



**BOARD OF TRUSTEES  
REGULAR BOARD MEETING**

**Board of Trustees**  
Joyce Dalessandro  
Barbara Groth  
Beth Hergesheimer  
Amy Herman  
John Salazar

**Superintendent**  
Ken Noah

**Union High School District**

**THURSDAY, JUNE 6, 2013  
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101  
710 ENCINITAS BLVD, ENCINITAS, CA. 92024**

*Welcome to the meeting of the San Dieguito Union High School District Board of Trustees.*

**PUBLIC COMMENTS**

If you wish to speak regarding an item on the agenda, please complete a speaker slip located at the sign-in desk and present it to the Secretary to the Board prior to the start of the meeting. When the Board President invites you to the podium, please state your name, address, and organization before making your presentation.

Persons wishing to address the Board on any school-related issue not elsewhere on the agenda are invited to do so under the "Public Comments" item. If you wish to speak under Public Comments, please follow the same directions (above) for speaking to agenda items. Complaints or charges against an employee are not permitted in an open meeting of the Board of Trustees.

In the interest of time and order, presentations from the public are limited to three (3) minutes per person, per topic. The total time for agenda and non-agenda items shall not exceed twenty (20) minutes. An individual speaker's allotted time may not be increased by a donation of time from others in attendance.

In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda.

**PUBLIC INSPECTION OF DOCUMENTS**

In compliance with Government Code 54957.5, agenda-related documents that have been distributed to the Board less than 72 hours prior to the Board Meeting will be available for review on the district website, [www.sduhsd.net](http://www.sduhsd.net) and/or at the district office. Please contact the [Office of the Superintendent](#) for more information.

**CONSENT CALENDAR**

All matters listed under Consent are those on which the Board has previously deliberated or which can be classified as routine items of business. An administrative recommendation on each item is contained in the agenda supplements. There will be no separate discussion of these items prior to the time the Board of Trustees votes on the motion unless members of the Board, staff, or public request specific items to be discussed or pulled from the Consent items. To address an item on the consent calendar, please follow the procedure described under *Comments on Agenda Items*.

**CLOSED SESSION**

The Board will meet in Closed Session to consider qualified matters of litigation, employee negotiations, student discipline, employee grievances, personnel qualifications, or real estate negotiations which are timely.

**CELL PHONES/PAGERS**

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the meeting room.

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In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the [Office of the Superintendent](#). Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT  
BOARD OF TRUSTEES  
REGULAR BOARD MEETING**

**AGENDA**

**THURSDAY, JUNE 6, 2013  
6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101  
710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

**PRELIMINARY FUNCTIONS ..... (ITEMS 1 – 6)**

- 1. CALL TO ORDER; PUBLIC COMMENTS REGARDING CLOSED SESSION ITEMS ..... 6:00 PM
- 2. **CLOSED SESSION** ..... **6:01 PM**
  - A. Consideration and/or deliberation of student discipline matters (1 case)
  - B. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.* (2 issues)
  - C. To conference with Labor Negotiators, pursuant to Government Code Section 54957.8.  
Agency Negotiators: Superintendent, Deputy Superintendent, and Associate Superintendents  
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
  - D. To confer with real property negotiator:
    - Property: Approximately 13.5 acre portion of 305-031-29 and 305-040-36
    - Agency Negotiator: Eric Dill, Associate Superintendent, Business and/or John Addleman, Director, Planning and Financial Management
    - Negotiating Parties: Pardee Homes
    - Under negotiation: Instructions pertaining to price, terms of payment, and delivery

**REGULAR MEETING / OPEN SESSION ..... **6:30 PM****

- 3. RECONVENE REGULAR BOARD MEETING / CALL TO ORDER ..... BOARD PRESIDENT  
\* WELCOME / MEETING PROTOCOL REMARKS
- 4. PLEDGE OF ALLEGIANCE
- 5. REPORT OUT OF CLOSED SESSION
- 6. APPROVAL OF MINUTES OF MAY 16, 2013, REGULAR BOARD MEETING  
Motion by \_\_\_\_\_, second by \_\_\_\_\_, to approve Minutes [ ~~May~~ May 16<sup>th</sup>, as shown in the attached supplement(s).

**NON-ACTION ITEMS ..... (ITEMS 7 - 10)**

- 7. STUDENT UPDATES..... STUDENT REPRESENTATIVES
- 8. BOARD UPDATES..... BOARD OF TRUSTEES
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS, AND LEGISLATIVE UPDATES.....KEN NOAH, SUPERINTENDENT
- 10. UPDATE, NUTRITION SERVICES.....RICK MARIAM, DIRECTOR

**CONSENT AGENDA ITEMS ..... (ITEMS 11 - 15)**

Upon invitation by the President, anyone who wishes to discuss a Consent Item should come forward to the lectern, state his/her name and address, and the Consent Item number.

**11. SUPERINTENDENT**

A. GIFTS AND DONATIONS

Accept the Gifts and Donations, as shown in the attached supplement(s).

B. FIELD TRIP REQUESTS

Accept the Field Trips, as shown in the attached supplement(s).

**12. HUMAN RESOURCES**

A. PERSONNEL REPORTS

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

1. Certificated and/or Classified Personnel Reports, as shown in the attached supplement(s).

B. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreement and authorize Christina M. Bennett or Eric R. Dill to execute the agreements:

1. Fagen Friedman & Fulfroost LLP, to provide legal services, during the period July 1, 2013 until terminated by the District at any time or by Fagen Friedman & Fulfroost LLP with ten (10) day written notice, at the rates shown on the Professional Rate Schedule, to be expended from the General Fund 03-00.

**13. EDUCATIONAL SERVICES**

A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreement and authorize Christina M. Bennett or Eric R. Dill to execute the agreement:

1. Blackboard, Inc., to provide Blackboard Learn Learning Management System for online and blended classwork, during the period May 27, 2013 through May 26, 2016 and then renewing automatically for annual periods unless terminated with 30 day written advance notice, for an initial amount not to exceed \$112,500.00 for the first three years, to be expended from the General Fund 03-00.

B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS  
(None submitted)

C. APPROVAL OF MODIFIED PASSING SCORES FOR THE CALIFORNIA HIGH SCHOOL EXIT EXAM (CAHSEE), 2013-14

Approve and validate the equivalent of a passing score for eligible students who used allowable modifications outlined in their IEP, as shown in the attached supplement(s).

**14. PUPIL SERVICES / SPECIAL EDUCATION**

**SPECIAL EDUCATION**

A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS, INDEPENDENT CONTRACTOR AGREEMENTS, AND/OR MEMORANDUMS OF UNDERSTANDING

Approve entering into the following non-public school / non-public agency master contracts (NPS/NPAs), independent contractor agreements (ICAs), and or memorandums of understanding (MOUs), and authorize Christina M. Bennett or Eric R. Dill to execute all pertinent documents.

1. Newport Beach Developmental Optometry Group (NPA), to provide developmental optometry services, during the period April 25, 2013 through June 30, 2013, at the rates shown on the attached rate sheet, to be expended from the General Fund/Restricted 06-00.

2. Vista Unified School District (MOU), to provide transportation services and a bus attendant for a San Dieguito Union High School District special education student residing in a Vista group home to TERI, Inc., an NPS under contract with the District, during the period April 12, 2013 through June 30, 2013, for an amount not to exceed \$7,417.43, to be expended from the General Fund/Restricted 06-00.

**B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS**

Approve/ratify amending the following agreements and authorize Christina M. Bennett or Eric R. Dill to execute the agreements:

1. San Diego Unified School District (SDUSD) (MOU), amending the not to exceed amount for SDUSD to provide special education services for a medically fragile San Dieguito Union High School District special education student from \$2,930.00 to \$7,758.00, to be expended from the General Fund/Restricted 06-00.
2. San Diego Unified School District (SDUSD) (MOU), amending the not to exceed amount for SDUSD to provide special education services for a brain injury San Dieguito Union High School District special education student from \$14,850.00 to \$29,700.00, to be expended from the General Fund/Restricted 06-00.

**C. APPROVAL/RATIFICATION OF PARENT SETTLEMENT AND RELEASE AGREEMENTS**  
(None submitted)

**D. APPROVAL OF DESTRUCTION OF CLASS 3 DISPOSABLE RECORDS / SPECIAL EDUCATION**

Approve the recommendation to reclassify Special Education records as "Class 3", disposable, at which time they may be destroyed, as per California Code of Regulations, as shown in the attached supplement(s).

**PUPIL SERVICES**

**E. APPROVAL/RATIFICATION OF AGREEMENTS**  
(None Submitted)

**15. BUSINESS / PROPOSITION AA**

**BUSINESS**

**A. APPROVAL/RATIFICATION OF AGREEMENTS**

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements:

1. School Facility Consultants to provide consulting services regarding state school facility funding applications, during the period July 1, 2013 through June 30, 2014, for an amount not to exceed \$30,000.00, to be expended from the Capital Facilities Fund 25-19.
2. Sowards and Brown Engineering, Inc. to prepare the map for annexation number 19 to Community Facilities District No. 95-2, during the period March 18, 2013 until completion of the project, for an amount not to exceed \$4,400.00, to be expended from Mello Roos Funds subject to reimbursement by the developer.

**B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS**

Approve/ratify amending the following agreements and authorize Christina M. Bennett or Eric R. Dill to execute the agreements:

1. Google, Inc., extending the Google archiving and discovery services agreement from March 28, 2013 through March 27, 2014 and then continuing annually unless terminated with 15 day advance notice.
2. Urban Tree Care, Inc., for district wide tree trimming services, extending the contract period from June 10, 2013 through June 9, 2014, with no other changes to the contract, to be expended from the fund to which the project is charged.

3. Sol Transportation, Inc., for special education transportation services, extending the contract period from April 13, 2013 through April 12, 2014, with no other changes to the contract, to be expended from the General Fund/Restricted 06-00.

C. AWARD/RATIFICATION OF CONTRACTS  
(None Submitted)

D. APPROVAL OF CHANGE ORDERS  
(None Submitted)

E. ACCEPTANCE OF CONSTRUCTION PROJECTS  
(None Submitted)

F. APPROVAL OF BUSINESS REPORTS  
Approve the following business reports:

1. Purchase Orders
2. Membership Listing (None Submitted)

**PROPOSITION AA**

G. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements:

1. Blue Coast Consulting, to provide Inspector of Record Services at various District sites, during the period June 7, 2013 through June 7, 2014, with the option to renew the contract annually up to four (4) years, in the amount of \$150,000.00, to be expended from Building Fund-Prop 39 Fund 21-39.
2. Cornerstone Quality Inspections, Inc., to provide Inspector of Record Services at various District sites, during the period June 7, 2013 through June 7, 2014, with the option to renew the contract annually up to four (4) years, in the amount of \$150,000.00, to be expended from Building Fund-Prop 39 Fund 21-39.
3. Consulting and Inspection Services LLC., to provide Inspector of Record Services on various District sites, during the period June 7, 2013 through June 7, 2014, with the option to renew the contract annually up to four (4) years, in the amount of \$150,000.00, to be expended from Building Fund-Prop 39 Fund 21-39.
4. Trace3, Inc., to provide wireless LAN recovery system at Sunset High School, during the period June 7, 2013 through September 7, 2013, in the amount of \$12,333.75 plus tax and shipping, to be expended from Building Fund-Prop 39 Fund 21-39.
5. Trace3, Inc., to provide wireless LAN recovery system at La Costa Canyon High School, during the period June 7, 2013 through September 7, 2013, in the amount of \$61,688.75 plus tax and shipping, to be expended from Building Fund-Prop 39 Fund 21-39.
6. Trace3, Inc., to provide wireless infrastructure at the District Office, during the period June 7, 2013 through September 7, 2013, in the amount of \$99,493.00 plus tax and shipping, to be expended from Building Fund-Prop 39 Fund 21-39.
7. Trace3, Inc., to provide wireless infrastructure at remaining school sites, during the period June 7, 2013 through September 7, 2013, in the amount of \$122,061.25 plus tax and shipping, to be expended from Building Fund-Prop 39 Fund 21-39.
8. Berger ABAM Flores Lund Consultants, to provide aerial topography survey at Torrey Pines High School, during the period June 7, 2013 through December 7, 2013, in the amount of \$18,700.00, to be expended from Building Fund-Prop 39 Fund 21-39.
9. SWS Engineering, Inc., to provide aerial topography survey at La Costa Canyon High School, during the period June 7, 2013 through December 7, 2013, in the amount of \$9,950.00, to be expended from Building Fund-Prop 39 Fund 21-39.

- 10. Fredricks Electric, Inc. to provide and install electrical conduit, wiring and connections at La Costa Canyon High School, during the period June 7, 2013 through September 7, 2013, in the amount of \$54,210.00, to be expended from Building Fund-Prop 39 Fund 21-39.
- 11. Fredricks Electric, Inc. to provide and install data cabling at La Costa Canyon High School, during the period June 7, 2013 through September 7, 2013, in the amount of \$432,340.00, to be expended from Building Fund-Prop 39 Fund 21-39.
- 12. Johnson Consulting Engineers, Inc. to provide data backbone cabling system at La Costa Canyon High School, during the period June 7, 2013 through September 7, 2013, in the amount of \$23,500.00, to be expended from Building Fund-Prop 39 Fund 21-39.

H. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS  
(None Submitted)

I. AWARD/RATIFICATION OF CONTRACTS

Award/ratify the following contracts and authorize Christina M. Bennett or Eric R. Dill to execute all pertinent documents:

- 1. EC Constructors, Inc., Bid Package #1 Earthwork/Demolition Concrete, Oak Crest Middle School HVAC, during the period June 15, 2013 through August 12, 2013, in the amount of \$158,102.00, to be expended from Building Fund-Prop 39 Fund 21-39, pending DSA approval of plans.
- 2. Precision Electric Company, Bid Package #2 Electrical, Oak Crest Middle School HVAC, during the period June 15, 2013 through August 12, 2013, in the amount of \$227,500.00 to be expended from Building Fund-Prop 39 Fund 21-39, pending DSA approval of plans.
- 3. EC Constructors, Inc., Bid Package #1 Earthwork/Demolition Concrete, Diegueno Middle School HVAC, during the period June 15, 2013 through August 12, 2013, in the amount of \$296,594.00, to be expended from Building Fund-Prop 39 Fund 21-39, pending DSA approval of plans.
- 4. Pacific Winds Building, Inc., Bid Package #2 Electrical, Diegueno Middle School HVAC, during the period June 15, 2013 through August 12, 2013, in the amount of \$263,000.00 to be expended from Building Fund-Prop 39 Fund 21-39, pending DSA approval of plans.
- 5. GEM Industrial Inc., Bid Package #1, Oak Crest Middle School Field Project, during the period June 10, 2013 through July 26, 2013, in the amount of \$613,860.00, to be expended from Building Fund-Prop 39 Fund 21-39.

**ROLL CALL VOTE FOR CONSENT AGENDA..... (ITEMS 11 - 15)**

_____ Joyce Dalessandro	_____ Zoe Eprile, Torrey Pines High School
_____ Barbara Groth	_____ Kailey Lawson, Canyon Crest Academy
_____ Beth Hergesheimer	_____ Maria Lopez, San Dieguito Academy
_____ Amy Herman	_____ Allison Zimmerman, La Costa Canyon High School
_____ John Salazar	_____ Kirra Sarquilla, Sunset High School

**DISCUSSION / ACTION ITEMS..... (ITEMS 16 - 19)**

16. PROPOSED BOARD POLICY REVISIONS / SUPERINTENDENT / BOARD BYLAWS, (9 TOTAL), AS SHOWN IN THE ATTACHED SUPPLEMENT(S).

Motion by\_\_\_\_\_, second by\_\_\_\_\_, to approve the Board Policy Revision Proposals, as shown in the attached supplement(s).

17. APPROVAL OF RECEIPT AND USE OF TIER III CATEGORICAL FUNDING

- Open Public Hearing / Call for Public Comments
- Close Public Hearing



- Motion by \_\_\_\_\_, second by \_\_\_\_\_, to approve receipt and use of Tier III Categorical Funds in the amount of \$7,611,745.00, which includes ROP funding in the amount of \$1,645,857.00, be received and used as flexible Tier III funding, as shown in the attached supplement. The net amount after the Basic Aid "Fair Share" reduction is \$783,718.00.

18. APPROVAL OF APPOINTMENT AND EMPLOYMENT CONTRACT / ASSOCIATE SUPERINTENDENT OF EDUCATIONAL SERVICES, 2013 - 2016

Motion by \_\_\_\_\_, second by \_\_\_\_\_, to appoint Dr. Michael Grove as Associate Superintendent of Educational Services and approve an Employment Contract, as shown in the attached supplement(s).

