457.73	\$ 20.865	\$3,630.51	\$ 21.909	\$3,812.17	\$ 23.004	\$4,002.70
23	\$ 19.398	\$3,375.25	\$ 20.368	\$3,544.03	\$ 21.387	\$3,721.34	\$ 22.456	\$3,907.34	\$ 23.579	\$4,102.75
24	\$ 19.884	\$3,459.82	\$ 20.877	\$3,632.60	\$ 21.922	\$3,814.43	\$ 23.017	\$4,004.96	\$ 24.169	\$4,205.41
25	\$ 20.381	\$3,546.29	\$ 21.400	\$3,723.60	\$ 22.470	\$3,909.78	\$ 23.594	\$4,105.36	\$ 24.773	\$4,310.50
26	\$ 20.891	\$3,635.03	\$ 21.934	\$3,816.52	\$ 23.032	\$4,007.57	\$ 24.183	\$4,207.84	\$ 25.392	\$4,418.21
27	\$ 21.413	\$3,725.86	\$ 22.483	\$3,912.04	\$ 23.607	\$4,107.62	\$ 24.788	\$4,313.11	\$ 26.027	\$4,528.70
28	\$ 21.947	\$3,818.78	\$ 23.045	\$4,009.83	\$ 24.197	\$4,210.28	\$ 25.407	\$4,420.82	\$ 26.677	\$4,641.80
29	\$ 22.496	\$3,914.30	\$ 23.621	\$4,110.05	\$ 24.802	\$4,315.55	\$ 26.043	\$4,531.48	\$ 27.344	\$4,757.86
30	\$ 23.059	\$4,012.27	\$ 24.212	\$4,212.89	\$ 25.422	\$4,423.43	\$ 26.693	\$4,644.58	\$ 28.029	\$4,877.05
31	\$ 23.635	\$4,112.49	\$ 24.817	\$4,318.16	\$ 26.058	\$4,534.09	\$ 27.360	\$4,760.64	\$ 28.729	\$4,998.85
32	\$ 24.226	\$4,215.32	\$ 25.438	\$4,426.21	\$ 26.710	\$4,647.54	\$ 28.045	\$4,879.83	\$ 29.447	\$5,123.78
33	\$ 24.832	\$4,320.77	\$ 26.073	\$4,536.70	\$ 27.377	\$4,763.60	\$ 28.746	\$5,001.80	\$ 30.183	\$5,251.84
34	\$ 25.453	\$4,428.82	\$ 26.725	\$4,650.15	\$ 28.061	\$4,882.61	\$ 29.465	\$5,126.91	\$ 30.938	\$5,383.21
35	\$ 26.089	\$4,539.49	\$ 27.393	\$4,766.38	\$ 28.763	\$5,004.76	\$ 30.201	\$5,254.97	\$ 31.711	\$5,517.71
36	\$ 26.741	\$4,652.93	\$ 28.079	\$4,885.75	\$ 29.482	\$5,129.87	\$ 30.956	\$5,386.34	\$ 32.504	\$5,655.70
37	\$ 27.409	\$4,769.17	\$ 28.780	\$5,007.72	\$ 30.220	\$5,258.28	\$ 31.730	\$5,521.02	\$ 33.316	\$5,796.98
38	\$ 28.095	\$4,888.53	\$ 29.499	\$5,132.83	\$ 30.974	\$5,389.48	\$ 32.524	\$5,659.18	\$ 34.150	\$5,942.10
39	\$ 28.798	\$5,010.85	\$ 30.237	\$5,261.24	\$ 31.750	\$5,524.50	\$ 33.337	\$5,800.64	\$ 35.003	\$6,090.52
40	\$ 29.517	\$5,135.96	\$ 30.993	\$5,392.78	\$ 32.543	\$5,662.48	\$ 34.170	\$5,945.58	\$ 35.879	\$6,242.95

Longevity

Beginning of	Monthly increment
6 year	\$20.00
8 year	\$30.00
10 year	\$40.00
15 year	\$60.00
20 year	\$75.00
21 year	\$80.00
26 year	\$100.00
31 year	\$120.00

Professional Growth

Increment	Annual Amount
1	\$150.00
2	\$300.00
3	\$450.00
4	\$600.00
5	\$750.00
6	\$900.00
7	\$1,050.00
8	\$1,200.00
9	\$1,350.00
10	\$1,500.00

REGULAR MEETING
September 11, 2013

APPENDIX E

**Public Disclosure of Agreement and Approval of
Salary Increase for Confidential, Classified
Management, and Certificated Management**

**Santa Barbara County Education Office
School Business Advisory Services**

**PUBLIC DISCLOSURE OF PROPOSED COLLECTIVE BARGAINING AGREEMENT
in accordance with AB 1200 (Chapter 1213/1991), GC 3540.2(a), GC 3547.5, and CCR, Title V, Section 15449**

Name of School District:	SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
Name of Bargaining Unit:	CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL
Certificated, Classified, Other:	OTHER

The proposed agreement covers the period beginning: July 1, 2013 and ending: June 30, 2013
(date) (date)

The Governing Board will act upon this agreement on: September 11, 2013
(date)

