

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT  
BOARD OF EDUCATION

Regular Meeting  
November 14, 2012  
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.*

<b>I. Open Session</b>	1
Call to Order	1
<b>II. Closed Session Public Comments</b>	1
<b>III. Adjourn to Closed Session</b>	1
A. Student Matters – Education Code Sections 35146 & 48918. The Board will review proposed expulsions/suspended expulsion(s) and/or and requests for re-admission. <i>NOTE: The education code requires closed sessions in these cases to prevent disclosure of confidential student record information.</i>	1
B. Certificated and Classified Personnel Actions. 1) The Board will be asked to review and approve routine hiring, transfers, promotions, evaluations, terminations, and resignations as reported by the Assistant Superintendent, Human Resources; and 2) Compulsory Leave of Absence (Ed Code 4304 and 44940.5) <i>Appendix A (Classified, Certificated)</i>	1
C. Conference with Labor Negotiators District Representative: Superintendent Doug Kimberly Employee Organizations: CTA and CSEA	2
D. Update on Pending Litigation – Developer Fees	2
<b>IV. Reconvene in Open Session/Call to Order/Flag Salute</b>	2
<b>V. Announce Closed Session Actions</b>	2
<b>VI. Presentations</b>	2
A. Caldwell Flores Winters – Bond Presentation Update	2
<b>VII. Items Scheduled for Information</b>	2
A. Superintendent's Report	2
1. Recognition – Glenn Broome, PVHS Security	2
2. Report on Academic Performance Data	2
B. Principal Reports (Academic Performance Summary)	2
C. Student Reports	2
D. Employee Organizations' Report	3

E.	Board Member Reports	3
<b>VIII.</b>	<b>Items Scheduled for Action</b>	3
A.	General	3
1.	Ratification of Bond Oversight Committee Member	3
2.	Board Policies	3-4
B.	Business	4
1.	Authorization to Piggyback on Santa Monica Malibu Unified School District for Flooring Materials and Installation District-Wide for the Length of the Contract through June 6, 2013	4-5
<b>IX.</b>	<b>Consent Items</b>	5
A.	Approval of Minutes	5
	October 10, 2012- Regular Meeting	5
B.	Approval of Warrants - October 2012	5
C.	Attendance Report	5
D.	Facility Report - <i>Appendix B</i>	5
E.	Acceptance of Gifts	5-6
F.	Student Discipline Matters	6
G.	Approval/Ratification of Purchase Orders	6-7
H.	Notice of Completion	7
<b>X.</b>	<b>Open Session Public Comments</b>	7
<b>XI.</b>	<b>Items Not on the Agenda</b>	7
<b>XII.</b>	<b>Next Meeting Date</b>	7
	Unless otherwise announced, the next regular meeting will be held on December 12, with a closed session at 5:30 p.m. and open session at 6:30 p.m. at the Santa Maria Joint Union High School District Support Services Center at 2560 Skyway Drive, Santa Maria, CA 93455	7
<b>XIII.</b>	<b>Future Regular Board Meetings</b>	7
<b>XIV.</b>	<b>Adjourn</b>	7



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:

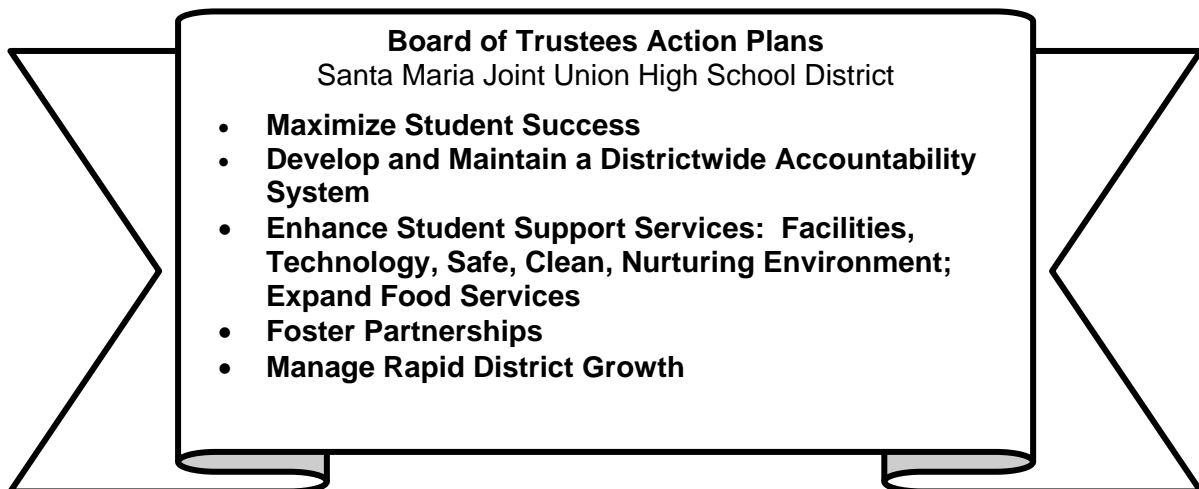
- Keep the district focused on learning and achievement for all students.
- Communicate a common vision.
- Operate openly, with trust and integrity.
- Govern in a dignified and professional manner, treating everyone with civility and respect.
- Govern within board-adopted policies and procedures.
- Take 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  
November 14, 2012**

**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. 1) The Board will be asked to review and approve hiring, transfers, promotions, evaluations, terminations, and resignations as reported by the Assistant Superintendent, Human Resources; and 2) Compulsory Leave of Absence (Ed Code 4304 and 44940.5)

## **REGULAR MEETING**

**November 14, 2012**

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).

D. Update on Pending Litigation – Developer Fees

### **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. 1) The Board will be asked to review and approve hiring, transfers, promotions, evaluations, terminations, and resignations as reported by the Assistant Superintendent, Human Resources; and 2) Compulsory Leave of Absence (Ed Code 4304 and 44940.5)

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).

D. Update on Pending Litigation – Developer Fees

### **VI. Presentations**

A. Caldwell Flores Winters – Bond Presentation Update

### **VII. Items Scheduled for Information**

A. Superintendent’s Report

1. Recognition – Glenn Broome, PVHS Security (Mark Richardson & Shanda Herrera)

2. Report on Academic Performance Data (John Davis)

B. Principal Reports (Academic Performance Summary)

C. Student Reports: Daisy Cervantes–Soria, Delta; Raul Macias, Santa Maria; Stephany Rubio, Pioneer Valley; and Ryland Towne, Righetti.

**REGULAR MEETING**

**November 14, 2012**

D. Reports from Employee Organizations

E. Board Member Reports

**VIII. Items Scheduled for Action**

**A. General**

1. Ratification of Bond Oversight Committee Member

The Bond Oversight Committee was authorized to appoint new members and submit their names to the Board of Education for ratification. Patrice Mosby is submitted to serve for a two year term ending December 2014

The ratification is to keep the Board of Education apprised of members who are serving on the Committee. It also serves to alert the Committee if any member proposed for ratification should not be appointed for reasons unknown to the Committee.

Resource Person(s): Yolanda Ortiz, Asst. Supt. of Business Services

**\*\*\* IT IS RECOMMENDED THAT the Board of Education ratify the proposed appointment of the Bond Oversight Committee members for two years as presented.**

**Moved \_\_\_\_\_**

**Second \_\_\_\_\_**

**Vote \_\_\_\_\_**

2. Board Policies

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 to the Board Policies/Administrative Regulations listed below is available in Appendix C. The completed revised policies and regulations are part of the agenda which is posted on the district's website at <http://www.smjuhsd.k12.ca.us/>

Community Relations – Series 1000

Communication with the Public

Commendations and Awards

Political Processes

BP 1100

BP 1150

BP 1160

**REGULAR MEETING  
November 14, 2012**

<u>Administration</u>	
Superintendent's Contract	BP 2121
Evaluation of the Superintendent	BP 2140
 <u>Business &amp; Noninstructional Operations – Series 3000</u>	
Gifts, Grants, & Bequests	BP 3290
 <u>Instruction – Series 6000</u>	
School Calendar	BP 6111
 <u>Facilities – Series 7000</u>	
Naming of Facility	BP 7310
 Bylaws of the Board – Series 9000	
Clerk	BB 9123
Board Representatives	BB 9140
Student Board Members	BB 9150
Filling Vacancies	BB 9223
Actions by the Board	BB 9323.2

Resource Person(s): Mark Richardson, Superintendent; John Davis, Asst. Superintendent of Curriculum & Instruction

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

**Moved \_\_\_\_\_ Second \_\_\_\_\_ Vote \_\_\_\_\_**

**C. Business**

1. Authorization to Piggyback on Santa Monica Malibu Unified School District for Flooring Materials and Installation District-Wide for the Length of the Contract through June 6, 2013

Section 20118 of the Public Contract Code provides an alternative for obtaining supplies, furniture, and equipment, commonly referred to as “piggybacking”, where notwithstanding Section 20111 and 20112 of the Public Contract Code, the Governing Board of any school district without advertising for bids and if the Board of Education has determined it to be in the best interest of the district may authorize the purchase of such supplies, furniture and equipment.