19. APPROVAL OF EMPLOYMENT CONTRACT AMENDMENT FOR KEN NOAH, SUPERINTENDENT

Motion by \_\_\_\_\_, second by \_\_\_\_\_, to approve Amendment of Employment Contract for Ken Noah, Superintendent, as shown in the attached supplement(s).

**INFORMATION ITEMS..... (ITEMS 20 - 29)**

20. ACHIEVEMENT UPDATE ..... MIKE GROVE, ED.D., EXECUTIVE DIRECTOR

This item is being submitted as an information item only.

- A. 2012-13 Academic Performance Index (API) Information
- B. Single Plan Student Achievement (SPSA) Update

21. 2013-14 DISTRICT TENTATIVE BUDGET / GENERAL FUND & SPECIAL FUNDS

- A. General Fund
- B. Special Funds

This item is being submitted for review only as a first read and will be resubmitted for Board action on June 20, 2013.

22. BUSINESS SERVICES UPDATE ..... ERIC DILL, ASSOCIATE SUPERINTENDENT

23. HUMAN RESOURCES UPDATE ..... TORRIE NORTON, ASSOCIATE SUPERINTENDENT

24. EDUCATIONAL SERVICES UPDATE ..... RICK SCHMITT, DEPUTY SUPERINTENDENT

25. PUBLIC COMMENTS

In accordance with the Brown Act, unless an item has been placed on the published agenda, there shall be no action taken. The Board may 1) acknowledge receipt of the information, 2) refer to staff for further study, or 3) refer the matter to the next agenda. (See Board Agenda Cover Sheet)

26. FUTURE AGENDA ITEMS

27. ADJOURNMENT TO CLOSED SESSION .....(AS REQUIRED)

- A. Consideration and/or deliberation of student discipline matters (1 case)
- B. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.* (2 issues)
- C. To conference with Labor Negotiators, pursuant to Government Code Section 54957.8.  
Agency Negotiators: Superintendent, Deputy Superintendent, and Associate Superintendents  
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
- D. To confer with real property negotiator:  
Property: Approximately 13.5 acre portion of 305-031-29 and 305-040-36  
Agency Negotiator: Eric Dill, Associate Superintendent, Business and/or John Addleman, Director, Planning and Financial Management  
Negotiating Parties: Pardee Homes

Under negotiation: Instructions pertaining to price, terms of payment, and delivery

28. REPORT FROM CLOSED SESSION (AS NECESSARY)

29. MEETING ADJOURNED

*The next regularly scheduled Board Meeting will be held on [Thursday, June 20, 2013, at 6:30 PM](#) in the SDUHSD District Office Board Room 101. The District Office is located at 710 Encinitas Blvd., Encinitas, CA, 92024.*





**MINUTES**  
**OF THE**  
**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT**  
**BOARD OF TRUSTEES**  
**REGULAR BOARD MEETING**

Board of Trustees  
Joyce Dalessandro  
Barbara Groth  
Beth Hergesheimer  
Amy Herman  
John Salazar  
  
Superintendent  
Ken Noah

**MAY 16, 2013**

**THURSDAY, MAY 16, 2013**  
**6:30 PM**

**DISTRICT OFFICE BOARD ROOM 101**  
**710 ENCINITAS BLVD., ENCINITAS, CA. 92024**

**PRELIMINARY FUNCTIONS.....(ITEMS 1 – 6)**

1. President Groth called the meeting to order at 6:00 PM to receive public comments on Closed Session agenda items. No public comments were presented.
2. CLOSED SESSION .....(ITEM 2)  
The Board convened to Closed Session at 6:01 PM to discuss the following:
  - A. Consideration and/or deliberation of student discipline matters (1 case)
  - B. To consider personnel issues, pursuant to Government Code Sections 11126 and 54957; limited to consideration of the appointment, employment, evaluation of performance, discipline /release, dismissal of a public employee or to hear *complaints or charges brought against such employee by another person or employee unless the employee requests a public session.*  
(5 Issues: Superintendent Employment; plus 4 employee issues)
  - C. To conference with Labor Negotiators, pursuant to Government Code Section 54957.8.  
Agency Negotiators: Superintendent, Deputy Superintendent, and Associate Superintendents  
Employee Organizations: San Dieguito Faculty Association / California School Employees Association
  - D. To confer with real property negotiator:
 

Property:	Approximately 13.5 acre portion of 305-031-29 and 305-040-36
Agency Negotiator:	Eric Dill, Associate Superintendent, Business and/or John Addleman, Director, Planning and Financial Management
Negotiating Parties:	Pardee Homes
Under negotiation:	Instructions pertaining to price, terms of payment, and delivery

**OPEN SESSION / ATTENDANCE**

**BOARD OF TRUSTEES**

Joyce Dalessandro  
Barbara Groth  
Beth Hergesheimer  
Amy Herman  
John Salazar

**STUDENT BOARD REPRESENTATIVES**

Zoe Eprile, Torrey Pines High School  
Kailey Lawson, Canyon Crest Academy  
Maria Lopez, San Dieguito Academy  
Allison Zimmerman, La Costa Canyon High School  
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**DISTRICT ADMINISTRATORS / STAFF**

Ken Noah, Superintendent  
Eric Dill, Associate Superintendent, Business Services  
Torrie Norton, Associate Superintendent, Human Resources  
Rick Schmitt, Deputy Superintendent  
John Addleman, Director of Planning Services  
Russ Thornton, Executive Director, Planning and Construction  
Delores Perley, Director, Finance Dept  
Mary Anne Nuskin, Principal, Earl Warren Middle School

MINUTES, ITEM 6

- 3. RECONVENE REGULAR MEETING / CALL TO ORDER .....(ITEM 3)  
The regular meeting of the Board of Trustees was called to order at 6:33 PM by President Barbara Groth.
- 4. PLEDGE OF ALLEGIANCE .....(ITEM 4)  
President Groth led the Pledge of Allegiance.
- 5. REPORT OUT OF CLOSED SESSION .....(ITEM 5)  
The Board met in closed session and approved the recommended expulsion of Student #886641. Motion unanimously carried.
- 6. APPROVAL OF MINUTES, MAY 1 AND MAY 8, 2013, (SPECIAL CLOSED SESSIONS), AND MAY 2, 2013, (REGULAR BOARD MEETING)  
It was moved by Ms. Beth Hergesheimer, seconded by Mr. John Salazar, to approve Minutes of May 1, 2, and 8, 2013, as presented. Motion unanimously carried.

**NON-ACTION ITEMS ..... (ITEMS 7 - 10)**

- 7. STUDENT UPDATES.....STUDENT REPRESENTATIVES
  - A. STUDENT BOARD RECOGNITION.....KEN NOAH, SUPERINTENDENT  
Superintendent Noah presented each student with a certificate of appreciation on behalf of the district and Board of Trustees.
  - B. STUDENT UPDATES .....STUDENT REPRESENTATIVES  
Students gave updates about events and activities at their schools.
- 8. BOARD UPDATES ..... BOARD OF TRUSTEES  
All board members attended the Special Closed Session of May 8, 2013, for the purpose of interviewing Superintendent Candidates. They also participated in the district’s Annual Employee Recognition Event held earlier that evening.  
  
Ms. Barbara Groth – Attended a CIF Coordinating Council Meeting for the County of San Diego; and a meeting with State Superintendent of Public Instruction, Mr. Tom Torlakson. Mr. Noah also attended this meeting.  
  
Ms. Beth Hergesheimer – Visited Torrey Pines High School.
- 9. SUPERINTENDENT’S REPORTS, BRIEFINGS, AND LEGISLATIVE UPDATES..... KEN NOAH, SUPERINTENDENT  
Mr. Noah gave an update on a conference call with Schools for Sound Finance. He commented on the meeting he attended with Board President Barbara Groth, with State Superintendent Tom Torlakson, which Mr. Noah stated was a positive and productive meeting. Mr. Noah attended the Annual Crystal Apple Awards hosted by the Church of Latter Day Saints; several teachers and Superintendent Noah were recognized.
- 10. UPDATE, EARL WARREN MIDDLE SCHOOL..... MARY ANNE NUSKIN, PRINCIPAL  
Principal Nuskin celebrated accomplishments at Earl Warren Middle School in academic achievement, interventions and student support, student connections, and technology integration on campus. She also celebrated the school’s recent designation as a California Distinguished School.

**CONSENT ITEMS.....(ITEMS 11 - 15)**

\*It was moved by Ms. Joyce Dalessandro, seconded by Ms. Beth Hergesheimer, that all consent Items 11 through 15, be approved as listed below. Motion unanimously carried.

- 11. SUPERINTENDENT
  - A. GIFTS AND DONATIONS  
Accept the Gifts and Donations, as presented.
  - B. FIELD TRIP REQUESTS  
Accept the Field Trips, as presented.

**MINUTES, ITEM 6****C. APPROVAL OF CALIFORNIA INTERSCHOLASTIC FEDERATION (CIF) SAN DIEGO SECTION, CONTINUATION OF MEMBERSHIP AGREEMENT, 2013-14**

Approve the CIF Continuation of Membership Agreement for 2013-14 school year for annual renewal purposes, as required annually by State of California Interscholastic Federation Bylaws, and presented.

**D. AUTHORIZATION OF SCHOOLS' ATHLETIC LEAGUE REPRESENTATIVES, (CIF), 2013-14**

Approve the authorization of Schools' Athletic League Representatives for 2013-14 school year as required annually by State of California Interscholastic Federation Bylaws and presented.

**12. HUMAN RESOURCES****A. PERSONNEL REPORTS**

Approve matters pertaining to employment of personnel, salaries, leaves of absence, resignations, changes in assignments, extra duty assignments, and consultant services:

1. Certificated and/or Classified Personnel Reports, as presented.

**B. APPROVAL/RATIFICATION OF AGREEMENTS**

Approve/ratify entering into the following agreement and authorize Christina M. Bennett or Eric R. Dill to execute the agreements:

1. Azusa Pacific University for student teacher services, during the period July 1, 2013 through June 30, 2016.

**13. EDUCATIONAL SERVICES****A. APPROVAL/RATIFICATION OF AGREEMENTS**

Approve/ratify entering into the following agreement and authorize Christina M. Bennett or Eric R. Dill to execute the agreement:

1. Industrial Electric Commercial Parts & Service, Inc., to provide an annual Planned Preventative Maintenance Program (PPMP) and time and material "per district request" services on the commercial cooking and refrigeration equipment currently located at San Dieguito High School Academy, during the period May 17, 2013 through June 30, 2013 and then renewing automatically unless either party gives 30 day notice, at the rates of \$295.00 per annual PPMP service call not including parts, freight charges, and taxes, and \$94.00 for the first half hour of labor and travel for "per district request services" and \$94.00 per hour thereafter (charged in 15 minute increments) not including \$0.94 per mile for travel, to be expended from the General Fund 03-00.

**B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS**

Approve/ratify amending the following agreements and authorize Christina M. Bennett or Eric R. Dill to execute the agreements:

1. Carmel Valley Recreation Center, increasing the not to exceed amount for facility leases for Adult Education classes to \$5,685.00, to be expended from the Adult Education Fund 11-00.

**14. PUPIL SERVICES / SPECIAL EDUCATION****SPECIAL EDUCATION****A. APPROVAL/RATIFICATION OF NON-PUBLIC SCHOOL / NON-PUBLIC AGENCY CONTRACTS, INDEPENDENT CONTRACTOR AGREEMENTS, AND/OR MEMORANDUMS OF UNDERSTANDING (None Submitted)****B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS (None Submitted)****C. APPROVAL/RATIFICATION OF PARENT SETTLEMENT AND RELEASE AGREEMENTS**

**MINUTES, ITEM 6**

Approve/ratify the following Parent Settlement and Release Agreements, to be funded by the General Fund 06-00/Special Education, and authorize the Director of Special Education to execute the agreements:

1. Student ID No. 1097044053, in the amount of \$8,500.00 for compensatory education, during the period May 16, 2013 through June 30, 2014, and \$6,500.00 for parent reimbursement.

**PUPIL SERVICES**

- D. APPROVAL/RATIFICATION OF AGREEMENTS  
(None Submitted)

**15. BUSINESS / PROPOSITION AA****BUSINESS**

- A. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements:

1. Axiom Advisors & Consultants, Inc., to provide non-block grant mandate reimbursement services at the costs of \$2,000.00 for the Behavioral Intervention Plans mandate for fiscal years 1993-94 through 2011-12, plus \$225.00 per school site for mandate compliance check and outside audit preparation, and a 10% filing fee not to exceed \$1,000.00 per claim for all new and on-going mandate filing services, during the period May 17, 2013 through June 30, 2014, to be expended from the General Fund 03-00.

- B. APPROVAL/RATIFICATION OF AMENDMENT TO AGREEMENTS  
(None Submitted)

- C. AWARD/RATIFICATION OF CONTRACTS  
(None Submitted)

- D. APPROVAL OF CHANGE ORDERS  
(None Submitted)

- E. ACCEPTANCE OF CONSTRUCTION PROJECTS  
(None Submitted)

- F. APPROVAL OF BUSINESS REPORTS

Approve the following business reports:

1. Purchase Orders
2. Membership Listing (None Submitted)

**PROPOSITION AA**

- G. APPROVAL/RATIFICATION OF AGREEMENTS

Approve/ratify entering into the following agreements and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements:

1. Kitty Siino & Associates, Inc., appraisal services for Parcel 03 and Parcel 05 of Pacific Highlands Ranch, during the period May 17, 2013 through August 17, 2013, in the amount of \$7,000.00, to be expended from the Building Fund–Prop 39 Fund 21-39 and to be reimbursed 50% by Pardee Homes.
2. Field Turf USA, to provide synthetic turf for Field replacement project at Canyon Crest Academy, during the period May 17, 2013 through August 17, 2013, in the amount of \$657,260.00, to be expended from Building Fund–Prop 39 Fund 21-39.
3. Field Turf USA, to provide synthetic turf for Field replacement project at San Dieguito Academy, during the period May 17, 2013 through August 17, 2013, in the amount of \$614,621.00, to be expended from Building Fund–Prop 39 Fund 21-39.

MINUTES, ITEM 6

4. Gilbane Building Company, to provide Pre-construction services at La Costa Valley school site, during the period May 17, 2013 through May 17, 2014, in the amount of \$92,900.00, to be expended from Building Fund–Prop 39 Fund 21-39.
5. Gilbane Building Company, to provide Pre-construction services at La Costa Canyon High School Phase 1A and Phase 1B, during the period May 17, 2013 through May 17, 2014, in the amount of \$103,680.00, to be expended from Building Fund–Prop 39 Fund 21-39.
6. Dell Computers, for purchase and installation of an APC Server rack with built in Air Conditioning for the La Costa Canyon High School Server Room, during the period May 17, 2013 through August 17, 2013, in the amount of \$83,268.94, shipping not included, to be expended from Building Fund–Prop 39 Fund 21-39.
7. Ninyo & Moore, to provide Material Testing and Special Inspection Services on various District sites, during the period May 17, 2013 through May 17, 2014, in the amount of \$200,000.00, District may renew the contract annually up to five (5) years, to be expended from Building Fund–Prop 39 Fund 21-39.
8. Nova Services, to provide Material Testing and Special Inspection Services on various District sites, during the period May 17, 2013 through May 17, 2014, in the amount of \$200,000.00, District may renew the contract annually up to five (5) years, to be expended from Building Fund–Prop 39 Fund 21-39.
9. Southern California Soil & Testing, Inc., to provide Material Testing and Special Inspection Services on various District sites, during the period May 17, 2013 through May 17, 2014, in the amount of \$200,000.00, District may renew the contract annually up to five (5) years, to be expended from Building Fund–Prop 39 Fund 21-39.
10. Intratek Computer, Inc., to provide local area network (LAN) implementation at the District’s data center, during the period May 17, 2013 through completion, in an amount not to exceed \$35,356.50, to be expended from Building Fund–Prop 39 Fund 21-39.
11. Intratek Computer, Inc., to provide unified communications (UC) and UC specializations (UCS) implementation at the District’s data center, during the period May 17, 2013 through completion, in an amount not to exceed \$64,165.50, to be expended from Building Fund–Prop 39 Fund 21-39.
12. Geocon, Inc., to provide geotechnical investigations at Middle School #5, during the period of May 17, 2013 through completion, in an amount not to exceed \$26,500.00, to be expended from Building Fund- Prop 39 Fund 21-39.

H. AWARD/RATIFICATION OF CONTRACTS

Award/ratify the following contracts and authorize Christina M. Bennett or Eric R. Dill to execute all pertinent documents:

1. Byrom-Davey, Inc., Bid Package #1 Canyon Crest Academy Field Replacement - Field Replacement, during the period of May 23, 2013 through August 31, 2013, in the amount of \$1,793,529.00, to be expended from Building Fund–Prop 39 Fund 21-39.
2. J&B Engineers, Surveyors, Bid Package #2 Canyon Crest Academy Field Replacement - Surveying, during the period of May 23, 2013 through August 31, 2013, in the amount of \$10,950.00, to be expended from Building Fund–Prop 39 Fund 21-39.
3. David Beckwith & Associates, Bid Package #3 Canyon Crest Academy Field Replacement - SWPPP, during the period of May 23, 2013 through August 31, 2013, in the amount of \$85,000.00, to be expended from Building Fund–Prop 39 Fund 21-39.