A. Proposed Change in Compensation

Bargaining Unit Compensation All Funds - Combined	Current Budget (Prior to Proposed Agreement)	Fiscal Impact of Proposed Agreement (Complete Years 2 and 3 for multiyear and overlapping agreements only)		
		Year 1 Increase/(Decrease)	Year 2 Increase/(Decrease)	Year 3 Increase/(Decrease)
		FY 13 - 14	FY 14 - 15	FY 15 - 16
1. Salary Schedule Including Step and Column	\$ 3,605,303	\$ 175,706	\$ 96,872	\$ 73,122
		4.87%	2.56%	1.89%
2. Other Compensation Stipends, Bonuses, Longevity, Overtime, Differential, Callback or Standby Pay, etc.	\$ 29,156	\$ -	\$ -	\$ -
		0.00%	0.00%	0.00%
Description of Other Compensation		Mileage & travel allowance, reimburse employee STRS	Mileage & travel allowance, reimburse employee STRS	Mileage & travel allowance, reimburse employee STRS
3. Statutory Benefits - STRS, PERS, FICA, WC, UI, Medicare, etc.	\$ 566,427	\$ 27,877	\$ 15,170	\$ 11,601
		4.922%	2.55%	1.90%
4. Health/Welfare Plans	\$ 206,613	\$ -	\$ -	\$ -
		0.00%	0.00%	0.00%
5. Total Bargaining Unit Compensation Add Items 1 through 4 to equal 5	\$ 4,407,499	\$ 203,583	\$ 112,042	\$ 84,723
		4.619%	2.43%	1.79%
6. Total Number of Bargaining Unit Employees (Use FTEs if appropriate)	32.00			
7. Total Compensation Average Cost per Bargaining Unit Employee	\$ 137,734	\$ 6,362	\$ 3,501	\$ 2,648
		4.619%	2.43%	1.79%

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

8. What was the negotiated percentage change? For example, if the change in "Year 1" was for less than a full year, what is the annualized percentage of that change for "Year 1"?

There are two components to the change: a one-time 3% payment, and a salary schedule adjustment (on-going) of 2%.

9. Were any additional steps, columns, or ranges added to the salary schedules? (If yes, please explain.)

NO.

10. Please include comments and explanations as necessary. (If more room is necessary, please attach an additional sheet.)

11. Does this bargaining unit have a negotiated cap for Health and Welfare

Yes No

If yes, please describe the cap amount.

The current annual District contribution for health and welfare benefits is capped at \$4608 for single, \$6612 for two-party, and \$7452 for family coverage.

B. Proposed negotiated changes in noncompensation items (i.e., class size adjustments, staff development days, teacher prep time, classified staffing ratios, etc.)

None.

C. What are the specific impacts (positive or negative) on instructional and support programs to accommodate the settlement? Include the impact of changes such as staff reductions or increases, program reductions or increases, elimination or expansion of other services or programs (i.e., counselors, librarians, custodial staff, etc.)

None known.

D. What contingency language is included in the proposed agreement (e.g., reopeners, etc.)?

None noted.

E. Identify other major provisions that do not directly affect the district's costs, such as binding arbitrations, grievance procedures, etc.

None known.

F. Source of Funding for Proposed Agreement:

1. Current Year

Existing District unallocated unappropriated reserves, projected increase in funding due to adoption of California State budget and implementation of Local Control Funding Formula ("LCFF").

2. If this is a single year agreement, how will the ongoing cost of the proposed agreement be funded in subsequent years?

See page 9(a) for discussion of funding assumptions.

3. If this is a multiyear agreement, what is the source of funding, including assumptions used, to fund these obligations in subsequent years? (Remember to include compounding effects in meeting obligations.)

See page 9(a) for discussion of funding assumptions.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Unrestricted General Fund**

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	Column 1	Column 2	Column 3	Column 4	
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)	
REVENUES					
Revenue Limit Sources	8010-8099	\$ 50,387,210	\$ -	\$ 50,387,210	
Federal Revenue	8100-8299	\$ -	\$ -	\$ -	
Other State Revenue	8300-8599	\$ 1,296,913	\$ -	\$ 1,296,913	
Other Local Revenue	8600-8799	\$ 149,000	\$ -	\$ 149,000	
TOTAL REVENUES		\$ 51,833,123	\$ -	\$ 51,833,123	
EXPENDITURES					
Certificated Salaries	1000-1999	\$ 22,779,246	\$ 100,114	\$ 980,466	\$ 23,859,826
Classified Salaries	2000-2999	\$ 7,722,817	\$ 46,473	\$ 323,325	\$ 8,092,615
Employee Benefits	3000-3999	\$ 8,878,369	\$ 22,659	\$ 190,544	\$ 9,091,572
Books and Supplies	4000-4999	\$ 1,952,901		\$ -	\$ 1,952,901
Services, Other Operating Expenses	5000-5999	\$ 3,091,595		\$ -	\$ 3,091,595
Capital Outlay	6000-6999	\$ 53,117		\$ -	\$ 53,117
Other Outgo	7100-7299 7400-7499	\$ 566,744		\$ -	\$ 566,744
Indirect/Direct Support Costs	7300-7399	\$ (824,729)		\$ -	\$ (824,729)
TOTAL EXPENDITURES		\$ 44,220,060	\$ 169,246	\$ 1,494,335	\$ 45,883,641
OTHER FINANCING SOURCES/USES					
Transfers In and Other Sources	8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses	7600-7699	\$ 257,878	\$ -	\$ -	\$ 257,878
Contributions	8980-8999	\$ (4,828,256)	\$ (23,011)	\$ (336,673)	\$ (5,187,940)
OPERATING SURPLUS (DEFICIT)*		\$ 2,526,929	\$ (192,257)	\$ (1,831,008)	\$ 503,664
BEGINNING FUND BALANCE					
	9791	\$ 5,252,347			\$ 5,252,347
Prior-Year Adjustments/Restatements	9793/9795	\$ -			\$ -
ENDING FUND BALANCE		\$ 7,779,277	\$ (192,257)	\$ (1,831,008)	\$ 5,756,012
COMPONENTS OF ENDING BALANCE:					
Nonspendable Amounts	9711-9719	\$ 136,533	\$ -	\$ -	\$ 136,533
Restricted Amounts	9740				
Committed Amounts	9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts	9780	\$ 15,954	\$ -	\$ -	\$ 15,954
Reserve for Economic Uncertainties	9789	\$ 1,880,143	\$ 5,959	\$ 59,862	\$ 1,945,964
Unassigned/Unappropriated Amount	9790	\$ 5,746,647	\$ (198,216)	\$ (1,890,870)	\$ 3,657,561