Santa Monica Malibu Unified School District has awarded their flooring materials and installation bid to Collins and Aikman Floorcoverings, Inc. (DBA C&A/Tandus, (Piggyback Bid #9.10, expires June 6, 2013, and with Board approval the district may “piggyback” on their bid.

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



**REGULAR MEETING  
November 14, 2012**

\*\*\* **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 flooring materials and installation pursuant to a “piggyback” clause in the Santa Monica Malibu Unified School District bid for which the originating district has complied with all competitive bidding requirements; pursuant to Piggyback Bid #B-9.10, Term Dates: June 7, 2012 – June 6, 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

October 10, 2012 - Regular Meeting

B. Approval of Warrants for the Month of October 2012

Payroll	\$5,115,016.54
Warrants	<u>1,333,642.46</u>
<b>Total</b>	<b><u>\$6,448,659.00</u></b>

C. Attendance Report

Mrs. Yolanda Ortiz, Assistant Superintendent of Business Services, will be available to answer questions regarding the second month attendance report presented on page 8.

D. Facility Report – **Appendix B**

E. Acceptance of Gifts

<b>Learning Center Donor</b>	<b>Recipient</b>	<b>Amount</b>
Joaquina Romero	Learning Center	<u>\$2,000.00</u>
<b>Total Learning Center</b>		<b><u>\$2,000.00</u></b>

**REGULAR MEETING**  
**November 14, 2012**

**Pioneer Valley High School**

<b>Donor</b>	<b>Recipient</b>	<b>Amount</b>
Wells Fargo Foundation	Pioneer Valley	\$2,000.00
Angie Isaak	Baseball	100.00
Me-N-Ed's Pizzeria	Band	261.57
Wal-Mart	Choir	<u>500.00</u>
<b>Total Pioneer Valley High School</b>		<b><u>\$2,861.57</u></b>

**Santa Maria High School**

<b>Donor</b>	<b>Recipient</b>	<b>Amount</b>
Wells Fargo Foundation	Santa Maria HS	\$2,000.00
Wheels N Windmills	Auto club	4,325.00
Touring Elks #1538	Auto Club	500.00
Advantage Technical Services	Swimming Pool	100.00
Knights of Columbus Council	SMHS Career Fair	160.00
Keystone Consolidated Ind	FFA	105.00
Melfred Borzall Inc.	SMHS Career Fair	500.00
Greg Villegas Photography	ASB Homecoming	125.00
Peter Scaroni	Swimming Pool	100.00
Sally Ann Scaroni	Swimming Pool	200.00
Gary Johnson, Toni Bianchi	Swimming Pool	1,000.00
Brown, Karen Parker		
Lucia William and Nancy	Swimming Pool	<u>250.00</u>
<b>Total Santa Maria High School</b>		<b><u>\$9,365.00</u></b>

**Righetti High School**

<b>Donor</b>	<b>Recipient</b>	<b>Amount</b>
Wells Fargo Foundation	Righetti	\$2,000.00
Debbie & Tony LeClair	Books/Tools/Woodshop (value)	1,500.00
Lisa Pennington	Clothing/Drama (value)	<u>500.00</u>
<b>Total Righetti High School</b>		<b><u>\$4,000.00</u></b>

F. Student Discipline Matters

- Administrative Recommendation for Student Expulsion: Student #s 339241, 331074, 339467

G. Approval/Ratification of Purchase Order

P.O.#	Vendor	Amount	Description & Funding Source
B13-0183	Team So-Cal/Dominos Pizza	\$199,500.00	Food, Cafeteria Fund
13-0657	Johnson Controls Inc.	3,567,444.00	Energy Upgrades, 2012 COPS

**REGULAR MEETING  
November 14, 2012**

13-0658	Dell Computers	\$207,739.08	Enterprise Storage System, Technology
---------	----------------	--------------	---------------------------------------

H. Notice of Completion

The following projects have 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) Righetti High School – Restroom, Road & Greenhouse Installation - Project #11-124; Jeff Ploutz Construction DBA J&P Construction – General Contractor
- 2) Santa Maria High School – Pool Project #07-029; Maino Construction – 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.

**XII. Next Meeting Date**

Unless otherwise announced, the next regular meeting of the Board of Education will be held on December 12, 2012. 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:**

Future Board meetings will be established at the December 12, 2012 board meeting.

**XIV. Adjourn**

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT  
MONTHLY REPORT OF ATTENDANCE  
SECOND MONTH OF 2012-13

September 10, 2012 through October 5, 2012

	Second Month 2011-12			Second Month 2012-13			Cumulative ADA				Decline @ -1.900% Y-T-D TARGET ADA	Difference between Projected Y-T-D ADA & Actual ADA
	Ending Enrollment	ADA	ADA % of Poss. Enroll.	Ending Enrollment	ADA	ADA % of Poss. Enroll.	Prior Year		Current Year			
							ADA %	ADA	ADA %	ADA		
<b>ERNEST RIGHETTI HIGH</b>												
Regular	1998	1944.95	96.9%	2018	1955.05	96.7%		1955.79		1970.68		
Special Education	89	84.20	93.6%	91	86.70	96.2%		86.16		84.00		
Independent Study	12	6.85	67.8%	14	8.75	81.0%		5.29		6.24		
Independent Study 12+	0	0.00	---	0	0.00	---		0.00		0.00		
Independent Study Spec Ed	3	1.30	60.5%	5	2.55	51.0%		1.42		3.16		
CTE Program	14	13.55	95.1%	12	10.25	89.5%		13.08		10.05		
Home and Hospital Reg Ed	3	2.95	---	1	2.60	---		2.21		2.03		
Home and Hospital Spec Ed	3	0.70	---	0	0.00	---		0.39		0.00		
<b>TOTAL RIGHETTI</b>	<b>2122</b>	<b>2054.50</b>	<b>96.7%</b>	<b>2141</b>	<b>2065.90</b>	<b>96.7%</b>		<b>2064.34</b>		<b>2076.16</b>		
<b>SANTA MARIA HIGH</b>												
Regular	2103	2030.55	95.6%	2139	2050.05	95.9%		2036.89		2044.26		
Special Education	98	90.30	92.0%	91	82.30	91.4%		90.84		82.21		
Independent Study	43	28.45	70.4%	44	35.25	86.1%		23.00		23.16		
Independent Study 12+	9	9.45	97.4%	0	0.00	---		6.95		0.00		
Independent Study Spec Ed	0	0.00	---	1	0.55	---		0.00		0.76		
CTE Program	8	6.40	85.9%	12	10.30	85.8%		6.08		9.82		
Home and Hospital Reg Ed	1	1.00	---	2	1.75	---		0.74		1.45		
Home and Hospital Spec Ed	0	0.00	---	3	1.75	---		0.00		1.76		
<b>TOTAL SANTA MARIA</b>	<b>2262</b>	<b>2166.15</b>	<b>95.4%</b>	<b>2292</b>	<b>2181.95</b>	<b>95.7%</b>		<b>2164.50</b>		<b>2169.42</b>		
<b>PIONEER VALLEY HIGH</b>												
Regular	2378	2352.30	97.7%	2435	2399.15	98.2%		2383.08		2405.97		
Special Education	130	121.45	93.9%	125	118.75	94.7%		121.87		113.29		
Independent Study	102	71.60	82.0%	27	24.90	100.0%		48.00		14.29		
Independent Study 12+	3	2.70	62.8%	1	1.00	100.0%		2.68		0.53		
Independent Study Spec Ed	6	5.10	85.0%	4	2.00	50.0%		4.37		2.74		
CTE Program	0	0.00	---	0	0.00	---		0.00		0.00		
Home and Hospital Reg Ed	7	6.70	---	9	6.70	---		5.24		4.74		
Home and Hospital Spec Ed	1	0.00	---	1	0.90	---		0.37		0.82		
<b>TOTAL PIONEER VALLEY</b>	<b>2627</b>	<b>2559.85</b>	<b>97.5%</b>	<b>2602</b>	<b>2553.40</b>	<b>98.1%</b>		<b>2565.61</b>		<b>2542.37</b>		
<b>PROGRAM E DAY TREATMENT @ PVHS</b>	<b>0</b>	<b>0.00</b>	<b>---</b>	<b>6</b>	<b>5.35</b>	<b>89.2%</b>		<b>0.00</b>		<b>4.29</b>		
<b>DISTRICT SPECIAL ED TRANSITION</b>	<b>11</b>	<b>10.55</b>	<b>95.9%</b>	<b>9</b>	<b>8.85</b>	<b>89.8%</b>		<b>10.08</b>		<b>8.84</b>		
<b>ALTERNATIVE EDUCATION</b>												
Delta Continuation	303	237.65	76.9%	329	263.67	79.6%		229.88		263.02		
Delta 12+	9	6.78	74.9%	3	1.93	64.2%		7.14		1.85		
Delta Independent Study	19	18.31	95.1%	36	31.14	94.4%		13.51		24.58		
Delta Independent Study 12+	28	27.04	99.8%	36	34.58	97.3%		21.04		28.06		
Delta Independent Study Spec Ed	0	0.00	---	0	0.00	---		0.00		0.00		
Home & Hospital Reg Ed	0	0.00	---	0	0.00	---		0.00		0.00		
Freshman & Sophomore Prep	134	126.68	94.2%	135	125.37	92.0%		125.30		124.38		
Reach Program--DHS	2	0.35	33.3%	0	0.00	---		0.61		0.00		
Reach Program--PVHS, RHS, & SMHS	17	12.40	99.2%	0	0.00	---		9.11		0.00		
Reach Program--SMHS	---	---	---	3	2.25	100.0%		0.00		1.92		
Reach Program--PVHS	---	---	---	5	4.75	100.0%		0.00		3.95		
Home School @ Library Program	60	55.10	94.7%	33	30.10	94.5%		51.61		28.42		
<b>TOTAL ALTERNATIVE EDUCATION</b>	<b>572</b>	<b>484.31</b>	<b>84.7%</b>	<b>580</b>	<b>493.77</b>	<b>85.1%</b>		<b>458.19</b>		<b>476.17</b>		
<b>TOTAL HIGH SCHOOL DISTRICT</b>	<b>7594</b>	<b>7275.36</b>	<b>95.8%</b>	<b>7630</b>	<b>7309.22</b>	<b>95.8%</b>		<b>7262.72</b>		<b>7277.25</b>	<b>7125</b>	<b>153</b>