**DISCUSSION / ACTION ITEMS ..... (ITEMS 16 - 20)**

16. PROPOSED BOARD POLICY REVISIONS / HUMAN RESOURCES, (9 TOTAL)

It was moved by Ms. Beth Hergesheimer, seconded by Ms. Amy Herman, to approve the Board Policy Revision Proposals, as presented. Motion unanimously carried.

MINUTES, ITEM 6

17. APPROVAL OF RECEIPT & EXPENDITURE OF EDUCATION PROTECTION ACCOUNT (EPA) FUNDING

It was moved by Ms. Amy Herman, seconded by Ms. Joyce Dalessandro, to approve the receipt and expenditure of Education Protection Account (EPA) funding, in the amount of \$2,404,936.00, as presented. Motion unanimously carried.

18. ADOPTION OF 2012-13 DISTRICT BUDGET / SPRING REVISION

It was moved by Zoe Eprile, seconded by Kailey Lawson, to adopt the 2012-13 District Budget / Spring Revision, as presented. Motion unanimously carried.

19. APPOINTMENT OF SUPERINTENDENT OF THE SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

Appointment of Rick Schmitt as Superintendent of the San Dieguito Union High School District, effective July 1, 2013

It was moved by Ms. Beth Hergesheimer, seconded by Ms. Joyce Dalessandro, to appoint Rick Schmitt as Superintendent of the San Dieguito Union High School District, effective July 1, 2013. Motion unanimously carried.

20. APPROVAL OF SUPERINTENDENT EMPLOYMENT CONTRACT, EFFECTIVE JULY 1, 2013 – JUNE 30, 2016

Approval of Employment Contract for Rick Schmitt, as Superintendent of the San Dieguito Union High School District, effective July 1, 2013 – June 30, 2016, as presented.

It was moved by Ms. Amy Herman, seconded by Ms. Joyce Dalessandro, to approve the employment contract for Rick Schmitt, as Superintendent of the San Dieguito Union High School District, effective July 1, 2013 – June 30, 2016, as presented. Motion unanimously carried.

**INFORMATION ITEMS.....(ITEMS 19 - 28)**

21. PROPOSED BOARD POLICY REVISIONS / SUPERINTENDENT / BOARD BYLAWS, (9 TOTAL), AS PRESENTED.

These policies were presented for first read and will be resubmitted for board action on June 6, 2013.

22. PROPOSED MIDDLE SCHOOL #5 CONCEPTUAL DESIGN UPDATE .....JOHN ADDLEMAN

Mr. Tom Christian, from Lionakis, addressed the board and gave a recap of a previous board meeting where all members were asked to provide input on structure preferences. Some renderings containing suggested structure preferences were previewed by the board.

24. BUSINESS SERVICES UPDATE ..... ERIC DILL, ASSOCIATE SUPERINTENDENT

Mr. Dill announced that a meeting with the County Tax Assessor is scheduled for May 30<sup>th</sup>. Mr. Dill will provide a detailed update for the board at the following board meeting.

25. HUMAN RESOURCES UPDATE ..... TORRIE NORTON, EXECUTIVE SUPERINTENDENT

Ms. Norton will be visiting Oak Crest Middle School and Canyon Crest Academy where she will be meeting with parents and staff separately, to receive feedback on what they are looking for in their next principal.

26. EDUCATIONAL SERVICES UPDATE ..... RICK SCHMITT, DEPUTY SUPERINTENDENT

Mr. Schmitt reported that all High School Choice students on the wait list were scheduled to be notified that there will be no one moved off the wait list.

27. PUBLIC COMMENTS – The following members of the public addressed the Board:

- Mrs. Janet Parker – addressed the district’s policies about high school of choice and asked that they reconsider her son’s request to attend a different school.

28. FUTURE AGENDA ITEMS - None discussed.

29. ADJOURNMENT TO CLOSED SESSION – No closed session was necessary.



30. CLOSED SESSION – Nothing further to report out of closed session.

31. ADJOURNMENT OF MEETING - Meeting adjourned at 7:53 PM.

\_\_\_\_\_  
Beth Hergesheimer, Board Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ken Noah, Superintendent

\_\_\_\_\_  
Date

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 29, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED AND  
SUBMITTED BY:** Ken Noah, Superintendent

**SUBJECT:** ACCEPTANCE OF GIFTS AND DONATIONS

.....

### EXECUTIVE SUMMARY

The district administration is requesting acceptance of gifts and donations to the district as shown on the following report.

### RECOMMENDATION:

The administration recommends that the Board accept the gifts and donations to the district as shown on the following report.

### FUNDING SOURCE:

Not applicable

KN/bb

GIFTS AND DONATIONS  
SDUHSD BOARD MEETING

ITEM 11A

June 6, 2013

Item #	Donation	Description	Donor	Department	School Site
1	*\$500.00	Clarinet (used)	Nancy Cohen-Dechter	Music	OCMS
2	\$44.00	Conservatory Teachers' Salaries	IBM Employee Services Center	Various	CCA
3	\$107.00	National Tournament - Mustang Minds	San Dieguito Academy	Various	SDA
4	\$780.00	Funding P.O. 222174	Canyon Crest Academy	Various	CCA
5	\$433.65	Artist in Residence - Mark Weed	Earl Warren Middle School PTSA	Music	EWMS
6	\$20.00	Rachel Rodas' Copy Account	Rachel Rodas	Social Studies	DNO
7	\$20,000.00	Misc. Donations - 2 at \$10,000.00 each	Carmel Valley Middle School PTSA	Various	CVMS
8	\$411.45	Quest Program	Canyon Crest Academy Foundation	Science	CCA
9	\$1,837.49	Computer Cart for Media Center	Canyon Crest Academy Foundation	Various	CCA
10	\$8,370.00	Chromebooks for Media Center	Canyon Crest Academy Foundation	Various	CCA
11	\$1,100.00	Playwriting Program	Canyon Crest Academy Foundation	Various	CCA
12	\$2,123.66	Tech Hours in Support of musical production	San Dieguito Academy	Theater	SDA
13	\$1,999.50	Website Design	Canyon Crest Academy Foundation	Various	CCA
14	\$6,944.61	Supplies/Computers for Quest Program	Canyon Crest Academy Foundation	Various	CCA
15	\$4,000.00	Audio Equipment	Canyon Crest Academy Foundation	Various	CCA
16	\$1,847.74	PE Equipment	Canyon Crest Academy Foundation	Physical Education	CCA
17	\$6,692.97	Media Center Thinkpads	Canyon Crest Academy Foundation	Various	CCA
18	\$725.00	Misc. Donations	Oak Crest Middle Foundation	Various	OCMS
19	\$3,402.63	Various Departmental Copy Expenses	Canyon Crest Academy Foundation	Various	CCA
	<b>\$60,839.70</b>	<b>Monetary Donations</b>			
	<b>*500.00</b>	<b>*Value of Donated Items</b>			
	<b>\$60,839.70</b>	<b>TOTAL VALUE</b>			

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 29, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Rick Schmitt  
Deputy Superintendent

**SUBMITTED BY:** Ken Noah, Superintendent

**SUBJECT:** Approval / Ratification of Field Trip Requests

-----

### EXECUTIVE SUMMARY

The district administration is requesting approval / ratification of out-of-state, overnight, and / or out-of-county field trips, as shown on the attached reports.

### RECOMMENDATION:

The administration recommends that the Board approve / ratify the field trips, as shown on the attached supplement.

### FUNDING SOURCE:

As listed on the attached supplement.

**FIELD TRIP REQUESTS**  
**SDUHSD BOARD MEETING**  
**June 6, 2013**

ITEM 11B

Item #	Date	Sponsor, Last Name	First Name	School Team/Club	Total # Students	Total # Chaperones	Event Description / Name of Conference	City	State	Loss of Class Time	\$ Cost
1	09/19/13	Sovacool	Sean	LCC Frosh Football	80	6	Football Game	San Clemente	CA	1 Period	LCC Foundation
2	09/20/13	Sovacool	Sean	LCC Varsity Football	80	6	Football Game	San Clemente	CA	None	LCC Foundation
3	09/26/13 - 09/28/13	Thorne	Brett	TPHS Cross Country	14	4	Stanford Invitational Cross Country Meet	Palo Alto	CA	2 Days	TPHS Foundation

\* Dollar amounts are listed only when District/site funds are being spent.  
Other activities are paid for by student fees or ASB funds.

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 24, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Torrie Norton  
Associate Superintendent/Human Resources

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL OF CERTIFICATED and  
CLASSIFIED PERSONNEL

-----

### EXECUTIVE SUMMARY

Please find the following Personnel actions attached for Board Approval:

#### Certificated

Employment  
Appointment  
Reassignment  
Leave of Absence  
Resignation

#### Classified

Employment  
Resignation

#### RECOMMENDATION:

It is recommended that the Board approve the attached Personnel actions.

#### FUNDING SOURCE:

General Fund



## PERSONNEL LIST

### CERTIFICATED PERSONNEL

#### Employment

1. **Meredith Amsbaugh**, Probationary Coordinator of Special Education at the District Office & Seaside Prep beginning in the 2013-14 school year, effective 7/01/13.
2. **Christine Best**, 100% Temporary Special Education Teacher (mild/moderate disabilities) in the Learning Center at Earl Warren Middle School, for the 2013-14 school year, effective 8/20/13 through 6/13/14.
3. **Megan Clements**, Temporary Teacher (biology) at San Dieguito Academy for the 2013-14 school year, 33% assignment Semester I - effective 8/20/13 to 1/24/14; and 67% assignment Semester II – effective 1/27/14 to 6/13/14.
4. **Monica Cordova**, 100% Temporary District Program Specialist in the Special Education Department, for the 2013-14 school year, effective 8/20/13 through 6/13/14.
5. **Kristen Cullen**, 100% Temporary Teacher (English) at Torrey Pines High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
6. **Collin Elliott**, 100% Temporary Teacher (English) at Carmel Valley Middle School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
7. **David Evers**, 100% Temporary Teacher (physics) at La Costa Canyon High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
8. **Kathryn Freeman**, 60% Temporary Teacher (life science) at Carmel Valley Middle School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
9. **Jeffrey Green**, 100% Temporary Special Education Teacher (mild/moderate disabilities) at Seaside Prep @ Torrey Pines High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
10. **Ty Guzik**, 100% Temporary Special Education Teacher (mild/moderate disabilities) at La Costa Canyon High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
11. **Noelle Hanggie**, 100% Temporary Teacher (English) at Carmel Valley Middle School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
12. **Melissa Harkiewicz**, 100% Temporary Special Education Teacher (mild/moderate), site not yet determined, for the 2013-14 school year, effective 8/20/13 through 6/13/14.
13. **Rachel Krause**, 80% Temporary Teacher (English and Speech & Debate) at Torrey Pines High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
14. **Kajsa Medak**, 100% Temporary Teacher (art) at San Dieguito Academy for the 2013-14 school year, effective 8/20/13 through 6/13/14.
15. **Rachel Page**, 100% Permanent District Program Specialist for Special Education (former certificated employee rehired within 39-months), beginning in the 2013-14 school year, effective 8/20/13.

16. **Patricia Reeves**, 100% Temporary Special Education Teacher (mild/moderate disabilities) at San Dieguito Academy for the 2013-14 school year, effective 8/20/13 through 6/14/13.
17. **Michael Riese**, 100% Temporary Teacher (physical education) at Canyon Crest Academy for the 2013-14 school year, effective 8/20/13 through 6/13/14.
18. **Mary Sisti**, 100% Temporary Special Education Teacher (mild/moderate) in the Learning Center at Earl Warren Middle School for the 2013-14 school year, effective 8/20/13 through 6/13/14.
19. **Katherine Stapko**, 80% Temporary Teacher (physics) at La Costa Canyon High School for the 2013-14 school year, effective 8/20/13 through 6/13/14.

### **Appointment**

1. **Michael Grove**, Executive Director of Curriculum & Assessment at the District Office, appointed to the position of Associate Superintendent/Educational Services at the District Office, in the 2013-14 school year, effective 7/01/13.

### **Reassignment**

1. **Douglas Kamon**, High School Assistant Principal at La Costa Canyon High School, reassigned to the position of Middle School Assistant Principal at Earl Warren Middle School, in the 2013-14 school year, effective 7/01/13.

### **Change in Assignment**

1. **Staci Ortiz-Davis**, Teacher (English/ELD) at Torrey Pines High School, change in assignment to Teacher on Special Assignment/EL in Ed Services at the District Office for the 2013-14 school year, effective 8/20/13 through 6/13/14.

### **Leave of Absence**

1. **Kari DiGiulio**, Teacher (English) and Athletic Director at La Costa Canyon High School, requests to rescind her previously-approved request for a 20% Unpaid Leave of Absence (80% assignment) for the 2013-14 school year, and resume her 100% assignment, effective 8/20/13.
2. **Bryn Faris**, Teacher (Spanish) at Canyon Crest Academy, requests a transfer to San Dieguito Academy in the 2013-14 school year, and a 100% Unpaid Leave of Absence Semester I, effective 8/20/13 through 1/24/14; Bryn will resume her 100% teaching assignment Semester II, effective 1/27/13 through 6/13/14.
3. **Diana Spragg**, Teacher (math) at Canyon Crest Academy, requests a 100% Unpaid Leave of Absence for the remainder of the 2012-13 school year, for child-rearing purposes, effective 6/05/13 through 6/14/13.

ITEM 12A

4. **Sato Umabe** Teacher (Japanese language) at Torrey Pines High School, requests a 20% Unpaid Leave of Absence (80% assignment) for the 2013-14 school year, effective 8/20/13 through 6/13/14.

**Resignation**

1. **Brian Köhn**, High School Principal at Canyon Crest Academy, resignation from employment, effective 6/30/13.
2. **Denise Stanley**, Principal at San Dieguito Adult School, resignation from employment, effective 6/30/13.

## PERSONNEL LIST

### CLASSIFIED PERSONNEL

#### Change in Assignment

1. **Meanley, Delores**, Secretary, SR36, 37.5% FTE, Torrey Pines Foundation (layoff) transfer to Secretary, SR36, 48.75% FTE, District Office-Special Education, effective 7/01/13

#### Resignation

1. **Cline, Clifton**, School Bus Driver, SR38, 50% FTE, Transportation Department, resignation effective 5/28/13
2. **Corder, Donna**, Payroll Technician, SR44, 100% FTE, District Office, resignation for the purpose of retirement, effective 9/29/13
3. **Dowell, Cathy**, Instructional Assistant SpEd-SH, SR36, 75% FTE, San Dieguito Academy, resignation for the purpose of retirement, effective 6/14/13
4. **Martin, Erendida**, Accounting Technician, SR42, 100% FTE, District Office-Finance, resignation effective 5/22/13
5. **Paragone, Katherine**, Instructional Assistant SpEd, SR34, 37.5% FTE, Diegueño MS, effective 5/31/13
6. **Sanchez, George**, Lead Grounds Worker, SR44, 100% FTE, Facilities Department, effective 6/12/13

ITEM 12B

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 30, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Christina M. Bennett, Director of Purchasing/Risk Mgt  
Eric R. Dill, Associate Superintendent/Business

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF  
PROFESSIONAL SERVICES CONTRACT/ HUMAN  
RESOURCES

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### EXECUTIVE SUMMARY

The attached Professional Services Report/Human Resources summarizes one contract.

#### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contract, as shown in the attached Professional Services Report.

#### FUNDING SOURCE:

As noted on attached list.

ITEM 12B

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT**

**HUMAN RESOURCES - PROFESSIONAL SERVICES REPORT**

**Date: 06-06-13**

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
07/01/13 until terminated by the District at any time or by Fagen Friedman & Fulfrost LLP with ten (10) day written notice	Fagen Friedman & Fulfrost LLP	Provide legal services	General Fund 03-00	At the rates shown on the Professional Rate Schedule





Fagen Friedman & Fulfrost LLP

**PROFESSIONAL RATE SCHEDULE**

San Dieguito Union High School District  
(Effective July 1, 2013)

**1. HOURLY PROFESSIONAL RATES**

Client agrees to pay Attorney by the following standard hourly rate:

Associate	\$185 - \$195 per hour
Partner	\$230 - \$250 per hour
Of-Counsel	\$250 per hour
Paralegal/Law Clerk	\$110 - \$130 per hour
Education Consultant	\$145 per hour
Communication Services Consultant	\$195 per hour

Travel time shall be charged only from the attorney's nearest office to the destination and shall be prorated if the assigned attorney travels for two or more clients on the same trip. If Client requests a specific attorney, Client agrees to pay for all travel time of that specific attorney in connection with the matter.