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Restricted General Fund

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ 3,036,923		\$ -	\$ 3,036,923
Federal Revenue 8100-8299	\$ 3,580,459		\$ -	\$ 3,580,459
Other State Revenue 8300-8599	\$ 6,225,643		\$ -	\$ 6,225,643
Other Local Revenue 8600-8799	\$ 651,022		\$ -	\$ 651,022
TOTAL REVENUES	\$ 13,494,047		\$ -	\$ 13,494,047
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 6,108,291	\$ 12,219	\$ 270,832	\$ 6,391,342
Classified Salaries 2000-2999	\$ 3,613,699	\$ 12,840	\$ 160,727	\$ 3,787,266
Employee Benefits 3000-3999	\$ 2,864,822	\$ 4,333	\$ 69,510	\$ 2,938,665
Books and Supplies 4000-4999	\$ 1,362,204		\$ -	\$ 1,362,204
Services, Other Operating Expenses 5000-5999	\$ 3,429,518		\$ -	\$ 3,429,518
Capital Outlay 6000-6999	\$ 125,000		\$ -	\$ 125,000
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ 689,944		\$ -	\$ 689,944
TOTAL EXPENDITURES	\$ 18,193,478	\$ 29,392	\$ 501,069	\$ 18,723,939
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
Contributions 8980-8999	\$ 4,828,255	\$ 23,011	\$ 336,673	\$ 5,187,939
OPERATING SURPLUS (DEFICIT)*	\$ 128,824	\$ (6,381)	\$ (164,396)	\$ (41,953)
BEGINNING FUND BALANCE				
9791	\$ 2,473,198			\$ 2,473,198
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 2,602,022	\$ (6,381)	\$ (164,396)	\$ 2,431,245
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 2,602,022	\$ (6,381)	\$ (164,396)	\$ 2,431,245
Committed Amounts 9750-9760				
Assigned Amounts 9780				
Reserve for Economic Uncertainties 9789		\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ -	\$ -	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET

Combined General Fund

Bargaining Unit:

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ 53,424,133		\$ -	\$ 53,424,133
Federal Revenue 8100-8299	\$ 3,580,459		\$ -	\$ 3,580,459
Other State Revenue 8300-8599	\$ 7,522,556		\$ -	\$ 7,522,556
Other Local Revenue 8600-8799	\$ 800,022		\$ -	\$ 800,022
TOTAL REVENUES	\$ 65,327,170		\$ -	\$ 65,327,170
EXPENDITURES				
Certificated Salaries 1000-1999	\$ 28,887,537	\$ 112,333	\$ 1,251,298	\$ 30,251,168
Classified Salaries 2000-2999	\$ 11,336,516	\$ 59,313	\$ 484,052	\$ 11,879,881
Employee Benefits 3000-3999	\$ 11,743,191	\$ 26,992	\$ 260,054	\$ 12,030,237
Books and Supplies 4000-4999	\$ 3,315,105		\$ -	\$ 3,315,105
Services, Other Operating Expenses 5000-5999	\$ 6,521,113		\$ -	\$ 6,521,113
Capital Outlay 6000-6999	\$ 178,117		\$ -	\$ 178,117
Other Outgo 7100-7299 7400-7499	\$ 566,744		\$ -	\$ 566,744
Indirect/Direct Support Costs 7300-7399	\$ (134,785)		\$ -	\$ (134,785)
TOTAL EXPENDITURES	\$ 62,413,538	\$ 198,638	\$ 1,995,404	\$ 64,607,580
OTHER FINANCING SOURCES/USES				
Transfer In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ -	\$ -	\$ 257,878
Contributions 8980-8999	\$ (1)	\$ -	\$ -	\$ (1)
OPERATING SURPLUS (DEFICIT)*	\$ 2,655,753	\$ (198,638)	\$ (1,995,404)	\$ 461,711
BEGINNING FUND BALANCE				
9791	\$ 7,725,545			\$ 7,725,545
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 10,381,299	\$ (198,638)	\$ (1,995,404)	\$ 8,187,257
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ 136,533	\$ -	\$ -	\$ 136,533
Restricted Amounts 9740	\$ 2,602,022	\$ (6,381)	\$ (164,396)	\$ 2,431,245
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ -	\$ -	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,880,143	\$ 5,959	\$ 59,862	\$ 1,945,964
Unassigned/Unappropriated Amount 9790	\$ 5,746,647	\$ (198,216)	\$ (1,890,870)	\$ 3,657,561