**CLASSIFIED PERSONNEL ACTIONS**

Name	Action	Assignment	Site	Effective	Pay Rate	Hours
	Resign	Food Service Worker I	PVHS	11/6/12	9/B	2
	Retire	Inst Asst/Spec Ed I	RHS	12/29/12	13/E	5.5
	Out of Class	Executive Asst to Supt	DO	11/13/12	Conf/A	8
	Voluntary Demotion	Inst Asst/Spec Ed II to Spec Ed I	RHS	10/23/12	13/E	5.5
	Voluntary Demotion	Inst Asst/Spec Ed II to Spec Ed I	RHS	10/23/12	13/E	5.5

**CERTIFICATED PERSONNEL ACTIONS**

Name	Action	Status	Subject	Site	Effective	Salary	FTE
	Status Change	Probationary 2	English	PVHS	8/10/12	II, 7	1
	Status Change	Probationary 2	English	PVHS	8/10/12	III, 7	1
	Status Change	Probationary 2	Science	RHS	8/10/12	IV, 2	1
	Status Change	Probationary 2	English	LC	8/10/12	V., 5	1
	Status Change	Probationary 2	English	PVHS	8/10/12	IV, 2	1
	Status Change	Probationary 2	Mathematics	DHS	8/10/12	IV, 3	1
	Status Change	Probationary 2	English	RHS	8/10/12	III, 2	1
	Unpaid LOA	Permanent	Agriculture	SMHS	2012/13	V, 13	0.33
	Status Change	Probationary 2	Science	DHS	8/10/12	IV, 3	1
	Status Change	Probationary 2	Mathematics	LC	8/10/12	V, 7	1
	Status Change	Probationary 2	English	PVHS	8/10/12	V, 7	1
	Status Change	Probationary 2	Social Science	SMHS	8/10/12	V, 2	1
	Employ	Temporary	OCS/Social Science	RHS	9/21-12/14/12	V, 4	.8/.2
	Status Change	Probationary 2	Social Science	RHS	8/10/12	V, 7	1
	Status Change	Probationary 2	English	PVHS	8/10/12	III, 2	1
	Status Change	Probationary 2	Mathematics	RHS	8/10/12	III, 2	1
	Status Change	Probationary 2	Social Science	SMHS	8/10/12	IV, 5	1
	Status Change	Probationary 2	Social Science	SMHS	8/10/12	V, 2	1

**COACHING PERSONNEL ACTIONS**

Assignment	Name	Action	Site	Season	ASB Stipend	DO Stipend

## Appendix B

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT  
FACILITIES REPORT  
October 2012

### 1. Ernest Righetti High School Construction Projects

C2004 ERHS Restrooms, Access Road, & Greenhouse – Westberg + White Architects (Photo)

- Final punch list items have been completed with the exception of fire alarm system testing which will occur following installation of telephone lines by Verizon (estimated to occur in early November). Substantial use of the facilities is expected to occur November 2, 2012. Board approval of substantial completion will be requested at the November 14, 2012 Board Meeting.
- Final pay application and DSA closeout activities are in process.

### 2. Santa Maria High School Construction Projects

#### **C2004 SMHS New Pool – Rachlin Architects**

- Substantial use of the facilities began October 6, 2012. Board approval of substantial completion will be requested at the November 14, 2012 Board Meeting.
- Final DSA closeout and pay application activities are in process.

#### **SMHS 4 Portables South Campus Relocation – Rachlin Architects**

- During the October Board meeting, Smith Electric Service, Inc. was awarded the contract for the portable installation for a bid of \$124,666. The contract and all required documentation has been received and processed by the Support Services department.
- Construction is scheduled to commence November 2, 2012 and complete by January 4, 2013.

#### **C2004 SMHS New Classroom Building at Broadway – Rachlin Architects**

- The California Environmental Quality Act (CEQA) assessment process continues. The public comment period for the Draft Mitigated Negative Declaration began October 5, 2012 and is scheduled to complete on November 3, 2012. As the mandated 30-day period ends on a Saturday, comments will be accepted through Monday November 5, 2012. The comments will be reviewed and a Final Mitigated Negative Declaration will be presented to the Board at the December Board meeting.
- California Department of Education and Division of State Architect reviews of the plans continue.
- The estimated construction start remains early summer 2013.

### **3. Pioneer Valley High School Construction Projects**

#### **PVHS Performing Arts Building – BCA Architects**

- District and site staff met with the City of Santa Maria City Manager to review a potential joint use venture including the possibility of up to \$2 million dollars in funding support. The City Manager noted the City's interest in a facility capable of seating 500 to include required support spaces. In follow-up to the meeting, the project architect conducted an assessment resulting in an adjusted schematic design and cost estimate of \$11,408,671. Adding in contingency factors and soft costs (i.e. design fees, CEQA, testing, surveys, project inspectors, agency fees, etc.) the total project cost is estimated to be \$14.5 to \$16 million. The BCA representative noted that besides the increased footprint resulting from the additional seats, also triggered was the need to adjust the direction of the facility to an East-West configuration resulting in extensive additional site work (removal and/or reconfiguration of existing roads, parking areas, walkways, etc.). The higher occupancy levels also resulted in increased lobby and circulation areas (including additional hall ways behind stage), vertical circulation (ADA ramps, lifts, etc.), and restroom unit counts.
- The District's original total project budget of \$8 million combined with the City's potential contribution of \$2 million increased the budget to \$10 million; this would not be sufficient to meet the adjusted cost increase. The City did offer support in pursuing other sources of funding, such as Community Development Block Grants (CDBG) that could be used to enhance the size of facility. District Support Services department is reviewing the potential of the CDBG.
- BCA is continuing schematic design activities based on the original configuration established during the Education Specification committee meetings. A revised schedule is under development.

#### **PVHS Remediation Phase 3: Concrete Repair – Westberg + White Architects**

- Project development activities will begin in January in anticipation of summer 2013 construction.

### **4. New Small School**

#### **C2004 New Small High School CTE Component – Architect to Be Determined**

- Due to the inability of the owner of Preisker property, Rivergate LLC, and the District, to negotiate final terms of the contract which would allow the District to negotiate for the purchase of the adjacent property owned by Santa Barbara Bank & Trust, the District has ceased attempts to acquire either property. All activities related to assessment and approvals have been stopped.
- District Administration will review current programming needs with the Board to determine if adjustments are warranted prior to beginning a new search for suitable properties.

### **5. District Wide Energy Upgrade**

#### **District Wide Energy Upgrade – Johnson Controls Inc.**

- The District and JCI have worked out the issues related to the contract and support documents. The suspension of activities has been lifted and work is expected to begin in early November.