**2. ON-SITE LEGAL SERVICES**

At Client's discretion and by prior arrangement of Client and Attorney, Attorney may provide regularly scheduled on-site legal services ("Office Hours") to address legal issues that may arise in Client's day-to-day operations. **Office Hours for Client consists of eight (8) hours at the Client's administrative offices and travel to and from Client.** Office Hours shall be provided at a reduced daily rate. The rate for Office Hours shall be, and the client agrees to pay Attorney, as follows:

Associate	\$1,760 (discounted from \$1,950)
Partner	\$2,250 (discounted from \$2,500)

**3. COSTS AND EXPENSES**

In-office Photocopying	\$0.25 per page
Facsimile	\$1.00 per page
Postage	Actual Usage
Mileage	IRS Standard Rate

Other costs, such as messenger, meals, and lodging shall be charged on an actual and necessary basis.

ITEM 13A

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 30, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Michael Grove, Executive Director of Curriculum,  
Instruction and Assessment  
Rick Schmitt, Deputy Superintendent

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF  
PROFESSIONAL SERVICES CONTRACT/  
EDUCATIONAL SERVICES

-----

### EXECUTIVE SUMMARY

The attached Professional Services Report/Educational Services summarizes one contract.

#### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contract, as shown in the attached Professional Services Report.

#### FUNDING SOURCE:

As noted on attached list

ITEM 13A

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT**

**EDUCATIONAL SERVICES - PROFESSIONAL SERVICES REPORT**

**Date: 06-06-13**

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
05/27/13 – 05/26/16 and then renewing automatically for annual periods unless terminated with 30 day written advance notice	Blackboard, Inc.	Provide Blackboard Learn Learning Management System for online and blended classwork	General Fund 03-00	An initial amount not to exceed \$112,500.00 for the first three years

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 29, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Michael Grove  
Executive Director

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL OF MODIFIED PASSING  
CAHSEE SCORES FOR CLASS OF 2013/14

-----

### EXECUTIVE SUMMARY

All students must pass the CAHSEE as a condition of receiving a high school diploma. If specified in the student's Individualized Educational Plan (IEP), students with disabilities may use modifications on one or both parts of the CAHSEE. If the student uses the modification and receives a passing score, the score is not valid.

However, at the request of a parent/guardian, a school principal may submit a request for a waiver to the District Board of Trustees for students with disabilities who took the CAHSEE with modifications **and** received the equivalent of a passing score on one or both parts of the CAHSEE.

During the March administration of CAHSEE we had twelve students in the Class of 2013 and nine students in the Class of 2014 who took the CAHSEE with an allowable modification and received a **passing 'MODIFIED' score**.

### RECOMMENDATION:

It is recommended that the Board validate the equivalent of a passing score for eligible students who used allowable modifications outlined in their IEP and ratify, that for these eligible students, the CAHSEE requirement has been satisfied.

ITEM 13C

Students in the Classes of 2013 and 2014 who took the CAHSEE with allowable modifications and received the equivalent of a passing score:

8963178457987  
8962018120275  
8892018195785  
8886018120224  
8893032234087  
9996025543784  
8897036043466  
8891025549943  
8963042069107  
8964041601290  
8894023520020  
8887151296026  
8963015446207  
8954035686490  
8968049873868  
8891038105933  
8966197762924  
8897011455736  
8893018539687  
8962039274325  
8897011455286

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 23, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Chuck Adams, Director of Special Education  
Rick Schmitt, Deputy Superintendent

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF AGREEMENTS

-----

### EXECUTIVE SUMMARY

The attached Special Education Agreements report summarizes two contracts.

### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contracts as shown on the attached Special Education Agreements report.

### FUNDING SOURCE:

As noted on the attached report.

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT BOARD MEETING**

**ITEM 14A**

**SPECIAL EDUCATION AGREEMENTS**

**DATE: 06-06-13**

<b><u>Contract Effective Dates</u></b>	<b><u>Contractor/Vendor</u></b>	<b><u>Description of Services</u></b>	<b><u>School/ Department Budget</u></b>	<b><u>Fee Not to Exceed</u></b>
04/25/13 – 06/30/13	Newport Beach Developmental Optometry Group – NPA	Developmental Optometry Services	General Fund/ Restricted 06-00	At the rates shown on the attached rate sheet
04/12/13 – 06/30/13	Vista Unified School District – MOU	Provide transportation services and a bus attendant for a San Dieguito Union High School District special education student residing in a Vista group home to TERI, Inc., an NPS under contract with the District	General Fund/ Restricted 06-00	\$7,417.43

Attachment "A"

ITEM 14A

**Newport Beach**

**Developmental Optometry Group**

901 Dover Dr. Suite 100 Newport Beach, California 92660 Ph: (949)642-0292 Fax: (949)642-0298

**Beth E. Ballinger, O.D., F.C.O.V.D.**  
Infant/Children's Vision Examinations  
Vision and Perceptual Training  
Vision Development

**Steven Cohn, O.D., F.C.O.V.D.**  
Preventive Vision Care  
Contact Lenses  
Vision Therapy

**FEE SCHEDULE FOR SERVICES RENDERED BY:**

**Dr. Beth E. Ballinger  
Dr. Steven Cohn**

Contact Person: JO ANN

**AS NON-PUBLIC AGENCY**

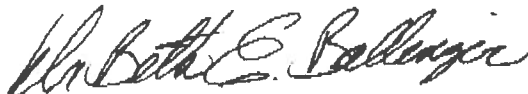
Beth E. Ballinger's Tax Payer ID#: 157-38-6934

- 1). VISUAL EVALUATION.....\$150.00 per hour
- 2). VISUAL PERCEPTUAL TESTING.....\$550.00 per battery/includes report
- 3). VISION TRAINING.....\$130.00 per hour
- 4). PROGRESS EVALUATION.....\$80.00 per ½ hour
- 5). SPECIAL CIRCUMSTANCE.....\$175.00 per hour/Dr. home visit (2 times per week)
- 6). IEP ATTENDANCE/PHONE CONFERENCE....\$250.00/\$500.00 per hour portal to portal

\* Each UNIT of vision training consists of 8 sessions followed by a PROGRESS EVALUATION.

If you have any questions regarding our fees, please don't hesitate to call our office. You may contact Debra Heseman at the Department of Education in Sacramento if you have any questions regarding our Non-Public Agency Certification.

Sincerely,



Beth E. Ballinger, O.D., F.C.O.V.D.  
Fellow College of Optometrists in Vision Development



# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 23, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Chuck Adams, Director of Special Education  
Rick Schmitt, Deputy Superintendent

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF  
AMENDMENTS TO AGREEMENTS

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### EXECUTIVE SUMMARY

The attached Special Education Amendment to Agreements Report summarizes two amendments to agreements.

### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the amendment to agreements, as shown on the attached Special Education Amendment Report.

### FUNDING SOURCE:

As noted on the attached report.

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT BOARD MEETING**

**ITEM 14B**

**SPECIAL EDUCATION – AMENDMENTS TO AGREEMENTS REPORT**

**DATE: 06-06-13**

<b><u>Contract Effective Dates</u></b>	<b><u>Contractor/Vendor</u></b>	<b><u>Description of Services</u></b>	<b><u>School/ Department Budget</u></b>	<b><u>Fee Not to Exceed</u></b>
NA	San Diego Unified School District (SDUSD) – MOU	Amending the not to exceed amount for SDUSD to provide special education services for a medically fragile San Dieguito Union High School District special education student from \$2,930.00 to \$7,758.00	General Fund/ Restricted 06-00	\$7,758.00
NA	San Diego Unified School District (SDUSD) – MOU	Amending the not to exceed amount for SDUSD to provide special education services for a brain injury San Dieguito Union High School District special education student from \$14,850.00 to \$29,700.00,	General Fund/ Restricted 06-00	\$29,700.00

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 30, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Christina M. Bennett, Director of Purchasing/Risk Mgt  
Eric R. Dill, Associate Superintendent/Business

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF  
PROFESSIONAL SERVICES CONTRACTS/  
BUSINESS

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### EXECUTIVE SUMMARY

The attached Professional Services Report/Business summarizes two contracts.

### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the contracts, as shown in the attached Professional Services Report.

### FUNDING SOURCE:

As noted on attached report.

## SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

### BUSINESS - PROFESSIONAL SERVICES REPORT

Date: 06-06-13

<u>Contract Effective Dates</u>	<u>Contractor/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
07/01/13 – 06/30/14	School Facility Consultants	Provide consulting services regarding state school facility funding applications	Capital Facilities Fund 25-19	\$30,000.00
03/18/13 until project completion	Sowards and Brown Engineering, Inc.	Prepare the map for annexation number 19 to Community Facilities District No. 95-2	Mello Roos Funds subject to reimbursement by the developer	\$4,400.00

ITEM 15B

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 30, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Christina M. Bennett, Director of Purchasing/Risk Mgt  
Eric R. Dill, Associate Superintendent/Business

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF  
AMENDMENTS TO AGREEMENTS  
/ BUSINESS

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### EXECUTIVE SUMMARY

The attached Amendments to Agreements Report summarizes three contracts.

### RECOMMENDATION:

The administration recommends that the Board approve and/or ratify the amendments to agreements, as shown in the attached Amendment Report.

### FUNDING SOURCE:

As noted on attached report.

ITEM 15B

**SAN DIEGUITO UNION HIGH SCHOOL DISTRICT**

**BUSINESS SERVICES - AMENDMENT TO AGREEMENTS REPORT**

**Date: 06-06-13**

<b><u>Contract Effective Dates</u></b>	<b><u>Contractor/ Vendor</u></b>	<b><u>Description of Services</u></b>	<b><u>School/ Department Budget</u></b>	<b><u>Fee Not to Exceed</u></b>
03/28/13 – 03/27/14 and then continuing annually unless terminated with 15 day advance notice	Google, Inc.	Extending the Google archiving and discovery services agreement	NA	NA
06/10/13 – 06/09/14	Urban Tree Care, Inc.	District wide tree trimming services, extending the contract with no other changes	Expended from the fund to which the project is charged	NA
04/13/13 – 04/12/14	Sol Transportation, Inc.	Special education transportation services, extending the contract with no other changes	General Fund/ Restricted 06-00	NA

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 30, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Eric R. Dill  
Associate Superintendent, Business

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** APPROVAL OF BUSINESS REPORTS

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### EXECUTIVE SUMMARY

Please find the following business reports submitted for your approval:

1. Purchase Orders
2. Membership Listing (None Submitted)

### RECOMMENDATION:

It is recommended that the Board approve the following business reports: 1) Purchase Orders, and 2) Membership Listings (None Submitted).

### FUNDING SOURCE:

Not applicable

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH  
FROM 05/07/13 THRU 05/27/131  
ITEM 15F

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
232553	05/07/13	03	APPERSON EDUCATION P	024	NON-CAPITALIZED TECH	\$7,741.95
232554	05/07/13	03	SOUTHWEST SCHOOL/OFF	013	MATERIALS AND SUPPLI	\$270.10
232555	05/07/13	03	TREETOP PUBLISHING I	004	MATERIALS AND SUPPLI	\$35.35
232556	05/07/13	03	MISSION FEDERAL CRED	013	MATERIALS AND SUPPLI	\$278.97
232557	05/07/13	03	PURCHASE ORDER	013	SCHOLARSHIPS	\$150.00
232558	05/07/13	21-09	DIGITAL NETWORKS GRO	036	IMPROVEMENT	\$23,808.44
232559	05/07/13	03	BLICK, DICK (DICK BL	004	MATERIALS AND SUPPLI	\$488.72
232560	05/07/13	03	AMAZON.COM	024	MATERIALS AND SUPPLI	\$234.99
232561	05/07/13	03	B&H PHOTO-VIDEO-PRO	013	MATERIALS AND SUPPLI	\$186.69
232562	05/07/13	03	SARGENT WELCH SCIENT	013	NON CAPITALIZED EQUI	\$2,537.76
232563	05/07/13	03	KEREKES BAKERY & RES	013	NON CAPITALIZED EQUI	\$647.42
232564	05/07/13	03	MORNINGSTAR PRODUCTI	014	RENTS & LEASES	\$8,999.99
232565	05/07/13	03	AMAZON.COM	024	MATERIALS AND SUPPLI	\$32.28
232566	05/07/13	21-39	SAN DIEGO DAILY TRAN	036	LAND IMPROVEMENTS	\$428.00
232567	05/07/13	06	MAYER JOHNSON COMPAN	030	COMPUTER SOFTWARE	\$127.43
232568	05/08/13	06	UCSD - POST AWARD FI	040	PROF/CONSULT./OPER E	\$31,899.65
232569	05/08/13	03	D A D ASPHALT	025	REPAIRS BY VENDORS	\$325.00
232570	05/08/13	25-18	FREDRICKS ELECTRIC I	036	OTHER SERV.& OPER.EX	\$2,752.00
232571	05/08/13	21-39	GEOCON INCORPORATED	036	IMPROVEMENT	\$18,500.00
232572	05/08/13	21-39	GEOCON INCORPORATED	036	IMPROVEMENT	\$18,500.00
232573	05/08/13	03	MEETING SERVICES INC	005	RENTS & LEASES	\$3,642.00
232574	05/08/13	03	MISSION FEDERAL CRED	003	MATERIALS AND SUPPLI	\$100.00
232575	05/08/13	03	AREY JONES EDUCATION	035	NON-CAPITALIZED TECH	\$20,281.60
232576	05/08/13	03	NEWMIND GROUP INC	035	MATERIALS AND SUPPLI	\$10,546.20
232577	05/08/13	03/06	NEWMIND GROUP INC	035	MATERIALS AND SUPPLI	\$20,924.40
232578	05/08/13	06	AREY JONES EDUCATION	035	NON-CAPITALIZED TECH	\$22,486.80
232579	05/08/13	03	AREY JONES EDUCATION	035	NON-CAPITALIZED TECH	\$18,444.96
232580	05/08/13	03	AREY JONES EDUCATION	035	NON-CAPITALIZED TECH	\$21,756.55
232581	05/08/13	03	PREMIER BUSINESS CEN	020	RENTS & LEASES	\$1,014.00
232582	05/08/13	03	MISSION FEDERAL CRED	012	MATERIALS AND SUPPLI	\$431.99
232583	05/09/13	21-39	BALFOUR BEATTY CONST	036	LAND IMPROVEMENTS	\$445,015.00
232585	05/09/13	06	ALL-BATTERY.COM	013	MATERIALS AND SUPPLI	\$233.29
232586	05/09/13	03	AMAZON.COM	013	MATERIALS AND SUPPLI	\$343.93
232587	05/09/13	06	OAK GROVE INSTITUTE	030	ROOM & BOARD	\$21,975.29
232588	05/09/13	21-39	SIEMENS INDUSTRY, I	036	IMPROVEMENT	\$4,347,770.00
232589	05/09/13	03	SWEETWATER SOUND	012	MATERIALS AND SUPPLI	\$258.12
232591	05/09/13	03	MISSION FEDERAL CRED	013	MATERIALS AND SUPPLI	\$258.12
232592	05/09/13	03	STAPLES ADVANTAGE	013	MATERIALS AND SUPPLI	\$58.67
232593	05/09/13	03	NEWMIND GROUP INC	013	MATERIALS AND SUPPLI	\$301.32
232594	05/09/13	06	TIMONY, GREG & THERE	030	PAY IN LIEU OF TRANS	\$68.43
232595	05/09/13	03	AREY JONES EDUCATION	014	NON-CAPITALIZED TECH	\$6,692.97
232596	05/10/13	03	B&H PHOTO-VIDEO-PRO	012	MATERIALS AND SUPPLI	\$879.24
232597	05/10/13	03	EDGENUITY INC.	024	EQUIPMENT	\$115,822.00
232598	05/10/13	03	PLAYWRIGHTS PROJECT	014	PROF/CONSULT./OPER E	\$1,100.00
232599	05/10/13	03	DESIGN SCIENCE INC	024	COMPUTER LICENSING	\$1,703.16
232600	05/10/13	03	MOBIL CONSTRUCTION S	025	OTHER SERV.& OPER.EX	\$3,047.50
232601	05/10/13	03/06	SAN MARCOS UNIFIED S	028	FLD. TRIPS BY PRV. C	\$5,000.00
232602	05/10/13	06	ATG REHAB	030	REPAIRS BY VENDORS	\$98.06
232603	05/13/13	13	SAN DIEGO RESTAURANT	031	MATERIALS AND SUPPLI	\$499.39
232604	05/13/13	13	P C S REVENUE CONTRO	031	COMPUTER SUPPLIES	\$3,396.68
232606	05/13/13	03	COUNTY BURNER & MACH	025	BLDG.-REPAIR MATERIA	\$932.53
232607	05/13/13	13	ENCINITAS GLASS COMP	031	REPAIRS BY VENDORS	\$1,975.00
232608	05/13/13	03	RASIX COMPUTER CENTE	010	MATERIALS AND SUPPLI	\$275.08
232609	05/13/13	03	RASIX COMPUTER CENTE	013	MATERIALS AND SUPPLI	\$537.30
232610	05/13/13	03	SAN DIEGUITO UHSD CA	003	REFRESHMENTS	\$138.75



PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH  
FROM 05/07/13 THRU 05/27/13

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PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
232611	05/13/13	06	ONE STOP TONER AND I	014	MATERIALS AND SUPPLI	\$399.55
232612	05/13/13	06	ADVANCED RADIATORLLC	028	REPAIRS-VEHICLES	\$388.75
232613	05/13/13	03	FURNITURE25.COM	035	NON-CAPITALIZED TECH	\$3,318.00
232614	05/13/13	06	FURNITURE25.COM	035	NON-CAPITALIZED TECH	\$3,318.00
232615	05/14/13	03	RASIX COMPUTER CENTE	004	MATERIALS AND SUPPLI	\$109.24
232616	05/14/13	06	RASIX COMPUTER CENTE	030	MATERIALS AND SUPPLI	\$291.14
232617	05/14/13	06	ONE STOP TONER AND I	030	MATERIALS AND SUPPLI	\$307.79
232618	05/14/13	03	STAPLES ADVANTAGE	005	MATERIALS AND SUPPLI	\$43.18
232619	05/14/13	13	SEASIDE HEATING AND	025	OTHER SERV.& OPER.EX	\$1,782.00
232620	05/14/13	03	BREVIG PLUMBING	025	REPAIRS BY VENDORS	\$3,372.00
232621	05/14/13	06	MISSION FEDERAL CRED	013	NON CAPITALIZED EQUI	\$712.75
232622	05/14/13	06	AMAZON.COM	013	MATERIALS AND SUPPLI	\$28.04
232623	05/14/13	03	AMAZON.COM	013	MATERIALS AND SUPPLI	\$112.15
232626	05/14/13	06	FURNITURE25.COM	035	NON-CAPITALIZED TECH	\$1,841.70
232627	05/14/13	06	FURNITURE25.COM	035	NON-CAPITALIZED TECH	\$1,841.70
232628	05/15/13	03	AMAZON.COM	023	MATERIALS AND SUPPLI	\$42.12
232629	05/15/13	03	NEW MANAGEMENT, INC.	037	MATERIALS AND SUPPLI	\$1,687.20
232630	05/15/13	06	MISSION FEDERAL CRED	010	MATERIALS AND SUPPLI	\$128.21
232631	05/15/13	06	B&H PHOTO-VIDEO-PRO	010	NON-CAPITALIZED TECH	\$2,923.47
232632	05/15/13	06	AMAZON.COM	014	MATERIALS AND SUPPLI	\$47.92
232633	05/15/13	06	APPLE COMPUTER INC	014	MATERIALS AND SUPPLI	\$434.16
232634	05/15/13	03	ROMAN'S TRUCK BODY &	025	REPAIRS BY VENDORS	\$4,234.66
232635	05/16/13	06	RASIX COMPUTER CENTE	030	MATERIALS AND SUPPLI	\$364.34
232636	05/16/13	03	XEROX CORPORATION	020	COMMUNICATIONS-POSTA	\$8.63
232637	05/16/13	03	AREY JONES EDUCATION	035	NON-CAPITALIZED TECH	\$12,676.00
232638	05/16/13	06	RASIX COMPUTER CENTE	030	MATERIALS AND SUPPLI	\$136.83
232639	05/16/13	03	CENTER FOR WORLD MUS	014	PROF/CONSULT./OPER E	\$400.00
232640	05/16/13	03	ONE STOP TONER AND I	004	MATERIALS AND SUPPLI	\$140.39
232641	05/16/13	03	RURAL/METRO	005	OTHER SERV.& OPER.EX	\$340.00
232642	05/16/13	03	RASIX COMPUTER CENTE	013	MATERIALS AND SUPPLI	\$156.92
232643	05/16/13	03	STAPLES ADVANTAGE	013	MATERIALS AND SUPPLI	\$63.12
232644	05/17/13	06	AMAZON.COM	005	MATERIALS AND SUPPLI	\$100.69
232645	05/17/13	03	MARKSMAN MANUFACTURI	025	NON CAPITALIZED EQUI	\$4,822.20
232646	05/20/13	21-39	FIELDTURF USA INC	036	LAND IMPROVEMENTS	\$614,621.00
232647	05/20/13	21-39	FIELDTURF USA INC	036	LAND IMPROVEMENTS	\$657,260.00
232648	05/20/13	21-39	DELL COMPUTER CORPOR	036	EQUIPMENT REPLACEMEN	\$83,268.94
232649	05/20/13	03	SIGLER WHOLESALE DIS	025	NON CAPITALIZED EQUI	\$711.19
232650	05/21/13	03	GLOBAL INNOVATIONS C	037	MATERIALS AND SUPPLI	\$181.72
232651	05/21/13	03	COLLEGE BOARD	005	MATERIALS AND SUPPLI	\$50.00
232652	05/21/13	03	SAN DIEGO COUNTY OFF	020	FEES - ADMISSIONS, T	\$120.00
232653	05/21/13	13	SAN DIEGO RESTAURANT	010	NON CAPITALIZED EQUI	\$4,240.30
232654	05/21/13	06	BAKER, DAVID &/OR	030	MEDIATION SETTLEMENT	\$8,500.00
232655	05/21/13	21-39	INTRATEK COMPUTER, I	036	EQUIPMENT REPLACEMEN	\$64,165.50
232656	05/21/13	21-39	INTRATEK COMPUTER, I	036	EQUIPMENT REPLACEMEN	\$35,356.50
232657	05/21/13	03	SIGLER WHOLESALE DIS	025	BLDG.-REPAIR MATERIA	\$476.37
232658	05/21/13	03	FERGUSON ENTERPRISES	025	NON CAPITALIZED EQUI	\$2,358.72
232659	05/22/13	06	BASHAR, FAYE	030	OTHER SERV.& OPER.EX	\$1,000.00
232660	05/22/13	06	LANELAW CLIENT TRUST	030	MEDIATION SETTLEMENT	\$6,500.00
232661	05/22/13	21-09	FREDRICKS ELECTRIC I	036	NON-CAPITALIZED IMPR	\$4,915.00
232662	05/22/13	21-39	LATITUDE 33 PLANNING	036	IMPROVEMENT	\$16,100.00
232663	05/23/13	03	RASIX COMPUTER CENTE	013	MATERIALS AND SUPPLI	\$112.97
232665	05/23/13	06	DEPENDABLE NURSING,	030	OTHER CONTR-N.P.A.	\$30,205.50
232666	05/23/13	03	ROYAL BUSINESS GROUP	036	OFFICE SUPPLIES	\$17.82
232667	05/23/13	21-39	AMAZON.COM	036	TECHNOLOGY EQUIPMENT	\$309.97
232668	05/23/13	21-39	DIGITAL NETWORKS GRO	036	TECHNOLOGY EQUIPMENT	\$474.43

PO/BOARD/REPORT

SAN DIEGUITO UNION HIGH  
FROM 05/07/13 THRU 05/27/13

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**ITEM 15F**

PO NBR	DATE	FUND	VENDOR	LOC	DESCRIPTION	AMOUNT
232669	05/23/13	21-39	WARD'S MEDIA TECH	036	TECHNOLOGY EQUIPMENT	\$4,166.28
232670	05/23/13	06	SAN DIEGO CTR FOR VI	030	OTHER CONTR-N.P.A.	\$1,832.00
232671	05/23/13	06	SAN DIEGO CENTER FOR	030	OTHER CONTR-N.P.S.	\$6,531.00
232673	05/23/13	03	WARD'S MEDIA TECH	036	MATERIALS AND SUPPLI	\$1,851.68
232674	05/24/13	03	MISSION FEDERAL CRED	012	MATERIALS AND SUPPLI	\$1,674.00
232675	05/24/13	03	ROYAL BUSINESS GROUP	012	MATERIALS AND SUPPLI	\$16.20
830060	05/08/13	03	AP BY THE SEA	022	CONFERENCE,WORKSHOP,	\$4,410.00
830074	05/08/13	03	SAN DIEGO COUNTY OFF	022	CONFERENCE,WORKSHOP,	\$275.00
830075	05/22/13	03	MISSION FEDERAL CRED	022	CONFERENCE,WORKSHOP,	\$745.00
830076	05/23/13	03	SOUTHERN CA A.P. INS	022	CONFERENCE,WORKSHOP,	\$700.00
REPORT TOTAL						\$6,795,673.01

ITEM 15F

Individual Membership Listings  
For the Period of May 7, 2013 through May 27, 2013

<u>Staff Member Name</u>	<u>Organization Name</u>	<u>Amount</u>
None to report		

ITEM 15G

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 24, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Christina M. Bennett, Dir. of Purchasing/Risk Mgt  
John Addleman, Director of Planning Services  
Eric Dill, Assoc. Superintendent, Business

**SUBMITTED BY:** Ken Noah, Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF PROFESSIONAL  
SERVICES CONTRACTS / PROPOSITION AA

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### EXECUTIVE SUMMARY

The attached Professional Services Report/Proposition AA summarizes eleven contracts.

Of note, three agreements pertain to Inspector of Record Services; Blue Coast Consulting, Cornerstone Quality Inspections, Inc., and Consulting and Inspection Services, LLC. The three firms were selected from nine firms responding to the District's Request for Proposals B2013-11. The three firms will represent a pool by which the District may request such services. As each school project is developed, a proposal will be obtained and work directed by a notice to proceed (NTP) in order to track cost against the agreements' not to exceed amounts (NTE). Participation in the pool and future work will be subject to the ongoing positive performance of the firms, their capacity to perform such work and the availability of funding.

Of note, four agreements pertain to TRACE3 Inc. to upgrade the District's current wireless system to meet the demands of more wireless devices in the classroom. With students bringing their own devices (BYOD) and the District moving toward more mobility and flexibility, the need of a more robust system to handle future growth is required. The new hardware will be used to replace equipment at all district sites and the wireless systems at La Costa Canyon High School and Sunset/North Coast High Schools will be expanded during the 2013/14 school year.

The parts, materials and equipment to upgrade the District's current wireless system will be procured pursuant to District Board Policies 3310 and 3311, Purchasing Procedures and Bids, respectively, and to ensure these policies are being followed, the Board has adopted a Resolution on February 19, 2009 authorizing contracting pursuant to cooperative bid and

## ITEM 15G

award documents from Western States Contracting Alliance (WSCA) Computer Equipment, Software, Peripherals & Related Services Contract, State of Minnesota for the purchase of computer equipment, software, peripherals, & related services. The WSCA documents call for TRACE3 Inc. to provide a standard discount of 38% off list price. Per WSCA rules, local agencies are allowed to negotiate a better price, and therefore staff negotiated a discount extending the discount to 40% off list price. In addition, Cisco in conjunction with TRACE3 Inc. has provided a one-time hardware discount of \$70,000.

Western States Contracting Alliance (WSCA) is a national purchasing cooperative, comprised of western region states, of which California is a participant, established to achieve cost-effective, efficient, and legal acquisition of quality products and services. These contracting initiatives are administered by a western region state and follow a review process managed by the state directors from the western region.

Of note, two agreements are for Fredricks Electric, Inc. for summer work at La Costa Canyon High School to upgrade the site infrastructure. The contractor will remove all old outdated cable and replace with upgraded cable and related equipment. The work will consist of electrical and data components. The electrical component of the agreement is procured by the competitively bid unit price contract B2013-10 for district wide electrical services awarded on May 2, 2013. The data component is procured by the competitively bid unit price contract B2012-03 for district wide data cabling installations awarded on September 20, 2012.

### **RECOMMENDATION:**

It is recommended that the Board approve and/or ratify the professional services contracts, and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements, as noted in the attached supplement.

### **FUNDING SOURCE:**

Building Fund-Prop 39 Fund 21-39

## ITEM 15G

## SAN DIEGUITO UNION HIGH SCHOOL DISTRICT

**PROPOSITION AA - PROFESSIONAL SERVICES REPORT**  
**FACILITIES PLANNING & CONSTRUCTION****Board Meeting Date: 06-06-13**

<u>Contract Effective Dates</u>	<u>Consultant/ Vendor</u>	<u>Description of Services</u>	<u>School/ Department Budget</u>	<u>Fee Not to Exceed</u>
June 7, 2013- June 7, 2014	Blue Coast Consulting	Inspector of Record Services at various District sites	Building Fund– Prop 39 Fund 21-39	\$150,000.00
June 7, 2013- June 7, 2014	Cornerstone Quality Inspections, Inc.	Inspector of Record Services at various District sites	Building Fund– Prop 39 Fund 21-39	\$150,000.00
May 17, 2013- August 17, 2013	Consulting and Inspection Services LLC.	Inspector of Record Services at various District sites	Building Fund– Prop 39 Fund 21-39	\$150,000.00
June 7, 2013- September 7, 2013	Trace3, Inc.	Provide wireless LAN recovery system at Sunset High School	Building Fund– Prop 39 Fund 21-39	\$12,333.75 Plus tax & shipping
June 7, 2013- September 7, 2013	Trace3, Inc.	Provide wireless LAN recovery system at La Costa Canyon High School	Building Fund– Prop 39 Fund 21-39	\$61,688.75 Plus tax & shipping
June 7, 2013- September 7, 2013	Trace3, Inc.	Provide district wide wireless infrastructure controls at the District Office Server Room	Building Fund– Prop 39 Fund 21-39	\$99,493.00 Plus tax & shipping
June 7, 2013- September 7, 2013	Trace3, Inc.	Provide wireless access points at existing school sites.	Building Fund– Prop 39 Fund 21-39	\$122,061.25 Plus tax & shipping

## ITEM 15G

June 7, 2013- December 7, 2013	Berger ABAM Flores Lund Consultants	Provide aerial topography survey at Torrey Pines High School	Building Fund– Prop 39 Fund 21-39	\$18,700.00
June 7, 2013- December 7, 2013	SWS Engineering, Inc.	Provide aerial topography survey at La Costa Canyon High School	Building Fund– Prop 39 Fund 21-39	\$9,950.00
June 7, 2013 – September 7, 2013	Fredricks Electric, Inc.	Provide and install electrical conduit, wiring and connections at La Costa Canyon High School.	Building Fund– Prop 39 Fund 21-39	\$54,210.00
June 7, 2013 – September 7, 2013	Fredricks Electric, Inc.	Provide and install data cabling at La Costa Canyon High School.	Building Fund– Prop 39 Fund 21-39	\$432,340.00
June 7, 2013- September 7, 2013	Johnson Consulting Engineers, Inc.	Provide data backbone cabling system at La Costa Canyon High School	Building Fund– Prop 39 Fund 21-39	\$23,500.00

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 24, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Christina M. Bennett, Dir. of Purchasing/Risk Mgt  
John Addleman, Director of Planning Services  
Eric Dill, Assoc. Superintendent, Business

**SUBMITTED BY:** Ken Noah, Superintendent

**SUBJECT:** APPROVAL/RATIFICATION OF PROFESSIONAL  
SERVICES CONTRACTS / PROPOSITION AA

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### EXECUTIVE SUMMARY

The attached Professional Services Report/Proposition AA summarizes eleven contracts.

Of note, three agreements pertain to Inspector of Record Services; Blue Coast Consulting, Cornerstone Quality Inspections, Inc., and Consulting and Inspection Services, LLC. The three firms were selected from nine firms responding to the District's Request for Proposals B2013-11. The three firms will represent a pool by which the District may request such services. As each school project is developed, a proposal will be obtained and work directed by a notice to proceed (NTP) in order to track cost against the agreements' not to exceed amounts (NTE). Participation in the pool and future work will be subject to the ongoing positive performance of the firms, their capacity to perform such work and the availability of funding.

Of note, four agreements pertain to TRACE3 Inc. to upgrade the District's current wireless system to meet the demands of more wireless devices in the classroom. With students bringing their own devices (BYOD) and the District moving toward more mobility and flexibility, the need of a more robust system to handle future growth is required. The new hardware will be used to replace equipment at all district sites and the wireless systems at La Costa Canyon High School and Sunset/North Coast High Schools will be expanded during the 2013/14 school year.