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

G. IMPACT OF PROPOSED AGREEMENT ON CURRENT YEAR OPERATING BUDGET**Fund 13/61 - Cafeteria Fund**

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	Column 1	Column 2	Column 3	Column 4
	Latest Board- Approved Budget Before Settlement (As of 08/07/2013)	Adjustments as a Result of Settlement (compensation)	Other Revisions (agreement support and/or other unit agreement) Explain on Page 4i	Total Revised Budget (Columns 1+2+3)
REVENUES				
Revenue Limit Sources 8010-8099	\$ -		\$ -	\$ -
Federal Revenue 8100-8299	\$ 1,851,483		\$ -	\$ 1,851,483
Other State Revenue 8300-8599	\$ 164,209		\$ -	\$ 164,209
Other Local Revenue 8600-8799	\$ 894,020		\$ -	\$ 894,020
TOTAL REVENUES	\$ 2,909,712		\$ -	\$ 2,909,712
EXPENDITURES				
Certificated Salaries 1000-1999	\$ -	\$ -	\$ -	\$ -
Classified Salaries 2000-2999	\$ 859,986	\$ 4,060	\$ 31,940	\$ 895,986
Employee Benefits 3000-3999	\$ 192,477	\$ 886	\$ 6,970	\$ 200,333
Books and Supplies 4000-4999	\$ 1,825,500		\$ -	\$ 1,825,500
Services, Other Operating Expenses 5000-5999	\$ 41,100		\$ -	\$ 41,100
Capital Outlay 6000-6999	\$ 10,000		\$ -	\$ 10,000
Other Outgo 7100-7299 7400-7499	\$ -		\$ -	\$ -
Indirect/Direct Support Costs 7300-7399	\$ 134,785		\$ -	\$ 134,785
TOTAL EXPENDITURES	\$ 3,063,848	\$ 4,946	\$ 38,910	\$ 3,107,704
OTHER FINANCING SOURCES/USES				
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ (154,136)	\$ (4,946)	\$ (38,910)	\$ (197,992)
BEGINNING FUND BALANCE				
9791	\$ 811,247			\$ 811,247
Prior-Year Adjustments/Restatements 9793/9795	\$ -			\$ -
ENDING FUND BALANCE	\$ 657,111	\$ (4,946)	\$ (38,910)	\$ 613,255
COMPONENTS OF ENDING BALANCE:				
Nonspendable Amounts 9711-9719	\$ -	\$ -	\$ -	\$ -
Restricted Amounts 9740	\$ 657,111	\$ (38,910)	\$ (4,946)	\$ 613,255
Committed Amounts 9750-9760	\$ -	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ -	\$ -	\$ -	\$ -
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ 33,964	\$ (33,964)	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts in Columns 1 and 4 must be positive

Public Disclosure of Proposed Collective Bargaining Agreement

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
 CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Explanations for Column 3 "Other Revisions" entered on Pages 4a through 4h:

Page 4a: Unrestricted General Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 1,494,335	See below
Other Financing Sources/Uses	\$ (336,673)	See below

Page 4b: Restricted General Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 501,069	See below
Other Financing Sources/Uses	\$ 336,673	See below

Page 4d: Fund 11 - Adult Education Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4e: Fund 12 - Child Development Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4f: Fund 13/61 - Cafeteria Fund	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ 38,910	See below
Other Financing Sources/Uses	\$ -	

Page 4g: Other	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Page 4h: Other	Amount	Explanation
Revenues	\$ -	
Expenditures	\$ -	
Other Financing Sources/Uses	\$ -	

Additional Comments:

The "other revisions" reflect the cost of an equivalent settlement with the Classified bargaining unit (to be ratified on the same date as this agreement), and the Certificated bargaining unit, for which no settlement has been finalized yet. "Other financing sources/uses" in the unrestricted and restricted sections reflect the impact of such potential settlements on contributions necessary to support the District's special education, transportation, and maintenance functions, based on where staff are currently charged.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Unrestricted General Fund MYP

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 50,387,210	\$ 49,727,129	\$ 49,789,011
Federal Revenue 8100-8299	\$ -	\$ -	\$ -
Other State Revenue 8300-8599	\$ 1,296,913	\$ 1,292,151	\$ 1,293,890
Other Local Revenue 8600-8799	\$ 149,000	\$ 149,000	\$ 149,000
TOTAL REVENUES	\$ 51,833,123	\$ 51,168,280	\$ 51,231,901
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 23,859,826	\$ 23,463,781	\$ 23,634,656
Classified Salaries 2000-2999	\$ 8,092,615	\$ 7,917,161	\$ 7,950,610
Employee Benefits 3000-3999	\$ 9,091,572	\$ 9,119,828	\$ 9,268,835
Books and Supplies 4000-4999	\$ 1,952,901	\$ 1,821,893	\$ 1,792,353
Services, Other Operating Expenses 5000-5999	\$ 3,091,595	\$ 2,823,572	\$ 2,638,732
Capital Outlay 6000-6999	\$ 53,117	\$ 63,500	\$ 63,500
Other Outgo 7100-7299 7400-7499	\$ 566,744	\$ 387,065	\$ 343,518
Indirect/Direct Support Costs 7300-7399	\$ (824,729)	\$ (824,729)	\$ (824,729)
Other Adjustments		\$ -	\$ -
TOTAL EXPENDITURES	\$ 45,883,641	\$ 44,772,071	\$ 44,867,475
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ 257,878	\$ 257,878
Contributions 8980-8999	\$ (5,187,940)	\$ (5,521,161)	\$ (7,692,978)
OPERATING SURPLUS (DEFICIT)*	\$ 503,664	\$ 617,170	\$ (1,586,430)
BEGINNING FUND BALANCE 9791	\$ 5,252,347	\$ 5,756,012	\$ 6,373,182
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 5,756,012	\$ 6,373,182	\$ 4,786,752
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ 136,533	\$ 136,533	\$ 136,533
Restricted Amounts 9740			
Committed Amounts 9750-9760	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ 15,954	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
Unassigned/Unappropriated Amount 9790	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Restricted General Fund MYP