## Maintenance & Operations

### PVHS

- Prepared practice fields for marching band practice as well as soccer and football games.
- Setup CELDT Testing in the multi-purpose room. (Photo)
- Cleared weeds from behind the modular and portable classrooms.
- Installed protective guards on kitchen food warmers.
- Installed new delineators for traffic control at the cafeteria serving lines. (Photo)
- Installed a new ice machine in the kitchen and relocated the existing to the athletic trainer's room.
- Repaired the window blinds in rooms 212 and 626.
- Replaced the wheels on the lifeguard station and repaired the water polo goals.
- Retrofitted 20 broken KI student chairs.
- Rotated metal shear blades in the welding shop.
- Replaced exterior lights throughout campus.
- Science classroom fume hoods were recertified through annual inspection.
- Water system backflow valves were inspected and certified.
- Reprogrammed the fire alarm system due to problems.
- Clean electrical rooms to comply with safety regulations.
- Installed a milling machine in the small gas engines lab.
- Replaced the wheel bearings on cafeteria kitchen carts.
- Diagnosed and repaired heating problems with the athletic trainer's clothes dryer.
- Unclogged drains in the Home Economics classrooms.
- Provided traffic control for student drop-off (30 man-hours)
- Experienced another first – bear on campus Saturday night! Discovered by custodians. (Photos)
- Preventive work order hours – 72
- Routine work order hours – 23
- Total work orders completed – 113
- Event setup hours – 43

### RHS

- Hosted the Agriculture Science Department's Kinder Patch Fall Festival. (Photo)
- Completed landscaping improvements at the football stadium ramp. (Photo)
- Prepared the football stadium for homecoming, including preparing for a fireworks show.
- Cleared weeds from the hillside at the senior parking lot as well as along Larch Street.
- Removed and replaced outside basketball nets.
- Cleared plumbing back-ups in the cafeteria, science, industrial arts, and the girls' locker room.
- Continuing the repainting of exterior doors to highlight the school colors.
- Completed plumbing and electrical repairs related to the new greenhouse project.
- Ground walkways where concrete had lifted causing a tripping hazard.
- Replaced three air conditioning motors in the Bradley parking lot portable classrooms.
- Replaced the boiler pump and controls valves in the 300 classroom area.
- Replaced urinal valves that were vandalized in the boys' restroom during the school day.
- Installed white boards and bulletin boards in several classrooms and in the administration building.
- Repaired vandal damage to the ASB storage shed.
- Repaired the flagpoles and mounted new purple and gold flags in the quad area.
- Painted the block wall at the top of the Greek Theater, including a section for each class.
- Painted classroom numbers on volleyball court paving to delineate evacuation stations.
- Relocated the water line at the grounds shop to tie into the new greenhouse domestic water supply.
- Preventive work order hours – 36
- Routine work order hours - 91
- Total work orders completed – 130
- Event setup hours - 60



## SMHS

- Installed interior fixtures in the new pool concession stand: hand wash sink; 3-compartment sink, single sink with side splash, trip lever basket strainers, chemical dispenser in custodial room, shelves & racks, and microwave & shelf.
- Assembled bleachers and floating water polo goals for the pool.
- Hosted the swimming pool grand opening. (Photo)
- Installed computer projectors in four classrooms.
- Collected obsolete textbooks and sent them for recycling.
- Installed new foul poles at the varsity baseball field.
- Upgraded the gates and locks in the staff parking lot.
- Secured cabinets in several classrooms. Items found during safety inspections.
- Installed new restroom partitions in the administration staff restrooms as well as the student restrooms on south campus.
- Repaired the stove in the SAPID kitchen.
- Repaired a leaking shower valve in the girls' locker room.
- Repaired a window frame in the home economics building.
- Repaired damaged walls in a special education classroom.
- Assembled new umbrellas for the lunch tables located at the small gym patio. Umbrellas donated by Kiwanis. (Photo)
- Preventive work order hours – 30
- Routine work order hours – 36
- Total work orders completed – 117
- Event setup hours – 172

## Energy Management

- Adjusted outside lighting schedules for change from daylight savings time to standard time.
- Energy Program July 2008 to date performance- 30% savings or \$2,069,425.

## Graffiti & Vandalism

- |        |    |     |
|--------|----|-----|
| • ERHS | \$ | 175 |
| • DHS  | \$ | 0   |
| • SMHS | \$ | 400 |
| • PVHS | \$ | 100 |

Reese Thompson  
Director – Facilities and Operations

## Photo Gallery



CELDT Testing



New Delineators to Make Lunch Serving Faster



Bear Visiting the Panther



We know where he lives! He is not in our attendance area.



Righetti Ag Science Kinder patch Fall Festival



Pumpkin Maze Was Quite a Challenge



**Football Stadium Ramp Before Hydro-seeding ...**



**... and The Grass Begins to Grow**



**Santa Maria High School Pool Grand Opening**



**New Lunch Tables at the Small Gym Patio**

**Board Policies for Approval  
November 14, 2012 Board Meeting**

**APPENDIX C**

<b>POLICY NUMBER</b>	<b>DESCRIPTION</b>
<p><b>BP 1100 - Communication with the Public</b> (BP revised)</p>	<p>Updated policy expands possible methods of communication. Section on "Prohibition Against Mass Mailings at Public Expense" expanded to include additional definition of mass mailing related to ballot measures, candidates, legislative activities, and other campaign activities. Schedule for evaluating the implementation and effectiveness of the district's communications plan made more flexible since the schedule may change depending on communications goals and district needs.</p>
<p><b>BP 1150 - Commendations and Awards</b> (BP revised; AR deleted)</p>	<p>Policy revised to clarify that it applies to awards given to parents/guardians, community members, businesses, and organizations. Policy also incorporates and expands material formerly in AR re: the process for submitting recommendations for awards and the types of awards that may be given, and adds designation of a day, week, or month for special recognition of volunteers.</p>
<p><b>BP 1160 - Political Processes</b> (BP revised)</p>	<p>Policy revised to reflect <b>NEW COURT DECISION</b> which details the appropriate use of district resources for election purposes. Consistent with the court's decision, the policy clarifies that it is a permissible informational activity for the Board to adopt a resolution in support of or in opposition to a ballot measure as long as the resolution and other materials do not urge voters to act in a certain way and as long as the distribution of the materials is consistent with regular district practice. Policy also outlines impermissible campaign activities by the district, such as the purchase of bumper stickers or the use of district email to disseminate campaign literature. In addition, policy contains updated language re: district lobbying and advocacy activities.</p> <p style="text-align: center;"><i>Districts are encouraged to read CSBA's fact sheets <b>Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates</b> and <b>Legal Guidelines for Lobbying Activity</b> prior to adopting this policy.</i></p>
<p><b>BP 2121 - Superintendent's Contract</b> (BP revised)</p>	<p>Policy updated to reflect <b>NEW LAW (AB 1344)</b> which prohibits the automatic renewal of the superintendent's contract with a provision for automatic increase that exceeds the cost-of-living adjustment and requires any contract executed or renewed after January 1, 2012 to include a provision requiring the superintendent to reimburse the district for paid leave salary or cash settlement in the event he/she is convicted of a crime involving an abuse of his/her position.</p>

**Board Policies for Approval**  
**November 14, 2012 Board Meeting**

POLICY NUMBER	DESCRIPTION
<b>BP 2140 - Evaluation of the Superintendent</b> (BP revised)	Updated policy broadens evaluation criteria and adds concept of providing opportunities throughout the year for review of the Superintendent's progress toward meeting goals. Policy also clarifies the Board's process for developing the evaluation document to be presented to the Superintendent.
<b>BP 2210 - Administrative Discretion Regarding Board Policy</b> (BP revised)	Policy updated to reflect <b>NEW LAW</b> (SB 70, 2011) which extends the flexibility to use funds received for 39 "Tier 3" categorical programs for any educational purpose through the 2014-15 fiscal year. Date in text deleted to avoid the need for additional revision if flexibility is extended in the future.
<b>BP 3290 - Gifts, Grants, and Bequests</b> (BP revised)	Revised policy includes optional language requiring annual report to the board of gifts, grants, and bequests received by the district and the expenditure of any monetary gifts. Policy also includes (1) new section on "Appreciation" which lists authorized forms of appreciation for donations to the district, and (2) new section on "Corporate Sponsorship" which authorizes the board to allow outside entities to advertise or promote their products and services within district facilities in exchange for funds, products, and services provided by such entities.
<b>BP 6111 - School Calendar</b> (BP revised)	Updated policy reflects <b>NEW LAW</b> (SB 70, 2011) which extends, until the end of the 2014-15 school year, authorization for districts to reduce the length of the school year without incurring financial penalties.
<b>BP 7310 - Naming of Facility</b> (BP revised)	Updated policy includes new section on "Naming Rights" which authorizes the board to enter into a written agreement granting any person or entity the right to name any district building or facility. Section on "Memorials" expanded to include commemorative trees, monuments, or other district facilities.
<b>BB 9123 - Clerk</b> (BB revised)	Bylaw revised to clarify which boards are required by law to appoint a clerk from among their members at the annual organizational meeting, and to clarify duties of the clerk.
<b>BB 9140 - Board Representatives</b> (BB revised)	Revised bylaw recognizes that participation of Board members on district or community committees supports the Board's community leadership role. Bylaw also adds responsibility of Board representative to report back to the Board regarding committee activities and/or actions, and clarifies which boards must designate a voting representative to elect members of the county committee on school district organization.
<b>BB 9150 - Student Board Members</b> (BB revised)	Updated bylaw clarifies that student board members must be selected by district high school students. Bylaw also includes new section on "Student Board Member Development" which (1) authorizes student board members to participate in trainings,