The parts, materials and equipment to upgrade the District's current wireless system will be procured pursuant to District Board Policies 3310 and 3311, Purchasing Procedures and Bids, respectively, and to ensure these policies are being followed, the Board has adopted a Resolution on February 19, 2009 authorizing contracting pursuant to cooperative bid and



## ITEM 15I

award documents from Western States Contracting Alliance (WSCA) Computer Equipment, Software, Peripherals & Related Services Contract, State of Minnesota for the purchase of computer equipment, software, peripherals, & related services. The WSCA documents call for TRACE3 Inc. to provide a standard discount of 38% off list price. Per WSCA rules, local agencies are allowed to negotiate a better price, and therefore staff negotiated a discount extending the discount to 40% off list price. In addition, Cisco in conjunction with TRACE3 Inc. has provided a one-time hardware discount of \$70,000.

Western States Contracting Alliance (WSCA) is a national purchasing cooperative, comprised of western region states, of which California is a participant, established to achieve cost-effective, efficient, and legal acquisition of quality products and services. These contracting initiatives are administered by a western region state and follow a review process managed by the state directors from the western region.

Of note, two agreements are for Fredricks Electric, Inc. for summer work at La Costa Canyon High School to upgrade the site infrastructure. The contractor will remove all old outdated cable and replace with upgraded cable and related equipment. The work will consist of electrical and data components. The electrical component of the agreement is procured by the competitively bid unit price contract B2013-10 for district wide electrical services awarded on May 2, 2013. The data component is procured by the competitively bid unit price contract B2013-03 for district wide data cabling installations awarded on September 20, 2012.

### **RECOMMENDATION:**

It is recommended that the Board approve and/or ratify the professional services contracts, and authorize Christina M. Bennett, Eric R. Dill, or Ken Noah to execute the agreements, as noted in the attached supplement.

### **FUNDING SOURCE:**

Building Fund-Prop 39 Fund 21-39





ITEM 15I

San Dieguito Union HS District - Oak Crest MS  
BID OPENING (05/14/13) 3PM

BID PKG	NAME	Bid	Total Bid
		<b>TOTAL</b>	<b>\$385,602</b>
1	Earthwork/Demo Concete	\$158,102	
2	Electrical	\$227,500	





ITEM 15I

San Dieguito Union HS District - Diegueno MS  
BID OPENING (05/14/13) 2PM

BID PKG	NAME	Bid	Total Bid
		<b>TOTAL</b>	<b>\$559,594</b>
1	Earthwork/Demo Concete	\$296,594	
2	Electrical*	\$263,000	

ITEM 15I

Oak Crest Field Project CB2013-09		Official Bid Results
Bidder		Amount
PALM ENGINEERING		\$ 704,000.00
GEM INDUSTRIAL		\$ 613,860.00
HEARNE CORPORATION		\$ 688,737.00
FORDYCE CONSTRUCTION		\$ 794,148.00
KINSMAN CONSTRUCTION		\$ 718,983.00

[david.tomaino@sduhsd.net](mailto:david.tomaino@sduhsd.net)

View Bid Docs. By appointment

ext 5578 760.753.6491



# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 31, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Becky Banning,  
Executive Assistant to the Superintendent

**SUBMITTED BY:** Ken Noah, Superintendent

**SUBJECT:** BOARD POLICY REVISION  
PROPOSALS

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### EXECUTIVE SUMMARY

These policy revision proposals are being submitted in accordance with recommendations from California School Boards Association's (CSBA) Board Policy Maintenance Service, (GAMUT). Following is a summary of the recommended changes:

<b>Policy # / Description</b>	<b>Summary</b>
1100, Communication with the Public	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.
1120 / 9320, Meetings and Notices	Mandated bylaw updated to reflect new law (AB 1344) which prohibits boards from calling special meetings to address the salaries, salary schedules, or other compensation of the superintendent, assistant superintendent, or other specified employees. Bylaw also reflects requirement added by AB 1344 to post the agenda for a regular meeting and the notice of a special meeting on the district web site, if there is one.
1160, Political Processes	Policy revised to reflect new court decision 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 regarding district lobbying and advocacy activities.

2121, Superintendent's Contract

Updated to reflect new law, (AB 1344), 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.

9223, Filling Vacancies

Bylaw updated to reflect new law (AB 334) 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.

9321, Closed Session Purposes & Agendas

Updated bylaw reflects new Attorney General opinion which concludes that only three specified subjects related to real property negotiations may be considered in closed session. Bylaw also (1) includes board philosophical statement expressing commitment to transparency and compliance with open meeting laws, (2) includes requirement to reconvene in open session to report decisions of closed session with link to BB 9321.1 - Closed Session Actions and Reports, and (3) revises section on "Pending Litigation" to add definitions of "party" and "significant exposure to litigation."

9322, Agenda, Meeting Materials

Mandated bylaw revised to update material related to the consent agenda/calendar, including deleting outdated information and reflecting new law (SB 1003) which requires the Board to have a separate agenda item (not on consent agenda) when it is

considering approving or rescinding its unconditional commitment to refrain from taking certain actions in violation of the Brown Act.

9323.2, Actions by the Board

Bylaw updated to reflect new law (SB 1003) which expands the types of past Board actions that may be challenged by the district attorney or other interested person provided that certain requirements are met, including the sending of a "cease and desist" letter to the Board within nine months of the alleged violation. New exhibit provides a sample letter that the Board may use to respond to the cease and desist letter with an unconditional commitment to desist from repeating the past action, which would prevent the district attorney or other interested person from filing an action in court.

**RECOMMENDATION:**

This item was presented for first read on May 21, 2013 and is now being resubmitted for board action. It is recommended that the Board approve the policy revisions as shown in the attached supplement(s).

**FUNDING SOURCE:**

N/A

Attachment

**COMMUNITY RELATIONS**

1100

ITEM 16

**COMMUNICATION WITH THE PUBLIC**

The Governing Board ~~recognizes~~ ~~appreciates~~ the ~~district's responsibility~~ ~~importance of community involvement and therefore shall strive to keep the community informed of developments within the school system in timely and understandable ways.~~

~~The Superintendent or designee shall use all available means of communication to keep the public informed regarding~~ ~~aware of~~ the goals, programs, achievements, and needs of ~~the~~ ~~our~~ schools and district and to be responsive to the concerns and interests ~~—Members—~~ 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. ~~shall have opportunities to become involved in the schools and to express their interests and concerns.~~

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district ~~shall seek to communicate~~ 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.

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.

In developing communications strategies, the Superintendent or designee shall take into account ~~ways that accommodate~~ the needs of all members of the public, including ~~individuals with disabilities and the visually or hearing impaired,~~ those ~~whose primary language is~~ ~~who do not understand~~ English, ~~and those who do not read.~~

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.

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.

**PROHIBITION AGAINST MASS MAILINGS AT PUBLIC EXPENSE ~~OR DISTRIBUTIONS~~**

No newsletter or other mass mailing, as defined in Government Code 82041.5 and 2 CCR 18901, shall be sent by the district ~~The Board recognizes that state law prohibits mass mailings or distributions at~~

# COMMUNITY RELATIONS

1100

ITEM 16

public expense if such material aggrandizes one or more Board members. ~~which aggrandize elected officers.~~ The name, signature, or photograph of a Board member ~~an elected district officer~~ may be included in such materials only as permitted by ~~the Code of Regulations, Title 2 CCR,~~ 18901. (Government Code 82041.5, 89001; 2 CCR 18901)

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.

## 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.

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.

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

### ~~CALIFORNIA~~ 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

## 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

## COMMUNITY RELATIONS

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1100 ITEM 16

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

### WEBSITES

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

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

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

## BYLAWS OF THE BOARD

1120 / 9320

### MEETINGS AND NOTICES

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

~~Meetings of the Board of Trustees are conducted for the purpose of accomplishing District business.~~

A Board meeting exists whenever a majority of Board's members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2) ~~District.~~

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

~~In accordance with state open meeting laws, the Board shall hold its meetings in public and shall conduct closed sessions during these meetings only to discuss confidential matters specified in law. To encourage community involvement in the schools, meetings shall provide opportunities for questions and comments by members of the public and shall be conducted in accordance with law and Board-adopted bylaws.~~

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

~~Meetings shall be held within District boundaries, except when otherwise allowed by law.~~

~~Meetings shall be held in a facility that is accessible to all persons, including disabled persons, without charge.~~

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

## BYLAWS OF THE BOARD

1120 / 9320

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

### REGULAR MEETINGS

The Board shall hold ~~two~~ regular meeting(s) each month. ~~except the months of January, July, August, December and the month in which spring break occurs.~~ Regular meetings shall be held at 6:30 p.m. on ~~designated~~ Thursdays in the District office board room unless otherwise noted.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public ~~and on the district's Internet web site.~~ (Government Code 54954.2)-

~~Whenever agenda materials relating to an open session of~~ ~~if a fire, flood, earthquake or other emergency renders the~~ regular meeting are distributed to the Board less than 72 hours before ~~place unsafe, meetings may temporarily be held at a place designated by the meeting, the Superintendent~~ ~~president~~ or designee, ~~who shall make so inform, by the materials~~ ~~most rapid~~ available for public inspection at a public office or location designated for that purpose. (Government Code 54957.5) ~~means of communication, all news media who have requested notice of special meetings.~~

### SPECIAL MEETINGS

Special meetings of the Board may be called ~~at any time~~ by the presiding officer or a majority of the Board members. ~~However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1.~~ (Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. ~~The notice also shall be posted on the district's Internet web site.~~ The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. ~~No; no~~ other business shall be considered at ~~this meeting.~~ (Education Code 35144; Government Code 54956) ~~these meetings.~~

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

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



## BYLAWS OF THE BOARD

1120 / 9320

~~At least 72 hours' public notice shall be given for any retreats, study sessions or training sessions held by the Board. All such meetings shall be held within District boundaries and action items shall not be included.~~

### EMERGENCY MEETINGS

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

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

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

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

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

### ADJOURNED/CONTINUED MEETINGS

A majority vote by the Board may adjourn/continue any regular or special meeting to a later time and place that, which shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such ~~Within 24 hours after~~ a meeting. ~~has been adjourned to a later time, a copy of the order of adjournment shall be posted at the meeting site.~~

If no Board members are present ~~at any regular or adjourned regular meeting~~, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

## BYLAWS OF THE BOARD

1120 / 9320

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

### STUDY SESSIONS, RETREATS, PUBLIC FORUMS, AND DISCUSSION MEETINGS

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

The Board may also convene a retreat or discussion meeting to discuss ~~Board~~board roles and relationships.

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within ~~district~~District boundaries. ~~Action~~No action items shall not be included on the agenda for these meetings.

### OTHER GATHERINGS

Attendance by a majority of Board members at any of the following events is not subject to ~~state open meeting laws~~the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering **open to the public** that involves a discussion of issues of general interest to the public or to school board **members**.
- ~~1.2.~~**An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern**
3. **An open and noticed meeting of another body of the district**
- ~~2.4.~~**An open and noticed meeting of a legislative body of another local agency**
- ~~3.5.~~**A purely social or ceremonial occasion**
6. **An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers**

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

### LOCATION OF MEETINGS

Meetings shall **not** be held in a facility that ~~is accessible to all persons, including disabled persons, without charge~~.prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135, including, but not limited to, religion, sex, or sexual orientation. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government

## BYLAWS OF THE BOARD

1120 / 9320

Code 54961)

Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

- ~~1.~~ Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party.
2. Inspect real or personal property which cannot ~~be~~ conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property.
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
- ~~1.4.~~ Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction.
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility.
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs.
8. Attend conferences on non-adversarial collective bargaining techniques.
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district.

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

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

### TELECONFERENCING

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means, ~~either~~ through audio **and/or** video. (Government Code 54953) ~~or both.~~

The Board may use teleconferences for all purposes in connection with any meeting within the Board's

## BYLAWS OF THE BOARD

1120 / 9320

subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within district boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

### HEARINGS

~~The Board may occasionally convene public hearings at which no Board action is to be taken. Such hearings are held solely to allow the Board and members of the public to receive information. A hearing may take place immediately prior to a Board meeting.~~

~~If a quorum of Board members is present at a hearing, notice of the hearing shall be provided according to procedures specified above for regular meetings.~~

### LEGAL REFERENCE REFERENCES

#### CALIFORNIA EDUCATION CODE

- 35140 \_\_\_\_\_ Time and ~~place~~ ~~Place of meetings~~ ~~Meetings~~
- 35143 \_\_\_\_\_ Annual ~~organizational meeting, date~~ ~~Organizational Meeting, Date,~~ and ~~notice~~ ~~Notice~~
- 35144 \_\_\_\_\_ Special ~~meeting~~ ~~Meeting~~
- 35145 \_\_\_\_\_ Public ~~meetings~~ ~~Meetings~~
- 35145.5 \_\_\_\_\_ Agenda; ~~public participation; regulations~~ ~~Public Participation;~~ ~~Regulations~~
- 35146 \_\_\_\_\_ Closed ~~sessions~~ ~~Sessions~~
- 35147 \_\_\_\_\_ Open ~~meeting law exceptions~~ ~~Meeting Law Exceptions~~ and ~~applications~~ ~~Applications~~

#### GOVERNMENT CODE

- 3511.1 Local agency executives
- 11135 State programs and activities, discrimination

## BYLAWS OF THE BOARD

1120 / 9320

~~54950-54963 The Ralph M. Brown Act~~ ~~54957.9~~ Meetings, especially:  
 54953 ~~-Meetings to be open~~ Open and ~~public; attendance~~ Public, Attendance  
~~54953.2~~ Compliance with Americans with Disabilities Act  
 54954 ~~-Time and place~~ Place of ~~regular meetings~~ Regular Meetings, Holidays, Emergencies  
 54954.1 Mailed Notices  
 54954.2 Agenda ~~posting requirements, board actions~~ Posting Requirements, Board Actions  
 54954.3 Opportunity for Public to Speak  
 54956 ~~-Special meetings; call; notice~~ Meetings; Call, Notice  
 54956.5 Emergency ~~meetings~~ Meetings in Emergency Situations  
~~54957.5~~ Agenda Distribution  
 54961 Prohibition on Use of Certain Facilities

### UNITED STATES CODE, TITLE 42

~~12101-12213~~ Americans ~~with~~ With Disabilities Act

### CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective ~~communications~~ Communications  
 36.303 Auxiliary ~~aids~~ Aids and ~~services~~ Services

### COURT DECISIONS

~~Wolfe v. City of Fremont, (2006) 144 Cal.App. 544~~

### ATTORNEY GENERAL OPINIONS

~~88 Ops.Cal.Atty.Gen. 218 (2005)~~  
 84 Ops.Cal.Atty.Gen. 181 (2001)  
 84 Ops.Cal.Atty.Gen. 30 (2001)  
 79 Ops.Cal.Atty.Gen. 69 (1996)  
 78 Ops.Cal.Atty.Gen. 327 (1995)

### MANAGEMENT RESOURCES

### CSBA PUBLICATIONS

~~The Brown Act: School Boards and Open Meeting Laws, rev. 2009~~ 1999

### ~~INSTITUTE FOR LOCAL GOVERNMENT~~ ATTORNEY GENERAL PUBLICATIONS

~~The ABCs of Open Government Laws~~

### LEAGUE OF CALIFORNIA CITIES PUBLICATIONS

~~Open and Public IV: A Guide to the Ralph M. Brown Act, 2nd Ed., 2010~~

### WEBSITES

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

CSBA, [Agenda](http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx) Online:  
<http://www.csba.org/Services/Services/GovernanceTechnology/AgendaOnline.aspx>  
~~;~~ ~~Open Meetings for Legislative Bodies,~~ California Attorney General's ~~General's~~ Office:

## BYLAWS OF THE BOARD

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<http://www.ag.ca.gov>, 2002

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

League of California Cities: <http://www.cacities.org>

### **WEB SITES**

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

California Attorney General's Office: [www.caag.state.ca.us](http://www.caag.state.ca.us)

## COMMUNITY RELATIONS

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### POLITICAL PROCESSES

#### STATE AND FEDERAL LEGISLATION

The ~~Governing Board of Trustees~~ 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. ~~students in the community. This responsibility may include that of lobbying at the state and national levels.~~

#### BALLOT MEASURES/CANDIDATES

~~The Board shall identify issues that will affect its schools and the students in its community, establish goals and priorities for legislative advocacy, solicit community input, and adopt legislative positions. The Superintendent or designee shall establish a coordinated plan for carrying out the advocacy agenda, including specific activities, target groups or individuals, staff responsibilities, and timelines.~~

~~The Board may provide members of the community with fair and impartial information which may help them communicate with their legislators about educational and students' issues.~~

~~The Board may determine how ballot measures may affect the schools. Any Board discussion of the effect such measures would have on the district shall include an opportunity for Board members and members of the public to speak on all sides of the issue. The Board may also adopt positions in support of or in opposition to ballot measures of importance to education.~~

No district funds, services, ~~supplies, or equipment~~ ~~or supplies~~ 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.