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 3,036,923	\$ 3,036,923	\$ 3,036,923
Federal Revenue 8100-8299	\$ 3,580,459	\$ 3,580,459	\$ 3,580,459
Other State Revenue 8300-8599	\$ 6,225,643	\$ 4,807,443	\$ 2,507,443
Other Local Revenue 8600-8799	\$ 651,022	\$ 510,836	\$ 510,836
TOTAL REVENUES	\$ 13,494,047	\$ 11,935,661	\$ 9,635,661
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 6,391,342	\$ 6,365,289	\$ 6,501,949
Classified Salaries 2000-2999	\$ 3,787,266	\$ 3,710,895	\$ 3,743,286
Employee Benefits 3000-3999	\$ 2,938,665	\$ 2,917,602	\$ 2,941,003
Books and Supplies 4000-4999	\$ 1,362,204	\$ 1,356,619	\$ 1,334,003
Services, Other Operating Expenses 5000-5999	\$ 3,429,518	\$ 3,429,518	\$ 3,429,518
Capital Outlay 6000-6999	\$ 125,000	\$ -	\$ -
Other Outgo 7100-7299 7400-7499	\$ -	\$ -	\$ -
Indirect/Dirrect Support Costs 7300-7399	\$ 689,944	\$ 689,944	\$ 689,944
Other Adjustments		\$ 1,418,200	\$ (1,311,064)
TOTAL EXPENDITURES	\$ 18,723,939	\$ 19,888,067	\$ 17,328,639
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ -	\$ -	\$ -
Contributions 8980-8999	\$ 5,187,939	\$ 5,521,161	\$ 7,692,978
OPERATING SURPLUS (DEFICIT)*	\$ (41,953)	\$ (2,431,245)	\$ -
BEGINNING FUND BALANCE 9791	\$ 2,473,198	\$ 2,431,245	\$ 0
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 2,431,245	\$ 0	\$ 0
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ -	\$ -	
Restricted Amounts 9740	\$ 2,431,245	\$ -	
Committed Amounts 9750-9760			
Assigned Amounts 9780			
Reserve for Economic Uncertainties 9789	\$ -	\$ -	\$ -
Unassigned/Unappropriated Amount 9790	\$ 0	\$ 0	\$ 0

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

H. IMPACT OF PROPOSED AGREEMENT ON SUBSEQUENT YEARS

Combined General Fund MYP

Bargaining Unit: CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Object Code	2013-14	2014-15	2015-16
	Total Revised Budget After Settlement	First Subsequent Year After Settlement	Second Subsequent Year After Settlement
REVENUES			
Revenue Limit Sources 8010-8099	\$ 53,424,133	\$ 52,764,052	\$ 52,825,934
Federal Revenue 8100-8299	\$ 3,580,459	\$ 3,580,459	\$ 3,580,459
Other State Revenue 8300-8599	\$ 7,522,556	\$ 6,099,594	\$ 3,801,333
Other Local Revenue 8600-8799	\$ 800,022	\$ 659,836	\$ 659,836
TOTAL REVENUES	\$ 65,327,170	\$ 63,103,941	\$ 60,867,562
EXPENDITURES			
Certificated Salaries 1000-1999	\$ 30,251,168	\$ 29,829,070	\$ 30,136,605
Classified Salaries 2000-2999	\$ 11,879,881	\$ 11,628,056	\$ 11,693,896
Employee Benefits 3000-3999	\$ 12,030,237	\$ 12,037,430	\$ 12,209,838
Books and Supplies 4000-4999	\$ 3,315,105	\$ 3,178,512	\$ 3,126,356
Services, Other Operating Expenses 5000-5999	\$ 6,521,113	\$ 6,253,090	\$ 6,068,250
Capital Outlay 6000-6999	\$ 178,117	\$ 63,500	\$ 63,500
Other Outgo 7100-7299 7400-7499	\$ 566,744	\$ 387,065	\$ 343,518
Indirect/Direct Support Costs 7300-7399	\$ (134,785)	\$ (134,785)	\$ (134,785)
Other Adjustments		\$ 1,418,200	\$ (1,311,064)
TOTAL EXPENDITURES	\$ 64,607,580	\$ 64,660,138	\$ 62,196,114
OTHER FINANCING SOURCES/USES			
Transfers In and Other Sources 8900-8979	\$ -	\$ -	\$ -
Transfers Out and Other Uses 7600-7699	\$ 257,878	\$ 257,878	\$ 257,878
Contributions 8980-8999	\$ (1)	\$ -	\$ -
OPERATING SURPLUS (DEFICIT)*	\$ 461,711	\$ (1,814,075)	\$ (1,586,430)
BEGINNING FUND BALANCE 9791	\$ 7,725,545	\$ 8,187,257	\$ 6,373,182
Prior-Year Adjustments/Restatements 9793/9795	\$ -		
ENDING FUND BALANCE	\$ 8,187,257	\$ 6,373,182	\$ 4,786,752
COMPONENTS OF ENDING BALANCE:			
Nonspendable Amounts 9711-9719	\$ 136,533	\$ 136,533	\$ 136,533
Restricted Amounts 9740	\$ 2,431,245	\$ -	\$ -
Committed Amounts 9750-9760	\$ -	\$ -	\$ -
Assigned Amounts 9780	\$ 15,954	\$ 15,954	\$ 15,954
Reserve for Economic Uncertainties 9789	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
Unassigned/Unappropriated Amount 9790	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646

*Net Increase (Decrease) in Fund Balance

NOTE: 9790 amounts must be positive

I. IMPACT OF PROPOSED AGREEMENT ON UNRESTRICTED RESERVES

1. State Reserve Standard

		2013-14	2014-15	2015-16
a.	Total Expenditures, Transfers Out, and Uses (Including Cost of Proposed Agreement)	\$ 64,865,458	\$ 64,918,016	\$ 62,453,992
b.	Less: Special Education Pass-Through Funds	\$ -	\$ -	\$ -
c.	Net Expenditures, Transfers Out, and Uses	\$ 64,865,458	\$ 64,918,016	\$ 62,453,992
d.	State Standard Minimum Reserve Percentage for this District Enter percentage →	3.00%	3.00%	3.00%
e.	State Standard Minimum Reserve Amount for this District (For districts with less than 1,001 ADA, this is the greater of Line a, times Line b. or \$50,000)	\$ 1,945,964	\$ 1,947,540	\$ 1,873,620