**Board Policies for Approval**  
**November 14, 2012 Board Meeting**

POLICY NUMBER	DESCRIPTION
	workshops, and conferences at district expense to enhance their knowledge, understanding, and performance of board responsibilities and (2) authorizes the superintendent to provide an orientation to student board member candidates regarding board responsibilities.
<b>BB 9223 - Filling Vacancies</b> (BB revised)	Bylaw updated to reflect <b>NEW LAW (AB 334)</b> which allows governing boards to approve a board member's out-of-state absence for illness or urgent necessity for an unlimited duration. Updated bylaw also reflects current law which provides that, when an interim board member is appointed to fill an absence created by a member's military deployment that exceeds six months, the term of the interim member cannot extend beyond the return of the absent board member or beyond the next regularly scheduled election for that office, whichever occurs first.
<b>BB 9323.2 - Actions by the Board</b> (BB revised)	Bylaw updated and reorganized to clarify the circumstances under which the Brown Act permits the Board to discuss or take action on items that are not on the posted agenda. Bylaw also revised to delineate the Board's options upon a receipt of a demand to "cure and correct" an alleged Brown Act violation.

**Communication with the Public**

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

The Superintendent or designee shall ensure that staff members are responsive to requests by parents/guardians or members of the public for information or assistance and may provide staff with professional development in their "customer service" role as needed.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide multiple opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

(cf. 1220 - Citizen Advisory Committees)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

(cf. 1260 - Educational Foundation)

(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. 3555 - Nutrition Program Compliance)

(cf. 6020 - Parent Involvement)

(cf. 9322 - Agenda/Meeting Materials)

(cf. 9323 - Meeting Conduct)

**Prohibition against Mass Mailings at Public Expense**

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the district at public expense if such material aggrandizes one or more Board members. The name, signature, or photograph of a Board member may be included in such materials only as permitted by 2 CCR 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

**Communication with the Public**

The Governing Board recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 9000 - Role of the Board)

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

(cf. 1112 - Media Relations)  
(cf. 1340 - Access to District Records)  
(cf. 2111 - Superintendent Governance Standards)  
(cf. 3580 - District Records)  
(cf. 5125 - Student Records)  
(cf. 5125.1 - Release of Directory Information)  
(cf. 9005 - Governance Standards)  
(cf. 9010 - Public Statements)  
(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Superintendent or designee shall utilize a variety of communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social networking pages or other online communications technologies, direct email communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

(cf. 0510 - School Accountability Report Card)  
(cf. 1020 - Youth Services)  
(cf. 1113 - District and School Web Sites)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 1700 - Relations Between Private Industry and the Schools)

**Communication with the Public**

Any newsletter or mass mailing regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

(cf. 1160 - Political Processes)

**Comprehensive Communications Plan**

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

(cf. 0200 - Goals for the School District)

As appropriate for each issue, target audiences may include parents/guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

**Legal Reference:**

**EDUCATION CODE**

7054 Use of district property or funds re: ballot measures and candidates

35145.5 Board meetings, public participation

35172 Promotional activities

38130-38138 Civic Center Act

48980-48985 Parental notifications

## **Community Relations**

**BP 1100(d)**

### **Communication with the Public**

#### GOVERNMENT CODE

54957.5 Meeting agendas and materials

82041.5 Mass mailing

89001 Newsletter or mass mailing

#### CODE OF REGULATIONS, TITLE 2

18901 Mass mailings sent at public expense

18901.1 Campaign-related mailings sent at public expense

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

#### Management Resources:

#### WEB SITES

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

California School Public Relations Association: <http://www.calspra.org>

Fair Political Practices Commission: <http://www.fppc.ca.gov>

**Commendations and Awards**

To encourage community involvement in district programs and activities, the Governing Board may publicly recognize and commend parents/guardians, community members, businesses, and organizations that make outstanding contributions or provide longstanding service to the district or district students.

(cf. 1000 - Concepts and Roles)

(cf. 1020 - Youth Services)

(cf. 1240 - Volunteer Assistance)

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 3290 - Gifts, Grants and Bequests)

Any Board member, employee, parent/guardian, student, or community member may recommend an individual or organization for Board recognition. He/she shall submit to the Superintendent or designee the name of the individual or organization and a description of the outstanding contribution or service.

At the Board's discretion, the Board may present a letter of recognition, Board resolution, plaque, or other award at a public Board meeting or may hold a reception or informal recognition activity. The Board also may designate a day, week, or month for special recognition of volunteers.

The Board encourages similar forms of recognition for achievement or services as part of school-level commendation programs.

(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)

(cf. 5126 - Awards for Achievement)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school districts

44015 Awards to employees and students

CALIFORNIA CONSTITUTION

Article 16, Section 6 Gifts of public funds

## **Community Relations**

**BP 1160(a)**

### **Political Processes**

The Governing Board has a responsibility to actively advocate fiscal and public policy that supports the district's schools and the children in the community. The Board shall be proactive in defining the district's advocacy agenda based on the district's vision and goals and the needs of the district and community. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)

(cf. 9000 - Role of the Board)

(cf. 9010 - Public Statements)

### **Ballot Measures/Candidates**

No district funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the district's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

(cf. 9320 - Meetings and Notices)

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal district procedures and consistent with regular district practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use district resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the district. (Education Code 7054)

(cf. 1100 - Communication with the Public)

**Political Processes**

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, district resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

(cf. 1325 - Advertising and Promotion)

Political activity related to district bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a district bond measure or other initiative for the ballot, but shall not use district resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and district administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the district shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501)

**Legislation**

The Board's responsibility as an advocate for the district may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media in order to communicate district positions and concerns.

(cf. 1020 - Youth Services)

(cf. 1112 - Media Relations)

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

(cf. 7131 - Relations with Local Agencies)

The Board and Superintendent shall develop an advocacy action plan to define expectations and responsibilities. This plan may include, but is not limited to, legislative priorities, strategies for



## **Community Relations**

**BP 1160(c)**

### **Political Processes**

outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

In order to strengthen legislative advocacy efforts, the district may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code 53060.5.

The district may provide fair and impartial information about legislative issues affecting schools and children and shall inform the community about its advocacy activities. However, informational materials about legislation shall not urge the public to lobby the legislature, Governor, or state agencies on behalf of the district.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the district's interests.

### **Legal Advocacy**

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the district may join with other districts or parties in order to resolve the issue through litigation or other appropriate means.

(cf. 9124 - Attorney)

(cf. 9321 - Closed Session Purposes and Agendas)

### **Political Forums**

Forums on political issues may be held in district facilities as long as the forum is made available to all sides of the issue on an equitable basis. (Education Code 7058)

(cf. 1330 - Use of School Facilities)

Legal Reference:

#### **EDUCATION CODE**

7050-7058 Political activities of school officers and employees, including:

7054 Use of district property

7054.1 Requested appearance

7056 Soliciting or receiving political funds

35160 Authority of governing boards

35172 Promotional activities

#### **ELECTIONS CODE**

9501 School district elections, arguments for or against a measure

**Political Processes**

**GOVERNMENT CODE**

8314 Unlawful use of state resources  
53060.5 Attendance at legislative body; expenses  
54953.5 Right to record proceedings  
54953.6 Broadcasts of proceedings  
81000-91015 Political Reform Act, including:  
82031 Definition of independent expenditure

**CODE OF REGULATIONS, TITLE 2**

18600-18640 Lobbyists  
18901.1 Campaign related mailings sent at public expense

**COURT DECISIONS**

Vargas v. City of Salinas, (2009) 46 Cal. 4th 1  
Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments, (2008) 167 Cal.App.4th 1229  
Yes on Measure A v. City of Lake Forest, (1997) 60 Cal.App.4th 620  
Choice-in-Education League et al v. Los Angeles Unified School District, (1993) 17 Cal.App.4th 415  
League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.App.3d 529  
Miller v. Miller, (1978) 87 Cal.App.3d 762  
Stanson v. Mott, (1976) 17 Cal. 3d 206  
**ATTORNEY GENERAL OPINIONS**  
88 Ops.Cal.Atty.Gen. 46 (2005)  
73 Ops.Cal.Atty.Gen. 255 (1990)

**Management Resources:**

**CSBA PUBLICATIONS**

Legal Guidelines: Use of Public Resources for Ballot Measures and Candidates, Fact Sheet, February 2011  
Legal Guidelines for Lobbying Activity, Fact Sheet, February 2011

**INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS**

Legal Issues Associated with Use of Public Resources and Ballot Measure Activities, June 2010

**WEB SITES**

CSBA: <http://www.csba.org>  
Fair Political Practices Commission: <http://www.fppc.ca.gov>  
Institute for Local Government: <http://www.ca-ilg.org>

Adopted: 11/14/12 (CSBA 3/11)

Santa Maria, CA

**Superintendent's Contract**

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources.