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~~ ~~funds~~ to ~~provide~~ ~~furnish~~ 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)

In preparing or distributing such informational material, the Superintendent or designee shall analyze

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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.

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.

~~District facilities may be used for the conduct of forums about ballot measures as long as the forum is made available to all sides of the issue on an equitable basis.~~

- ~~1.2.~~ Upon request, Board members and district administrators may appear **at any time** before a citizens' group to **explain why** ~~discuss reasons that~~ the Board called for an election **on for the issuance of bonds or a bond parcel tax** 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.

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 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



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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.

**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)

**LEGAL REFERENCE****CALIFORNIA 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
7058	Use of forum
35160	Authority of governing boards
35172	Promotional activities

**ELECTIONS CODE**

9501	School district elections, arguments for or against a measure
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**GOVERNMENT CODE**

8314	Unlawful use of state resources
50023	Attending legislature to support or oppose legislation
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**

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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  
~~Citizens Legal Defense Alliance, Inc., Jarvis v. Miller et al, Los Angeles Unified School District, Super, Ct. Los Angeles County, 1978, No. C 230935~~

~~Stanson v. Mott (1976) 17 Cal. 3d 206~~

League of Women Voters v. Countywide Criminal Justice Coordination Committee, (1988) 203 Cal.-App. 3d 529, 250 Cal. Rptr. 161, rev. den.  
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>

## ADMINISTRATION

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### SUPERINTENDENT'S CONTRACT

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and ~~shall employ a~~ 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 ~~a term~~ of district resources.

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
2. The duration of the contract, which shall be for ~~no not~~ more than four years pursuant to Education Code 35031.
3. The salary, benefits, and other compensation for the position
4. The criteria, process, and procedure for evaluation and the conditions for reemployment
5. The conditions for termination of the contract including the maximum cash settlement that ~~Board shall designate a representative to negotiate with~~ the Superintendent may receive upon termination ~~of on its behalf and shall consult legal counsel to draft~~ the contract ~~document~~.

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

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

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

~~During an existing contract, the Board may reemploy The contract shall include, but not be limited to, provisions for salary and benefits, annual evaluations, term of the contract, and conditions for termination of the contract. The contract should also include general responsibilities and duties of the Superintendent on mutually agreed upon terms and conditions. However, the Superintendent's-~~  
The Superintendent's contract shall be extended only by Board action ~~and~~ subsequent to a satisfactory evaluation of the ~~Superintendent's~~ Superintendent's performance and in accordance with Government Code 3511.2.

### DECISION NOT TO REEMPLOY

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)

## ADMINISTRATION

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### TERMINATION OF CONTRACT

The Board may terminate the Superintendent's shall notify the Superintendent no less than 45 days before his/her current contract expires of employment in accordance with law and applicable its intention not to renew the contract provisions. If the above notice has not been given, the Superintendent shall be re-elected for a term of the same length as the one completed, under the same terms, and with the same compensation. The Board shall evaluate the Superintendent's performance early enough to ensure compliance with this notice requirement and any requirements of the existing contract.

If the Board enters into a rollover or evergreen contract, the contract's extension shall be contingent upon a satisfactory evaluation of the Superintendent's performance.

The Superintendent's contract shall include a provision specifying the maximum cash settlement that the Superintendent may receive upon termination of the contract. However, if the unexpired term of the contract is moregreater than 18 months, the maximum cash settlement shall be no greatermore than the Superintendent's Superintendent's monthly salary multiplied by 18. The cash settlement shall not include any noncashnon-cash 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)

However, whenIf the termination ofBoard terminates the Superintendent'sSuperintendent's contract is based upon the Board'sits belief and subsequent confirmation throughpursuant to an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, the maximum settlement shall be within the limits prescribed by law, 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)

### LEGAL REFERENCEREFERENCES

#### 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

## ADMINISTRATION

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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

#### WEBSITES

CSBA, Governance Consulting Services: <http://www.csba.org>  
Association of California School Administrators: <http://www.acsa.org>

## BYLAWS OF THE BOARD

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### FILLING VACANCIES

#### EVENTS CAUSING A VACANCY

A vacancy on the Governing Board may occur ~~by a failure to elect or~~ 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~~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~~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. ~~Upon being filed with the County Superintendent, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)~~

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~~member's removal from office, including ~~by~~ recall- (Elections Code 11384; Government Code 1770)
- 1.5. A Board ~~member's~~member's ceasing to be ~~an inhabitant of the state or~~ resident of the ~~district~~District (~~Government Code 1770~~).

A vacancy on the Board also occurs when a Board member ceases to inhabit the trustee area which he/she represents on the Board. (58 Ops.Cal.Atty.Gen.888, 1975)

- 2.6. A Board member's absence from the state ~~beyond the period allowed by law without the permission required by law. No Board member shall be absent from the state~~ for more than 60 days, except in ~~any of~~ the following situations: (~~Government Code 1064, 1770~~)
  - a. Upon ~~business of the school~~district ~~business~~ with the approval of the Board.
  - b. With the consent of the Board for an additional period not to exceed a total absence of 90 days-

In the case of illness or other urgent necessity, and upon a proper showing thereof, the

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time limited for absence from the state may be extended by the Board ~~for an additional period not to exceed 30 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 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.**

~~1.7.~~A Board ~~member's~~**member's** ceasing to discharge the duties of his/her office for the period of three consecutive months, except when prevented by ~~illness~~**sickness** or when absent from the state with the permission required by law (**Government Code 1770**).

~~3.8.~~A Board ~~member's~~**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**).

~~4.9.~~

~~5.~~A Board ~~member's~~**member's** refusal or neglect to file his/her required oath or bond within the time prescribed (**Government Code 1770**).

10.

### **SPECIAL ELECTIONS**

~~Within 60 days of a competent tribunal declaring void a the date of the vacancy or the filing of the Board member's deferred resignation, the Board may order an election or appointment (Government Code 1770) to fill the vacancy.~~

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**

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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)

### TIMELINES FOR FILLING A VACANCY

~~If a vacancy occurs from six months to 130 days before a regularly scheduled Board election, and the position is not scheduled to be filled at that election, the position shall be filled at a special election which 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 as elected to fill.~~

#### ~~1.~~ **TIMELINES FOR FILLING A VACANCY**

- ~~2.~~1. When a vacancy occurs, the Board shall take the following action, as appropriate: When a vacancy occurs ~~within~~ ~~less than~~ four months ~~of~~ ~~before~~ the end of a Board ~~member's~~ ~~member's~~ term, the Board shall take no action. (Education Code 5093)
- ~~3.~~2. When a vacancy occurs ~~longer than~~ four ~~or more~~ months before the end of a Board ~~member's~~ ~~member's~~ term, the Board shall, within 60 days of the date of the vacancy or the filing of the ~~member's~~ ~~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)
- ~~4.~~3. When a vacancy occurs from six months ~~to~~ ~~or~~ 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)

### ELIGIBILITY

In order to be appointed or elected to fill **PROVISIONAL APPOINTMENTS**

~~Within 60 days of the date of a vacancy or on filing of a deferred resignation,~~ the Board, a person must meet the eligibility requirements specified in Education Code 35107.

### PROVISIONAL APPOINTMENTS

~~When authorized by law to may make a provisional appointment to fill a for any vacancy on that occurs four or more months before the Board end of the Board member's term, unless the vacancy occurs from six months to 130 days before a regularly scheduled Board election and the vacant position is not scheduled to be filled at that election.~~

~~In order to draw from the largest possible number of candidates,~~ the Board shall advertise in the local media to solicit candidate applications or nominations. -A committee consisting of less than a quorum of



## BYLAWS OF THE BOARD

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the Board shall ensure that ~~screen the~~ applicants are eligible for Board membership and ~~and~~ announce the names of the eligible candidates. The Board shall interview the candidates at a public meeting, accept oral or written public input, and select the provisional appointee by a majority vote.

Within 10 days after the appointment is made, the Board shall post notices of the actual vacancy, or the filing of a ~~deferred~~ ~~dated~~ 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.
3. ~~The~~ date of appointment.
4. A statement notifying the voters that ~~the provisional appointment shall become effective immediately and shall continue~~ unless a petition calling for a special election pursuant to Education Code 5091 is filed in the office of the County Superintendent ~~of Schools~~ 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~~ 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)

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 REFERENCES

#### EDUCATION CODE

## BYLAWS OF THE BOARD

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### 5000-5033 Elections

~~5012 — Declaration Candidacy or Nomination; Withdrawal~~

~~5090-5095 — Definition (Vacancy)~~

~~5091 — Special Election or Provisional Appointment~~

~~5092 — Public Notice of Vacancy and Provisional Appointment~~

~~5093 — Re Vacancies Occurring Near End of Term and Incumbent Not Reelected~~

~~5094 — Power of President of County Board of Education when Majority of Offices Vacant~~

~~5095 — Powers of Remaining Board Members and New Electees or Appointees~~

~~5200-5208 — Districts governed Governed by boards Boards of education Education~~

~~5300-5304 5304 — Duties of the Governing Board (re School District Elections)~~

~~5325 — Publication of Information Regarding District Elections~~

~~5320-5329 Order and call 5424 — Expenses of election~~

~~5340-5345 Consolidation of elections~~

~~5360-5363 Conducting Legal Recall Election notice~~

~~5420-5426 Cost of elections~~

~~5440-5442 Miscellaneous provisions, elections~~

~~35107 — Eligibility of board members~~

~~35178 Resignation with deferred effective date~~

### ELECTIONS CODE

~~10600-10604 School district elections~~

~~11381-11386 Candidates for recall~~

~~27344 — Vacancy in Office if Majority Vote for Recall~~

### GOVERNMENT CODE

~~1064 — Absence from state State~~

~~1770 — Vacancies: definition Definition~~

~~3000-3003 Forfeiture of office~~

~~6061 — One Time~~

~~3060-3075 — 3074 — Removal other than by impeachment Impeachment~~

~~6061 One time notice~~

~~54950-54963 The Ralph M. Brown Act~~

### PENAL CODE

## BYLAWS OF THE BOARD

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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

### WEBSITES

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)

~~54953—Meetings Open and Public; Secret Ballots~~

## BYLAWS OF THE BOARD

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### CLOSED SESSION PURPOSES ACTIONS AND AGENDAS REPORTS

The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall ~~may~~ hold closed sessions only for purposes authorized by ~~identified in~~ law. ~~A The Board may hold a~~ closed session ~~may be held~~ at any time during a regular, ~~or special, or meeting and during~~ emergency ~~meeting~~ meetings in accordance with law. ~~(Government Codes 54956.5, 54957.7, 54962)~~

Each ~~The~~ agenda shall contain a ~~brief~~ general description of ~~each~~ closed session ~~item~~ items to be discussed ~~at the meeting, as required by law.~~ (Government Code 54954.2)

The Board shall disclose in open ~~session~~ meeting the items to be discussed in closed session. In the closed session, the Board may consider only those matters covered in its statement. ~~After the closed session, the Board shall reconvene in open session before adjourning the meeting, and when applicable, shall disclose any action taken in the closed session, in the manner prescribed by Government Code 54957.1. (Government Code 54957.7)~~ ~~(Government Code 54957.7)~~

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board ~~No~~ agenda, notice, announcement, or report required by the Brown Act, ~~need identify any victim or alleged victim of tortuous sexual conduct or child abuse~~ unless the identity of the person has ~~previously~~ been publicly disclosed. (Government Code 54957.7, 54961)

~~In accordance with law,~~ a Board member shall not disclose confidential information received in a closed session unless the Board authorizes the disclosure of that information. (Government Code 54963)

### PERSONNEL MATTERS

The Board may hold a closed ~~session~~ sessions to consider the appointment, employment, evaluation of performance, discipline, or dismissal of an employee. ~~Such a closed session~~ ~~These sessions~~ shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957)

The Board may also hold a closed ~~session~~ sessions to hear complaints or charges brought against an employee by another person ~~or employee~~, unless the employee requests an open session.

Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of his/her right to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Government Code 54957)

The Board may hold a closed ~~session~~ sessions to discuss a district employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

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Agenda items related to ~~district~~public employee appointments and employment shall describe the position to be filled. Agenda items related to performance evaluations shall specify the title of the employee being reviewed. Agenda items related to employee discipline, dismissal, or release require no additional information. (Government Code 54954.5)

### NEGOTIATIONS/COLLECTIVE BARGAINING

Unless otherwise agreed upon by the parties involved, the following shall not be subject to the Brown Act: (Government Code 3549.1)

1. Any meeting and negotiating discussion between the district and a recognized or certified employee organization-
2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process-
3. Any hearing, meeting, or investigation conducted by a ~~factfinder~~fact-finder or arbitrator-
- ~~1-4.~~ Any executive (closed) session of the district or between the district and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives-

The Board may meet in closed session to ~~review~~with the Board's position and/or instruct its ~~Board's~~ designated representative regarding ~~employee~~salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees. ~~Any~~These closed ~~session held for this purpose~~sessions may include discussions of the district's available funds and funding priorities, but only insofar as they relate to providing instructions to the Board's designated representative. (Government Code 54957.6)

~~For represented employees, the Board may also meet in closed session regarding any other matter within the statutorily provided scope of representation. (Government Code 54957.6)~~

~~Closed sessions~~~~Closed sessions shall be for the purpose of reviewing the Board's position and instructing the Board's designated representative. Closed session meetings~~ may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees.

~~For represented employees, the Board may also meet in closed session to hear any other matter within the statutorily provided scope of representation.~~

For unrepresented employees, closed sessions held pursuant to Government Code 54957.6 shall not include final action on the proposed compensation of one or more unrepresented employees. (Government Code 54957.6)

The Board also may meet in closed session with a state conciliator or ~~a~~mediator who has intervened in

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~~these~~ proceedings regarding any of the purposes enumerated in Government Code 54957.6.

Agenda items related to negotiations shall specify the name of the district's designated representative(s) attending the closed session. If circumstances necessitate the absence of a specified designated representative, an agent or designee may participate in place of the absent representative ~~as so~~ long as the name of the agent or designee is announced at an open session held prior to the closed session. The agenda shall also specify the name of the organization representing the employee(s) or the position title of the unrepresented employee who is the subject of the negotiations. (Government Code 54954.5)

**MATTERS RELATED TO STUDENTS**

~~The Board shall meet in closed session to consider a suspension, disciplinary action, or any other action, except expulsion, against a student when a public hearing on the matter would violate student privacy rights. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student.~~

The Board shall meet in closed session to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

The Board shall meet in closed session to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for open session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. (Education Code 35146, 48912, 49070)

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

**SECURITY MATTERS**

The Board may meet in closed session with the Attorney General, district attorney, sheriff or chief of police, or their respective deputies, ~~or a security consultant or a security operations manager,~~ on matters posing a threat to the security of public buildings; ~~to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service;~~ or to the public's right of access to public services or public facilities. (Government Code 54957)

The Board may meet in closed session during an emergency meeting held pursuant to Government Code 54956.5 to meet with law enforcement officials for the emergency purposes specified in Government Code 54957 if agreed to by a two-thirds vote of the Board members present. If less than two-thirds of

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the members are present, then the Board must agree by a unanimous vote of **the** members present. (Government Code 54956.5)

Agenda items related to security matters shall specify the name of the law enforcement agency and the title of the officer, **or name of applicable agency representative and title**, with whom the Board will consult. (Government Code 54954.5)

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

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

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

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

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

**PENDING LITIGATION**

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

Litigation ~~is~~**shall be** considered "pending" ~~in when~~ any of the following circumstances: (Government Code 54956.9)~~exist:~~

1. Litigation to which the ~~district~~**Board** is a "party" has been initiated formally. (Government Code 54956.9(a))
- ~~1.2.~~ A point has been reached where, in the Board's opinion based on the advice of **its** legal counsel ~~regarding~~**and on** the "existing facts and circumstances," there is a "significant exposure to litigation" against the district, or the Board is meeting solely to determine whether, based on existing facts or circumstances, a closed session is authorized. (Government Code 54956.9(b))~~e~~

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~~2.3. Based on existing facts and circumstances, the Board has decided to initiate or is deciding whether to initiate litigation.~~

Existing facts and circumstances **for these purposes**" ~~authorizing a closed session pursuant to Government Code 54956.9(b) as described in #2 above~~ are limited to the following: **(Government Code 54956.9)**

- a. Facts and circumstances that might result in litigation against the district but which the district believes are not yet known to potential plaintiffs and which do not need to be disclosed.
- b. Facts and circumstances including, but not limited to, an ~~accident, disaster, incident, a disasters, or a~~ transactional ~~occurrence~~**occurrences** which might result in litigation against the district, which are already known to potential plaintiffs, and which must be publicly disclosed before the closed session or specified on the agenda.
- c. The receipt of a claim pursuant to the Tort Claims Act or a written threat of litigation from a potential plaintiff. The claim or written communication must be available for public inspection.
- d. A threat of litigation made by a person in an open meeting on a specific matter within the responsibility of the Board.
- e. A threat of litigation made by a person outside of an open meeting on a specific matter within the responsibility of the Board, provided that the district official or employee receiving knowledge of the threat made a record of the statement before the meeting and the record is available for public inspection. **Such record does not need to identify an alleged victim of tortious sexual conduct or anyone making a threat on his/her behalf or identify an employee who is the alleged perpetrator of any unlawful or tortious conduct, unless the identity of this person has been publicly disclosed.**