2. Budgeted Unrestricted Reserve (After Impact of Proposed Agreement)

a.	General Fund Budgeted Unrestricted Designated for Economic Uncertainties (9789)	\$ 1,945,964	\$ 2,947,540	\$ 2,873,619
b.	General Fund Budgeted Unrestricted Unassigned/Unappropriated Amount (9790)	\$ 3,657,561	\$ 3,273,155	\$ 1,760,646
c.	Special Reserve Fund (Fund 17) Budgeted Designated for Economic Uncertainties (9789)	\$ -	\$ -	\$ -
d.	Special Reserve Fund (Fund 17) Budgeted Unassigned/Unappropriated Amount (9790)	\$ 1,186,954	\$ 1,199,939	\$ 1,208,939
e.	Total Available Reserves	\$ 6,790,479	\$ 7,420,634	\$ 5,843,204
f.	Reserve for Economic Uncertainties Percentage	10.47%	11.43%	9.36%

3. Do unrestricted reserves meet the state minimum reserve amount?

2013-14	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2014-15	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
2015-16	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

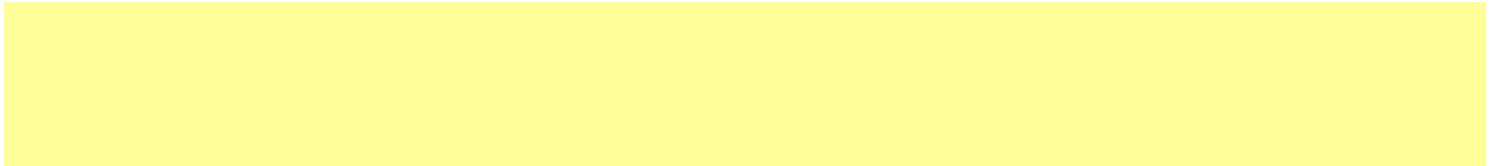
4. If no, how do you plan to restore your reserves?

Public Disclosure of Proposed Collective Bargaining Agreement
SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

5. Does the Total Compensation Increase/(Decrease) on Page 1, Section A, #5 agree with the Total Increase/(Decrease) for all funds as a result of the settlement(s)? Please explain any variance.

Total Compensation Increase/(Decrease) on Page 1, Section A, #5	\$	203,583
General Fund balance Increase/(Decrease), Page 4c, Column 2	\$	(198,638)
Adult Education Fund balance Increase/(Decrease), Page 4d, Column 2	\$	-
Child Development Fund balance Increase/(Decrease), Page 4e, Column 2	\$	-
Cafeteria Fund balance Increase/(Decrease), Page 4f, Column 2	\$	(4,946)
Other Fund balance Increase/(Decrease), Page 4g, Column 2	\$	-
Other Fund balance Increase/(Decrease), Page 4h, Column 2	\$	-
Total all fund balances Increase/(Decrease) as a result of the settlement(s)	\$	(203,584)
Variance	\$	(1)

Variance Explanation:



6. Will this agreement create or increase deficit financing in the current or subsequent years?

"Deficit Financing" is defined to exist when a fund's expenditures and other financing uses exceed its revenues and other financing sources in a given year. If a deficit is shown below, provide an explanation and any deficit reduction plan, as necessary.

<u>General Fund Combined</u>	<u>Surplus/(Deficit)</u>	<u>(Deficit) %</u>	<u>Deficit primarily due to:</u>
2013-14 Surplus/(Deficit) before settlement(s)?	\$ 2,655,753	4.24%	
2013-14 Surplus/(Deficit) after settlement(s)?	\$ 461,711	0.71%	
2014-15 Surplus/(Deficit) after settlement(s)?	\$ (1,814,075)	(2.79%)	Spending down of available restricted balances
2015-16 Surplus/(Deficit) after settlement(s)?	\$ (1,586,430)	(2.54%)	Spending down of available restricted balances

Deficit Reduction Plan (as necessary):



7. Were "Other Adjustments" amount(s) entered in the multiyear projections (pages 5a and 5b) for 2014-15 and/or 2015-16?

"Other Adjustments" could indicate that a budget reduction plan was/is being developed to address deficit spending and to rebuild reserves. Any amount shown below must have an explanation. If additional space is needed, attach a separate sheet or use Page 9a.

<u>MYP</u>	<u>Amount</u>	<u>"Other Adjustments" Explanation</u>
2014-15 Unrestricted, Page 5a	\$ -	
2014-15 Restricted, Page 5b	\$ 1,418,200	Planned expenditures of CCSS funding received in 13-14; not categorized elsewhere
2015-16 Unrestricted, Page 5a	\$ -	
2015-16 Restricted, Page 5b	\$ (1,311,064)	Required reduction to be made due to end of QEIA program; not categorized elsewhere

K. CERTIFICATION NO. 1: CERTIFICATION OF THE DISTRICT'S ABILITY TO MEET THE COSTS OF THE COLLECTIVE BARGAINING AGREEMENT

This certification page must be signed by the district's Superintendent and Chief Business Official at the time of public disclosure and is intended to assist the district's Governing Board in determining whether the district can meet the costs incurred under the tentative Collective Bargaining Agreement in the current and subsequent years. The absence of a certification signature or if "I am unable to certify" is checked should serve as a "red flag" to the district's Governing Board.

In accordance with the requirements of Government Code Sections 3540.2(a) and 3547.5, the Superintendent and Chief Business Official of the Santa Maria Joint Union High School District, hereby certify that the District can meet the costs incurred under this Collective Bargaining Agreement during the term of the agreement from July 1, 2013 to June 30, 2016.