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 4312.1 - Contracts)

(cf. 9000 - Role of the Board)

The contract shall be reviewed by the district's legal counsel and shall, at a minimum, include the following:

1. The general duties and responsibilities of the position

(cf. 2110 - Superintendent Responsibilities and Duties)

2. The duration of the contract, which shall be for no more than four years, pursuant to Education Code 35031

3. The salary, benefits, and other compensation for the position

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

4. The criteria, process, and procedure for evaluation and the conditions for reemployment

(cf. 2140 - Evaluation of the Superintendent)

5. The conditions for termination of the contract including the maximum cash settlement that the Superintendent may receive upon termination of the contract

The Board shall deliberate in the closed session of a regular meeting about the terms of the contract. (Government Code 54956, 54957)

(cf. 9320 - Meetings and Notices)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Terms of the contract shall remain confidential until the ratification process commences.

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

**Superintendent's Contract**

The Board shall ratify the Superintendent's contract in an open meeting, which shall be reflected in the Board's minutes. Copies of the contract shall be available to the public upon request. (Government Code 53262)

(cf. 1340 - Access to District Records)  
(cf. 3580 - District Records)

During an existing contract, the Board may reemploy the Superintendent on mutually agreed upon terms and conditions. However, the Superintendent's contract shall be extended only by Board action subsequent to a satisfactory evaluation of the Superintendent's performance and in accordance with Government Code 3511.2.

**Decision not to Re-employ**

If the Board determines to not reemploy the Superintendent at the expiration of his/her contract, the Board shall provide written notice to him/her at least 45 days in advance of the expiration of the term of the contract. (Education Code 35031)

**Termination of Contract**

The Board may terminate the Superintendent's contract of employment in accordance with law and applicable contract provisions. If the unexpired term of the contract is more than 18 months, the maximum cash settlement shall be no greater than the Superintendent's monthly salary multiplied by 18. The cash settlement shall not include any noncash items other than health benefits, which may be continued for the unexpired term of the contract up to 18 months or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, the maximum settlement shall be as determined by an administrative law judge but no greater than the Superintendent's monthly salary multiplied by six. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of his/her office or position, he/she shall reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination, and for any funds expended by the district in his/her defense against a crime involving his/her office or position. (Government Code 53243-53243.4, 53260)

## **Administration**

**BP 2121(c)**

### **Superintendent's Contract**

#### Legal Reference:

##### EDUCATION CODE

35031 Term of employment

41325-41329.3 Conditions of emergency apportionment

##### GOVERNMENT CODE

3511.1-3511.2 Local agency executives

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54954 Time and place of regular meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

#### Management Resources:

##### CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Evaluation, 2006

Maximizing School Board Governance: Superintendent Selection and Employment, 2004

##### WEB SITES

CSBA, Governance Consulting Services: <http://www.csba.org>

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

**Evaluation off the Superintendent**

The Governing Board recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the district, it must adopt measures for holding the Superintendent accountable. At a minimum, the Board shall annually conduct a formal evaluation of the Superintendent's performance to assess his/her effectiveness in leading the district toward established goals. In addition, the evaluation process may include opportunities during the year for review of the Superintendent's progress toward meeting the goals. The evaluation shall be in accordance with the provisions of the Superintendent's contract and any applicable Board policy.

- (cf. 0000 - Vision)
- (cf. 2121 - Superintendent's Contract)
- (cf. 9000 - Role of the Board)
- (cf. 9005 - Governance Standards)

Evaluation criteria shall be agreed upon by the Board and Superintendent prior to the evaluation and shall include, but not be limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

- (cf. 2110 - Superintendent Responsibilities and Duties)
- (cf. 2111 - Superintendent Governance Standards)

The Board and Superintendent shall jointly determine the evaluation method(s) and schedule that will best serve the district and the structure and format of the instrument to be used.

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendation from the previous evaluation.

Each Board member shall independently evaluate the Superintendent's performance. Based on these individual evaluations, the Board president shall produce a document that summarizes the individual evaluations. The Board shall then take action on this document and present it to the Superintendent for his/her response.

The evaluation shall provide commendations in areas of strength and achievement, provide recommendations for improving effectiveness in areas of concern and unsatisfactory performance, and serve as a basis for making decisions about salary increase and/or contract extension.

The Board shall meet in closed session with the Superintendent to discuss the evaluation. (Government Code 54957)

**Evaluation off the Superintendent**

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

The Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of his/her performance or district progress.

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file.

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

At the open session after the Superintendent's evaluation or at a subsequent meeting, the Board and Superintendent shall jointly identify performance goals for the next year.

(cf. 9400 - Board Self-Evaluation)

**Legal Reference:**

**GOVERNMENT CODE**

53262 Employment contracts, superintendent

54957 Closed session, personnel matters

**COURT DECISIONS**

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

**Management Resources:**

**CSBA PUBLICATIONS**

Maximizing School Board Governance: Superintendent Evaluation, 2006

**WEB SITES**

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

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

(7/01 7/04) 3/11



## **Administration**

### **Administrative Discretion Regarding Board Policy**

**BP 2210(a)**

Through the adoption of written policies, the Governing Board conveys its expectations for actions that will be taken in the district, clarifies roles and responsibilities of the Board and Superintendent, and communicates Board philosophy and direction. However, the Board recognizes that, at times, situations may arise in the operation of district schools or in the implementation of district programs that are not addressed in Board policy or administrative regulation. When resolution of such a situation necessitates immediate action, the Superintendent or designee shall have the authority to act on behalf of the district.

(cf. 2110 - Superintendent Responsibilities and Duties)  
(cf. 9000 - Role of the Board)  
(cf. 9310 - Board Policies)

If the situation or its resolution may affect the safety or security of students or staff members, involve a significant impact on student learning, or create a distraction within the school community, the Superintendent or designee shall notify the Board as soon as practicable after its occurrence. The Board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 3516.5 - Emergency Schedules)  
(cf. 9322 - Agenda/Meeting Materials)

### **Tier 3 Categorical Flexibility**

The Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. In implementing the flexibility, the Superintendent, in accordance with Education Code 42605, may suspend any program or funding requirement reflected in any Board policy, administrative regulation, or other document designed for the operation of any Tier 3 categorical program to the extent that such suspension does not affect the terms of any existing district contract or bargaining agreement. As necessary, the Superintendent or designee shall consult with other district staff, including the legal counsel and/or the chief business official, regarding the district's exercise of this flexibility.

The Superintendent or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved.