Board Actions

The board actions necessary to meet the cost of the agreement in each year of its term are as follows:

Current Year

Budget Adjustment Categories:

Revenues/Other Financing Sources
 Expenditures/Other Financing Uses
 Ending Balance(s) Increase/(Decrease)

	Budget Adjustment Increase/(Decrease)
\$	-
\$	2,237,898
\$	(2,237,898)

Subsequent Years

Budget Adjustment Categories:

Revenues/Other Financing Sources
 Expenditures/Other Financing Uses
 Ending Balance(s) Increase/(Decrease)

	Budget Adjustment Increase/(Decrease)
\$	-
\$	-

Budget Revisions

If the district does not adopt and submit within 45 days all of the revisions to its budget needed in the current year to meet the costs of the agreement at the time of the approval of the proposed collective bargaining agreement, the county superintendent of schools is required to issue a qualified or negative certification for the district on its next interim report.

Assumptions

See attached page for a list of the assumptions upon which this certification is based.

Certifications

I hereby certify I am unable to certify

District Superintendent
 (Signature)

Date

I hereby certify I am unable to certify

Chief Business Official
 (Signature)

Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
CERTIFICATED MGMT, CLASSIFIED MGMT, CONFIDENTIAL

Assumptions and Explanations (enter or attach documentation)

The assumptions upon which this certification is made are as follows:

Funding of LCFF towards target of 11.78% in 2013-14; thereafter flat funding per pupil with adjustments made only for changes in ADA. There is no minimum funding requirement in the LCFF law; nor does "statutory COLA" drive the funding mechanism.

The District believes that there will in all likelihood be some sort of increase in per-pupil funding in the subsequent years, but in the interest of fiscal prudence, will not forecast that amount until it is known.

Concerns regarding affordability of agreement in subsequent years (if any):

The District has shown an increase in contributions to restricted programs in years 2014-15 and 2015-16 to cover the cost of this agreement and agreements of substantially the same benefit being offered to other units/groups in the District.

It should be noted that ALL LCFF funding has been reflected by the District in the "unrestricted" portion of the MYP schedules, pending further guidance from CDE regarding SACS coding. It is entirely possible that the portion of LCFF funding related to the Supplemental and Concentration grants, since these are dependent upon the Districts EL and low-income students - a population which was formerly served by the restricted EIA-SCE and EIA-LEP programs - will end up being moved from the unrestricted to the restricted schedule.

L. CERTIFICATION NO. 2

The disclosure document must be signed by the district Superintendent at the time of public disclosure and by the President or Clerk of the Governing Board at the time of formal board action on the proposed agreement.

The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Sections 3540.2(a) and 3547.5.

Santa Maria Joint Union High School District

District Name

District Superintendent
(Signature)

Brenda Hoff, Fiscal Services Director

Contact Person

Date

805-922-4573 x4403

Phone

After public disclosure of the major provisions contained in this summary, the Governing Board at its meeting on September 11, 2013, took action to approve the proposed agreement with Certificated Management, Classified Management, and Confidential employees. The fiscal impacts of this agreement will be incorporated into the District's 1st Interim Revised Budget.

President (or Clerk), Governing Board
(Signature)

Date

Special Note: The Santa Barbara County Education Office may request additional information, as necessary, to review the district's compliance with requirements.

REGULAR MEETING
September 11, 2013

APPENDIX F

**2012-13 UNAUDITED ACTUALS
SUMMARY**

**SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT
2012-13 UNAUDITED ACTUALS
Summary of Changes since Budget Adoption**

As the District closes its books on another year the general fund actual ending fund balance, before required deductions and reservations, is \$9.8 million. Included in the ending fund balance are \$0.5 million in various school site carryovers, \$3.4 million in restricted program ending balances, and \$2.8 million in other designations and required reserves.

After taking into account the various reservations and designations, the District's **available** unappropriated ending fund balance is \$3.02 million, a **decrease** of \$235,000 from what was projected at the time the District adopted its 2013-14 budget. This decrease is due to the following items:

UNRESTRICTED REVENUES

Revenue increases consist of the following:

➤ Revenue limit, due to adjustments for unemployment insurance and the PERS reduction calculation	\$ <24,590>
➤ Federal revenues – Forest Reserve payment 11-12	271
➤ State revenues	
• Tier III categorical programs, adjustments based on actual receipts for fee reimbursements for CAHSEE and STAR test administration	25,700
• Lottery, decrease based on final year end estimate from State Controller's Office of amount to be paid	<71,085>
➤ Local revenues	
• Interest income, net of adjustment for estimated fair value of cash in county treasury	<22,134>
• Decrease in estimated PG&E energy rebate & on-bill financing sources	<741,261>
• AP fees collected from students. Used to pay CEEB invoice	38,065
• SIPE safety awards, cancelled warrants, E-Rate, pass thru stipends	42,473
• Variety of one-time sources including donations, grants, stipends. <u>The majority of these are also counted in expenses.</u>	<u>33,686</u>

TOTAL UNRESTRICTED REVENUE DECREASES **\$<718,875>**

Several of the revenue items noted above are one-time in nature, and others which are ongoing will be adjusted, as necessary, in the District's 2013-14 1st Interim Revised Budget and accompanying three year projection.

UNRESTRICTED EXPENDITURES

Expenditures of unrestricted resources decreased in total by \$893 thousand. Included in that amount are unexpended funds for site/department budgets, MAA, Tier III carryovers, the CSEA unit health benefit reserve, replacement computers for staff, energy retrofit project associated with the JCI contract, and network switches/infrastructure improvements. These items total \$1,216,911, are a component of the ending balance designations and are **reserved for carryover to be expended next year.** Similarly, decreases of restricted expenditures are accounted for as ending balance designations as well. The remaining change in expenditures totals an increase of \$323,965, as follows:

➤ Operations, pool supplies, grounds maintenance, vehicles	\$ 39,726
➤ District athletic programs (all schools)	103,031
➤ Utilities (light & power, water & sewer, gas)	107,123
➤ Telephone, internet, data lines, cell phones – line cancellations, service consolidation, contract modifications	<26,563>
➤ Indirect costs applied to expenditures in restricted programs. When program expenditures are less than projected, indirect costs are less	110,146
➤ Miscellaneous all other, net	<u><9,498></u>

TOTAL UNRESTRICTED EXPENDITURE INCREASES

\$323,965

TRANSFERS IN

As of the District's 2013-14 adopted budget, a planned transfer in of \$668,000 was reflected in the estimated actuals. This was a transfer from the special reserve fund for capital outlay and was budgeted to cover some planned capital expenditures. As of the end of the year, the transfer was not needed, so it was not made. The offsetting expense it was intended to fund was in Routine Restricted Maintenance, a restricted resource.

\$<668,000>

OTHER SOURCES

Other sources include proceeds from PG&E on-bill interest free financing in support of the JCI Energy Retrofit project, and an adjustment to capital lease proceeds for Dell Computers based on the final cost of the equipment as delivered and installed.

\$ 84,095

CONTRIBUTIONS

Contributions represent the amount of unrestricted funds the District must transfer ("contribute") to restricted programs where expenditures are greater than the revenue sources that support them. These programs are Special Education, Transportation (special education and home to school), and Routine Restricted Maintenance.

- Special Education

<ul style="list-style-type: none"> • Additional revenue funding received for Mental Health through SELPA. Expense savings for aides due to unfilled vacancies and turnover/reassignments. 	\$248,579
<ul style="list-style-type: none"> • Unexpended funds for contracted out speech & hearing services, lower than expected charges for pay as you go regional program expenses 	207,586
<ul style="list-style-type: none"> ➤ Transportation. Received more revenue than was budgeted for services to Guadalupe and Orcutt Union School Districts. Also received income for transporting other districts' students for as part of the Special Education Day Treatment & CTE regional programs. 	128,224
<ul style="list-style-type: none"> ➤ Routine Restricted Maintenance <ul style="list-style-type: none"> • Unexpended funds for capital outlay (\$668,000 of this was to have been funded by Transfer In, see above). • Savings due to vacant positions left unfilled for periods of time during the year (plant manager & secretary) and charging some salary expenditures, as allowed, to the EPA (Education Protection Account) which is an unrestricted resource. 	722,027
<ul style="list-style-type: none"> ➤ ROP program, is a "negative" contribution in that the funds are received in a restricted resource, then transferred to the District's unrestricted programs. For the 2012-13 year, less funding was received than was budgeted. 	246,336
	<u><23,539></u>

TOTAL CONTRIBUTIONS DECREASES

\$ <1,529,213>

DESIGNATIONS AND RESERVATIONS

Designations and reservations of ending fund balance for economic uncertainties, revolving cash, stores, and prepaid expenses, increase by:

\$ 153,022

CLOSING THOUGHTS

The District adopted its 2013-14 budget on June 12, 2013, based in part on projections and assumptions contained in the Governor's May Revised Budget proposal. At the time of budget adoption, the Governor was proposing a new funding model, the Local Control Funding Formula ("LCFF"). However there was not enough certainty either in the details of the model or if it would even be passed by the State legislature, so its full potential impact is not reflected in the District's Adopted Budget for 2013-14.

Since that time, the Legislature passed the budget and the Governor signed it on June 27. The accompanying legislation that enacts the LCFF formula for funding education in the state was also passed and signed on July 1. In turn, the District revised its budget on August 7, 2013, to recognize the estimated additional funding that the LCFF model will provide. While this additional funding mitigates the District's deficit spending for the 2013-14 year, future years remain uncertain since there is no minimum funding guarantee contained in the LCFF law, nor is a cost of living factor ("COLA") any part of the calculation of education funding anymore.

COMPONENTS OF THE GENERAL FUND ENDING BALANCE

The table below details the components of the District's General Fund ending balance for the year ended June 30, 2013

	Estimated Actuals as of 13/14 Budget Adoption	Unaudited Actuals	Difference
ENDING FUND BALANCE	\$ 7,725,545	\$ 9,787,332	\$ 2,061,787
Components of Ending Fund Balance:			
Nonspendable			
Revolving cash	15,000	15,000	
Stores	92,593	104,356	
Prepaid expenses	3,722	200	
Assignments			
CSEA Unit Health Benefit Reserve	15,954	15,954	
Site/Department carryovers		326,004	
Tier III carryovers		111,564	
MAA carryovers		16,389	
JCI Energy Retrofit Project		597,000	
Network infrastructure / switches		100,000	
Staff computer replacement		50,000	
Categorical programs restricted ending balances			
LEA Medi-Cal Billing Option	269,993	281,390	
Prop 20 Lottery instructional materials	0	345,613	
Special Ed Mental Health Services	30	0	
EIA/SCE	0	206,107	
EIA/LEP	0	234,430	
QEIA	2,203,179	2,292,868	
Miscellaneous local grants	0	55,200	
Reserve for Economic Uncertainties (3%)	1,872,406	2,017,187	
TOTAL DESIGNATIONS AND RESERVATIONS	4,472,877	6,769,262	
ENDING AVAILABLE UNAPPROPRIATED FUND BALANCE	\$ 3,252,668	\$ 3,018,070	\$ (234,598)