(cf. 0420 - School Plans/Site Councils)  
(cf. 0420.1 - School-Based Program Coordination)  
(cf. 1220 - Citizen Advisory Committees)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)

## **Administration**

### **Administrative Discretion Regarding Board Policy**

**BP 2210(b)**

- (cf. 3110 - Transfer of Funds)
- (cf. 3111 - Deferred Maintenance Funds)
- (cf. 4111 - Recruitment and Selection)
- (cf. 4112.2 - Certification)
- (cf. 4112.21 - Interns)
- (cf. 4113 - Assignment)
- (cf. 4117.14/4317.14 - Postretirement Employment)
- (cf. 4131 - Staff Development)
- (cf. 4131.1 - Beginning Teacher Support/Induction)
- (cf. 4138 - Mentor Teachers)
- (cf. 4139 - Peer Assistance and Review)
- (cf. 4231 - Staff Development)
- (cf. 4331 - Staff Development)
- (cf. 5123 - Promotion/Acceleration/Retention)
- (cf. 5136 - Gangs)
- (cf. 5141.32 - Health Screening for School Entry)
- (cf. 5145.6 - Parental Notifications)
- (cf. 5146 - Married/Pregnant/Parenting Students)
- (cf. 5147 - Dropout Prevention)
- (cf. 5148.1 - Child Care Services for Parenting Students)
- (cf. 5149 - At-Risk Students)
- (cf. 6141.5 - Advanced Placement)
- (cf. 6142.6 - Visual and Performing Arts Education)
- (cf. 6142.91 - Reading/Language Arts Instruction)
- (cf. 6142.94 - History-Social Science Instruction)
- (cf. 6146.1 - High School Graduation Requirements)
- (cf. 6151 - Class Size)
- (cf. 6161.1 - Selection and Evaluation of Instructional Materials)
- (cf. 6162.52 - High School Exit Examination)
- (cf. 6163.1 - Library Media Centers)
- (cf. 6164.2 - Guidance/Counseling Services)
- (cf. 6172 - Gifted and Talented Student Program)
- (cf. 6176 - Weekend/Saturday Classes)
- (cf. 6177 - Summer School)
- (cf. 6178 - Career Technical Education)
- (cf. 6178.2 - Regional Occupational Center/Program)
- (cf. 6179 - Supplemental Instruction)
- (cf. 6184 - Continuation Education)
- (cf. 6185 - Community Day School)
- (cf. 6200 - Adult Education)
- (cf. 7214 - General Obligation Bonds)
- (cf. 9323.2 - Actions by the Board)

## **Administration**

### **Administrative Discretion Regarding Board Policy**

**BP 2210(c)**

#### Legal Reference:

##### EDUCATION CODE

35010 Control of district, prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of governing boards

35160.5 Annual review of school district policies

35163 Official actions, minutes and journal

42605 Tier 3 categorical flexibility

#### Management Resources:

##### CSBA PUBLICATIONS

Policy Implications of Categorical Program Flexibility, Policy Advisory, November 2009

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

##### CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Fiscal Issues Relating to Budget Reductions and Flexibility Provisions, April 2009

##### WEB SITES

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

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

**Business and Noninstructional Operations**

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the district from any individual, private agency or organization, or other public agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 1260 - Educational Foundation)

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 - Vision)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol or the violation of any law or district policy

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

4. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

Any gift of books and instructional materials shall be accepted only if they meet regular district criteria for selection of instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

**Business and Noninstructional Operations**

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used at a particular school.

**Appreciation**

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 - Commendations and Awards)

(cf. 7310 - Naming of Facility)

**Corporate Sponsorship**

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 - District and School Web Sites)

(cf. 1700 - Relations between Private Industry and the Schools)

(cf. 3312 - Contracts)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications. No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed

**Business and Noninstructional Operations**

to advertise or promote its products and/or services.

3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information. The sponsor's use of such information shall require prior approval of the Board.
4. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages in any prohibited activity.
5. The prohibition against the collection of students' personal information except as allowed by law.

(cf. 5022 - Student and Family Privacy Rights)

(cf. 5125 - Student Records)

**Legal Reference:**

**EDUCATION CODE**

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

**Management Resources:**

**WEB SITES**

California Consortium of Education Foundations: <http://www.cceflink.org>

## **Instruction**

### **School Calendar**

**BP 6111(a)**

For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement.

(cf. 0200 - Goals for the School District)  
(cf. 4143/4243 - Negotiations/Consultation)  
(cf. 6162.51 - Standardized Testing and Reporting Program)  
(cf. 6162.52 - High School Exit Examination)

Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

(cf. 6112 - School Day)  
(cf. 6115 - Ceremonies and Observances)  
(cf. 6117 - Year-Round Schedules)  
(cf. 6177 - Summer School)

The district shall offer 180 days of instruction per school year, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code 46201.2.

(cf. 1431 - Waivers)

Staff development days shall not be counted as instructional days.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

Notification of the schedule of minimum days shall be sent to all parents/guardians at the beginning of the school year. If any minimum days are added to the schedule, the Superintendent or designee shall notify parents/guardians of the affected students as soon as possible and at least one month before the scheduled minimum day. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

If a school will be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and nonclassified staff. (Elections Code 12283)

## **Instruction**

### **School Calendar**

**BP 6111(b)**

(cf. 1400 - Relations Between Governmental Agencies and the Schools)  
(cf. 5113 - Absences and Excuses)

#### Legal Reference:

##### EDUCATION CODE

37200-37202 School calendar

37220-37223 Holidays

37252-37254.1 Summer school

37300-37307 Year-Round School Demonstration Project

37600-37672 Continuous school programs: year-round schools, especially:

37618 School calendar

37700-37711 Four-day week

41422 Schools not maintained for 175 days

41530-41532 Professional Development Block Grant

46200-46206 Incentives for longer instructional day and year

46300 Method of computing ADA

48980 Notice at beginning of term

##### REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS

44579-44579.6 Instructional Time and Staff Development Reform Program

##### ELECTIONS CODE

12283 School closures, election days

##### COURT DECISIONS

Butt v. State of California, (1992) 4 Cal 4th 668

##### PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Davis Joint Unified School District, (1984) PERB Decision No. 474

#### Management Resources:

##### WEB SITES

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

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

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

Secretary of State's Office: <http://www.ss.ca.gov>

Policy

Adopted: 11/14/12 (CSBA 7/11)

Santa Maria Joint Union High School District

Santa Maria, CA



## **Facilities**

### **Naming Of Facility**

**BP 7310**

The Governing Board shall name district schools and other district-owned or leased buildings, grounds, and facilities in recognition of:

1. Individuals, living or deceased, and entities that have made outstanding contributions, including financial contributions, to the school community
2. Individuals, living or deceased, who have made contributions of statewide, national, or worldwide significance
3. The geographic area in which the school or building is located

The Board encourages community participation in the process of selecting names. A citizen advisory committee shall be appointed to review name suggestions and submit recommendations for the Board's consideration.

(cf. 1220 - Citizen Advisory Committees)

Any name adopted for any new school shall not be so similar to the name of any existing district school as to result in confusion to members of the community.

Before adopting any proposed name, the Board shall hold a public hearing at which members of the public will be given an opportunity to provide input.

(cf. 9320 - Meetings and Notices)

When naming or renaming a district school, building, or facility, the Board may specify the duration for which the name shall be in effect.

## **Memorials**

Upon request, the Board shall consider planting commemorative trees, erecting monuments, or dedicating buildings, parts of buildings, athletic fields, gardens, or other district facilities, in memory of deceased students, staff members, community members, and benefactors of the district. into disrepute

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

Policy

Adopted: 11/14/12 (CSBA 7/11)

Santa Maria Joint Union High School District

Santa Maria, CA

## Board Bylaws

BB 9123

### Clerk

The Governing Board shall elect a clerk from its own membership at the annual organizational meeting. (Education Code 35143)

(cf. 9100 - Organization)

The duties of the clerk shall be to:

1. Certify or attest to actions taken by the Board when required
2. Maintain such other records or reports as required by law
3. Sign the minutes of the Board meetings following their approval
4. Sign documents on behalf of the district as directed by the Board
5. Serve as presiding officer in the absence of the president

(cf. 9121 - President)

6. Perform any other duties assigned by the Board

#### Legal Reference:

##### EDUCATION CODE

- 17593 Repair and supervision of property (duty of district clerk)
- 35038 Appointment of clerk by county superintendent of schools
- 35039 Dismissal of clerk
- 35121 Appointment of clerk in certain city and high school districts
- 35143 Annual organizational meetings
- 35250 Duty to keep certain records and reports
- 38113 Duty of clerk (re provision of school supplies)

##### GOVERNMENT CODE

- 54950-54963 Ralph M. Brown Act

#### Management Resources:

##### CSBA PUBLICATIONS

- CSBA Professional Governance Standards, 2000
- Maximizing School Board Leadership: Boardmanship, 1996

##### WEB SITES

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

Bylaw

Adopted: 11/14/12 (CSBA 3/11)

Santa Maria Joint Union High School District  
Santa Maria, CA

**Board Representatives**

The Governing Board recognizes that effective performance of its community leadership responsibilities may require its participation in district or community committees on matters of concern to the district and its students. As needed, the Board may appoint any of its members to serve as its representative on a district committee or on a committee of another public agency or organization of which the Board or district is a member or to which the Board is invited to participate.

- (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
- (cf. 1700 - Relations Between Private Industry and the Schools)
- (cf. 9000 - Role of the Board)
- (cf. 9130 - Board Committees)
- (cf. 9270 - Conflict of Interest)
- (cf. 9320 - Meetings and Notices)

When making such appointments, the Board shall clearly specify the authority and responsibilities of the representative(s), including, but not limited to, reporting back to the Board regarding committee activities and/or actions. Board representatives shall not exercise the authority of the Board without prior Board approval.

- (cf. 9005 - Governance Standards)
- (cf. 9200 - Limits of Board Member Authority)

If a committee discusses a topic on which the Board has taken a position, the Board member shall express the position of the Board. When contributing his/her own ideas or opinions, the representative shall clearly indicate that he/she is expressing his/her individual idea or opinion.

- (cf. 1220 - Citizen Advisory Committees)
- (cf. 9010 - Public Statements)

**Board Representative to Elect Members of County Committee on School District Organization**

At its annual organizational meeting, the Board shall designate one Board member as its representative to elect members to the county committee on school district organization. (Education Code 35023)

- (cf. 9100 - Organization)

**Board Bylaws**

**BB 9140(b)**

**Board Representatives**

Legal Reference:

EDUCATION CODE

4000-4014 County committees on school district organization

35020-35046 School district officers and agents (power of governing board to employ or appoint)

35160 Authority of governing boards

GOVERNMENT CODE

54952.2 Meetings

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

California Department of Education District Organization Handbook, 2010

Bylaw

Adopted: 11/14/12 (CSBA 3/11)

Santa Maria Joint Union High School District

Santa Maria, CA

## **Board Bylaws**

### **Student Board Members**

**BB 9150(a)**

The Governing Board believes that engaging the student body and seeking its input and feedback regarding the district's educational programs and activities are vital to achieving the district's mission of educating district students. To enhance communication between the Board and the student body and to encourage student involvement in district affairs, the Board shall include one student Board member selected by each high school.

The term of a student Board member shall be one year, commencing on July 1 of each year. A student Board member shall have the right to attend all Board meetings except closed (executive) sessions. (Education Code 35012)

(cf. 9321 - Closed Session Purposes and Agendas)

Student Board members shall be seated with other members of the Board. In addition, a student Board member shall be recognized at Board meetings as a full member. They may participate in questioning witnesses and discussing issues. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

Student Board members will not be reimbursed for mileage for attendance at Board meetings. (Education Code 35012)

Student Board members may not cast preferential votes (Education Code 35012)

Student Board members may not make motions that may be acted upon by the Board.

#### Legal Reference:

##### EDUCATION CODE

33000.5 Appointment of student members to State Board of Education

35012 Board members; number, election and terms; pupil members

##### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

#### Management Resources:

##### WEB SITES

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

California Association of Student Councils: <http://www.casc.net>

National School Boards Association: <http://www.nsba.org>

## **Board Bylaws**

### **Filling Vacancies**

**BB 9223(a)**

### **Events Causing a Vacancy**

A vacancy on the Governing Board may occur for any of the following events:

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

A vacancy resulting from resignation occurs when the written resignation is filed with the County Superintendent of Schools having jurisdiction over the district, except where a deferred effective date is specified in the resignation so filed, in which case the resignation shall become operative on that date. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090, 5091)

4. A Board member's removal from office, including by recall (Elections Code 11384; Government Code 1770)
5. A Board member's ceasing to be a resident of the district (Government Code 1770)
6. A Board member's absence from the state for more than 60 days, except in the following situations: (Government Code 1064, 1770)
  - a. Upon district business with the approval of the Board
  - b. With the consent of the Board for an additional period not to exceed a total of 90 days
  - c. For federal military deployment, not to exceed an absence of a total of six months, as a member of the armed forces of the United States or the California National Guard

If the absence of the Board member for this purpose exceeds six months, the Board may approve an additional six-month absence upon a showing that there is

## Board Bylaws

### Filling Vacancies

**BB 9223(b)**

a reasonable expectation that the member will return within the second six-month period, and the Board may appoint an interim member to serve in his/her absence. If two or more members of the Board are absent by reason of these circumstances, and those absences result in the inability to establish a quorum at a regular meeting, the Board may immediately appoint one or more interim members as necessary to enable the Board to conduct business and discharge its responsibilities. The term of an interim member appointed in these circumstances shall not extend beyond the return of the absent Board member or beyond the next regularly scheduled election for that office, whichever occurs first.

- d. In the case of illness or other urgent necessity, and upon a proper showing thereof, the time limited for absence from the state may be extended by the Board.
  7. A Board member's ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by illness or when absent from the state with the permission required by law (Government Code 1770)
  8. A Board member's conviction of a felony or any offense involving a violation of his/her official duties or conviction of a designated crime resulting in a forfeiture of office (Government Code 1770, 3000-3003)
  9. A Board member's refusal or neglect to file his/her required oath or bond within the time prescribed (Government Code 1770)
- (cf. 9224 - Oath or Affirmation)
10. The decision of a competent tribunal declaring void a Board member's election or appointment (Government Code 1770)
  11. The making of an order vacating a Board member's office or declaring the office vacant when the Board member fails to furnish an additional or supplemental bond (Government Code 1770)
  12. A Board member's commitment to a hospital or sanitarium as a drug addict, dipsomaniac, inebriate, or stimulant addict by a court of competent jurisdiction, in which case the office shall not be deemed vacant until the order of commitment has become final (Government Code 1770)
  13. A "failure to elect" in which no candidate or an insufficient number of candidates have filed to run for a Board seat(s) (Education Code 5090, 5326, 5328)

## **Board Bylaws**

### **Filling Vacancies**

**BB 9223(c)**

#### **Timelines for Filling a Vacancy**

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

1. When a vacancy occurs within four months of the end of a Board member's term, the Board shall take no action. (Education Code 5093)
2. When a vacancy occurs longer than four months before the end of a Board member's term, the Board shall, within 60 days of the date of the vacancy or the filing of the member's deferred resignation, either order an election or make a provisional appointment, unless a special election is mandated as described in item #3 below. (Education Code 5091, 5093)
3. When a vacancy occurs from six months to 130 days before a regularly scheduled Board election at which the position is not scheduled to be filled, a special election to fill the position shall be consolidated with the regular election. The person so elected shall take office at the first regularly scheduled Board meeting following the certification of the election and shall serve only until the end of the term of the position which he/she was elected to fill. (Education Code 5093)

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

#### **Provisional Appointments**

In order to be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code 35107.

(cf. 9220 - Governing Board Elections)

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

The notice shall contain: (Education Code 5092)

1. The date of the occurrence of the vacancy or the date of the filing of, and the effective date of, the resignation
2. The full name of the appointee



## **Board Bylaws**

### **Filling Vacancies**

**BB 9223(d)**

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

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

### **Appointment Due to Failure to Elect**

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

(cf. 9100 - Organization)

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

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

#### **Legal Reference:**

##### **EDUCATION CODE**

- 5000-5033 Elections
- 5090-5095 Vacancies
- 5200-5208 Districts governed by boards of education
- 5300-5304 Elections
- 5320-5329 Order and call of election
- 5340-5345 Consolidation of elections
- 5360-5363 Election notice
- 5420-5426 Cost of elections
- 5440-5442 Miscellaneous provisions, elections
- 35107 Eligibility of board members
- 35178 Resignation with deferred effective date

## **Board Bylaws**

### **Filling Vacancies**

**BB 9223(e)**

#### **ELECTIONS CODE**

10600-10604 School district elections

11381-11386 Candidates for recall

#### **GOVERNMENT CODE**

1064 Absence from state

1770 Vacancies: definition

3000-3003 Forfeiture of office

3060-3075 Removal other than by impeachment

6061 One time notice

54950-54963 The Ralph M. Brown Act

#### **PENAL CODE**

88 Bribery, forfeiture from office

#### **UNITED STATES CODE, TITLE 18**

704 Military medals or decorations

#### **ATTORNEY GENERAL OPINIONS**

58 Ops.Cal.Atty.Gen. 888 (1975)

#### **Management Resources:**

##### **CSBA PUBLICATIONS**

Filling a Board Vacancy, rev. December 2010

##### **WEB SITES**

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

California State Attorney General's Office, Quo Warranto Applications:

[http://ag.ca.gov/opinions/quo\\_warranto.php](http://ag.ca.gov/opinions/quo_warranto.php)

**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)

**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 members to make a positive or negative decision
3. A vote by a majority of the 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)

**Actions by the Board****Challenging Board Actions**

Any interested person or the district attorney's office may present a demand that the Board cure and correct a Board action which he/she alleges is in violation of Government Code 54954.2 (agenda posting), Government Code 54953 (open meeting and teleconferencing), Government Code 54954.5 (closed session item descriptions), Government Code 54954.6 (new or increased tax assessments), Government Code 54956 (special meetings), or Government Code 54956.5 (emergency meetings). (Government Code 54960.1)

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.

**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

**Actions by the Board**

**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 Action 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.caag.state.ca.us>

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