~~The above record does not need to identify an alleged victim of tortuous sexual conduct or anyone making a threat on their behalf or identify an employee who is the alleged perpetrator of any unlawful or tortuous conduct, unless the identity of this person has been publicly disclosed.~~

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

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



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

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

**JOINT POWERS AGENCY ISSUES JPA / SELF-INSURANCE LIABILITY CLAIMS**

The Board may meet in closed session to discuss a claim against a joint powers authority or self-insurance authority of which it is a member, for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the district is a member. (Government Code 54956.95)

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

When the board of the JPA joint powers agency has so authorized and upon advice of district legal counsel, the Board may meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA joint powers agency. During the Board's District's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

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

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

**REVIEW OF AUDIT REPORT FROM BUREAU OF STATE AUDITS**

Upon receipt of a confidential final draft audit report from the Bureau of State Audits, the Board may meet in closed session to discuss its response to that report. After public release of the report from the Bureau of State Audits, any Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

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Closed session agenda items related to an audit by the Bureau of State Audits shall state ~~"Audit by Bureau of State Audits."~~ (Government Code 54954.5)

### REVIEW OF ASSESSMENT INSTRUMENTS

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

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

### LEGAL REFERENCES

#### EDUCATION CODE

35145 ~~-Public meetings~~ Meetings

35146 ~~-Closed session~~ Session (re ~~student suspension~~ Student Suspension)

44929.21 ~~—~~ Districts with ADA of 250 or ~~more~~ More

~~48912~~ ~~48918~~ ~~—Rules~~ Governing ~~board suspension~~

~~48918~~ Rules governing expulsion procedures; ~~hearings~~ Expulsion Procedures, ~~Hearings~~ and ~~notice~~ Notice

~~49070~~ Challenging content of students records

~~49073~~ ~~—~~ Release of Directory Information

~~49076~~ ~~—~~ Access to Records by Persons without Written Parental Consent (re Invasion of Privacy)

~~49079~~ ~~—~~ Notification to Teacher Re: Students Whose Actions are Grounds for Suspension or Expulsion

60617 ~~-Meetings of~~ governing board Governing Board

#### GOVERNMENT CODE

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

~~6252-6270~~ ~~6250~~ ~~—6268~~ California Public Records Act

54950-~~54963~~ ~~—54962~~ The Ralph M. Brown Act

#### COURT DECISIONS

~~Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners, (2003) 107 Cal.App.4th 860~~

~~Bell v. Vista Unified School District, (2001) 2000~~ 82 Cal.App. 4th 672

~~Fischer v. Los Angeles Unified School District, (1999) 70 Cal.App. 4th 87~~

~~Furtado v. Sierra~~ ~~Dierra~~ Community College District, (1998) 68 Cal.App. 4th 876

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Roberts v. City of Palmdale, (~~1~~1993) 5 Cal.App. 4th 363  
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors,  
(1968) 263 Cal.App. 2d 41, ~~69 Cal. Rptr. 480~~

### ATTORNEY GENERAL OPINIONS

~~9478~~ Ops. Cal. Atty. Gen. 82 (2011)~~218 (1995)~~

~~8659~~ Ops. Cal. Atty. Gen. 210 (2003)

78 Ops. Cal. Atty. Gen. 218 (1995)

59 Ops. Cal. Atty. Gen. 532 (1976)

### MANAGEMENT RESOURCES

#### CSBA PUBLICATIONS

The Brown Act: School Boards and Open Meeting Laws, ~~2009~~1999

#### ATTORNEY GENERAL PUBLICATIONS

The Brown Act: Open Meetings for Legislative Bodies, ~~California Attorney General's Office,~~ 2002

#### LEAGUE OF CALIFORNIA CITIES ~~CITY ATTORNEY~~ PUBLICATIONS

Open and Public ~~IVIII~~: A ~~User's~~ Guide to the Ralph M. Brown Act, ~~rev. July 2010~~2000

#### WEBSITES

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

#### WEB SITES

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

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

League of California Cities: <http://www.cacities.org>

<http://www.caag.state.ca.us>

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### AGENDA / MEETING MATERIALS

#### AGENDA CONTENT

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

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

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

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

#### AGENDA PREPARATION

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

Any **Board member or of the public or any Board member of the public** may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. **The request shall be submitted in writing,** ~~provided however that no item previously considered and voted on by the Board (regardless of whether a Board member or member of the public placed the item on the agenda) shall be placed on the Board agenda again except under the following conditions to be determined by the Secretary of the Governing Board:~~

- ~~1. Two members of the Governing Board request the item be placed on the agenda again or,~~
- ~~2. The Secretary of the Governing Board determines that the item has been previously considered and voted on by the Board but that there is new relevant and material information which was not part of the prior consideration or that a reasonable period of time but not more than one year has passed since the matter was previously considered.~~

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~~It shall be within the sole discretion of the Secretary of the Governing Board to determine whether an item is the same or substantially the same as an item previously considered and voted on by the Board; an item which is determined to be substantially the same as an item previously considered and voted on by the Board, shall be subject to reconsideration as provided herein.~~

~~All agenda items which are placed on the agenda and which have been considered and voted on previously by the Board shall be identified as **requests for reconsideration**. The Board then will determine whether it wishes to reconsider the matter, and if it determines the matter is to be reconsidered, the item shall then become an agenda item for full consideration at a subsequent and duly noticed Board meeting.~~

~~Regardless of whether the Secretary of the Governing Board or two members of the Governing Board place a matter on the agenda again, the matter will not be placed on the agenda for reconsideration a third time within a one-year period from the time the Board voted on the matter, unless the Secretary of the Governing Board determines that the item has been previously considered and voted on by the Board but that there is new relative and material information which was not part of the prior consideration.~~

~~If the secretary of the Governing Board determines not to place an item on the agenda because it has been previously considered by the Board, the Secretary shall promptly inform the Board of all such decisions and the reasons for such decisions.~~

~~Requests to place an item on the agenda must be made in writing and be submitted to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.~~

The Board president and Superintendent shall decide whether a request is within the subject matter jurisdiction of the Board.

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

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

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~~When an item properly posted for a regular meeting is continued to a subsequent meeting, it may not be on the agenda of the subsequent meeting if the subsequent meeting occurs within five days. The Board shall publicly identify the item before discussing it.~~

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

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

### CONSENT AGENDA/CALENDAR ITEMS

In order to promote efficient meetings, the Board may **bundle a number of items** and act upon **them together** ~~more than one item~~ by a single vote through the use of a consent agenda. Consent **agenda** items shall be items of a routine nature ~~and/or~~ items for which ~~no~~ Board discussion is **not** anticipated and for which the Superintendent recommends approval.

~~When any Board In accordance with law, the public has a right to comment on any consent item. At the request of any member requests of the removal of an Board, any item from on the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.~~

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

### AGENDA DISSEMINATION TO BOARD MEMBERS

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

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

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

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### AGENDA DISSEMINATION TO MEMBERS OF THE PUBLIC

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

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

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

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

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

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

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

### LEGAL REFERENCES

#### EDUCATION CODE

- 35144    ~~——~~Special ~~meetings~~Meetings
- 35145    ~~——~~Public ~~meetings~~Meetings
- 35145.5 ~~——~~Right of ~~public~~Public to ~~place matters~~Place Matters on ~~agenda~~Agenda

#### GOVERNMENT CODE

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### 6250-6270 Public Records Act

- 53635.7 — Separate ~~item~~Item of ~~business~~Business
- 54954.1 — Mailed ~~agenda~~Agenda of ~~meeting~~Meeting
- 54954.2 — Agenda ~~posting requirements; board actions~~Posting Requirements; Board Actions
- 54954.3 — Opportunity for ~~public~~Public to ~~address legislative body~~Address Legislative Body
- 54954.5 — Closed ~~session item descriptions~~Session Item Descriptions
- 54956.5 — Emergency ~~meetings~~Meetings
- 54957.5 — Public ~~records~~Records
- 54960.2 Challenging board actions; cease and desist

### UNITED STATES CODE, TITLE 42

- 12101-~~12213~~ — Americans with Disabilities Act

### CODE OF FEDERAL REGULATIONS, TITLE 28

- ~~35.160~~ 35.160 Effective ~~communications~~Communications
- ~~36.303~~ 36.303 Auxiliary ~~aids~~Aids and ~~services~~Services

### COURT DECISIONS

- Mooney v. Garcia, (2012) 207 Cal.App.4th 229
- Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318

### MANAGEMENT RESOURCES

#### CSBA PUBLICATIONS

- Call to Order: A Blueprint for Great Board Meetings, 2010
- The Brown Act: -School Boards and Open Meeting Laws, ~~rev. 2009~~1999

#### ATTORNEY GENERAL PUBLICATIONS

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

#### WEBSITES

- CSBA, Agenda Online: <http://www.csba.org>
- California Attorney ~~General's~~General's Office: <http://www.oag.ca.gov>, ~~2002~~

#### CALIFORNIA CITY ATTORNEY PUBLICATIONS

- [Open and Public III: A User's Guide to the Ralph M. Brown Act, 2000](#)



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### 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 ~~of Trustees~~ means: (Government Code 54952.6)

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

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

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

### 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

### CHALLENGING BOARD ACTIONS

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

The district attorney or any interested person ~~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 law regarding any of the following: ~~Government Code 54954.2 (agenda posting), Government Code~~

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~~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)

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

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

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

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

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

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

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### LEGAL REFERENCE

### EDUCATION CODE

15266 -School construction bonds  
17466 -Declaration of intent to sell or lease real property  
17481 -Lease of property with residence for nondistrict purposes  
17510-17511 Resolution requiring unanimous vote of all members constituting board  
17546 -Private sale of personal property  
17556-17561 Dedication of real property  
17582-17583 District deferred maintenance fund  
35140-35149 Meetings  
35160-35178.4 Powers and duties  
48660-48661 Community day schools, establishment and restrictions

### CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue  
1245.240 ———Eminent domain vote requirements  
1245.245 ———Eminent domain, resolution adopting different use

### GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities  
53724 -Parcel tax resolution requirements  
53790-53792 Exceeding the budget  
53820-53833 Temporary borrowing  
53850-53858 Temporary borrowing  
54950-54963 The Ralph M. Brown Act, especially:  
54952.6 ———Action taken, definition  
54953 -Meetings to be open and public; attendance; secret ballots  
54960-54960.5 ~~Actions~~ ~~—————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

## **BYLAWS OF THE BOARD**

9323.2

ITEM 16

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

#### **WEBSITES**

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

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

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

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 28, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Delores Perley, Director of Financial Services  
Eric R. Dill, Assoc Supt, Business Services

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** PUBLIC HEARING / APPROVAL OF  
RECEIPT OF TIER III CATEGORICAL  
FUNDING

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### EXECUTIVE SUMMARY

The Governor's Budget proposes the Local Control Funding Formula (LCFF) which will change the California school funding formula. The LCFF will also change categorical funding, including Tier II and III. However, at this time, we are uncertain the impact to Basic Aid Districts and the current law "Fair Share" agreement. In order to comply with current requirements the district will present the Tier III funding information.

The tentative budget presented for information includes Tier III funding. Each district receiving Tier III funds must conduct a public hearing to approve receipt of the funds, discuss use of the funds, and take public testimony.

The Basic Aid "Fair Share" agreement further reduces categorical funding. The "Fair Share" agreement limits the amount of the total reduction to the amount of the district's excess taxes. The District is entitled to our minimum constitutional state funding level of \$120 per Average Daily Attendance which is met through the receipt of Tier I and Tier II funds as well.

The total estimated Tier III revenue is \$7,611,745. After the "Fair Share" reduction, total remaining Tier III funding for 2013-14 is projected at \$783,718. For 2013-14, we show the "Fair Share" reduction as a separate item and record all Tier III income as one revenue source rather than divided among the various programs to which the funding was previously attributed.

ITEM 17

Included in the limited state categorical funding the District will receive in 2013-14, we receive funding for ROP through the San Diego County Office of Education. ROP funding is considered Tier III funding by the State, however, it passes through to the District as locally restricted funding from SDCOE. The LCFF will also change county office categorical funding. At this time, the impact of LCFF on ROP funding is uncertain. Until more information is available, the District continues to budget ROP instruction at similar or greater levels than in 2012-13, but any excess income will be transferred to the Unrestricted General Fund.

Expenditures that had been previously paid for by Tier III funds were transferred to the Unrestricted General Fund in the Adopted Budget to preserve programs where possible. Educational Services and Business Services staff have been working together to align budgets in these areas with instructional priorities. No program funded by the previously restricted funding has been eliminated; however, some program budgets have been reduced in staffing or other expenses as part of budget reductions.

Funding Source	Proposed Use of Funds	Estimated Income
*Categorical Flexibility (0900-000)	Offset the budget for formerly categorical instructional programs continuing as General Fund/Unrestricted expenditures.	\$5,965,888
ROP (9025-XXX)	Continue funding of ROP programs at or above 2011-12 levels; any remaining balance to be transferred to the General Fund/Unrestricted as flexible  *See attached backup for detail	<u>1,645,857</u> \$7,611,745 Less Basic Aid "Fair Share" <u>(6,828,027)</u> \$ 783,718

**RECOMMENDATION:**

- A. It is recommended that the Board conduct a public hearing to take testimony and discuss the proposed use of Tier III Categorical Funds.
- B. Following the public hearing, it is recommended that the Board approve receipt of Tier III Categorical Funds in the amount of \$7,611,745.00 which includes ROP funding in the amount of \$1,645,857.00 be received as flexible Tier III funding. The net amount after the Basic Aid "Fair Share" reduction is \$783,718.00.

**FUNDING SOURCE:**

General Fund/Unrestricted.

NOTICE OF PUBLIC HEARING  
SAN DIEGUITO UNION SCHOOL DISTRICT

ITEM 17

Purpose:

A public hearing will be held for the purpose of taking testimony from the public, discussing the proposed receipt and use of the Tier III categorical funds, identifying closed programs, and approve or disapprove the proposed use of funding from the 39 programs identified in E.C. 42605.

Budget Item	Resource Code	Program Description	Available Funding	Function Code - Use of Funding	Active	Reduced	Closed
6110-144-0001	7325	Staff Development: Administrator Training	\$ 4,849	1000-2999 Instruction and Instruction-Related Services	X		
6110-156-0001	6390	Adult Education Program	\$ 657,533	1000-2999 Instruction and Instruction-Related Services		X	
6110-240-0001	0000	Advanced Placement Fee Waiver Program	\$ 6,122	1000-2999 Instruction and Instruction-Related Services	X		
6110-265-0001	6760	Arts & Music Block Grant	\$ 174,148	1000-2999 Instruction and Instruction-Related Services		X	
6110-227-0001	6285	Community-based English Tutoring Program	\$ 13,755	1000-2999 Instruction and Instruction-Related Services	X		
6110-188-0001	6205	Deferred Maintenance Apportionment	\$ 439,397	8000-8999 Plant Services		X	
6110-124-0001	7140	Gifted and Talented Education	\$ 81,327	1000-2999 Instruction and Instruction-Related Services	X		
6110-189-0001	7156	Instructional Materials Realignment	\$ 687,986	1000-2999 Instruction and Instruction-Related Services		X	
6110-137-0001	7294/7296	Staff Development: Math & Reading/ English Learner	\$ 47,097	1000-2999 Instruction and Instruction-Related Services	X		
6110-108-0001	7080	Supplemental School Counseling	\$ 702,150	1000-2999 Instruction and Instruction-Related Services		X	
6110-193-0001	7271/7275/ 7295	Peer Assistance & Review/ Staff Development	\$ 43,898	1000-2999 Instruction and Instruction-Related Services		X	
6110-245-0001	7393	Professional Development Block Grant	\$ 453,470	1000-2999 Instruction and Instruction-Related Services	X		
6110-243-0001	7390	Pupil Retention Block Grant	\$ 59,226	1000-2999 Instruction and Instruction-Related Services	X		
6110-105-0001	9025	Regional Occupational Centers and Programs (ROC/Ps)	\$ 1,645,857	1000-2999 Instruction and Instruction-Related Services	X		
6110-247-0001	7395	School & Library Improvement Block Grant	\$ 332,612	1000-2999 Instruction and Instruction-Related Services		X	
6110-228-0001	6405	School Safety & Violence Prevention, Gr. 8-12	\$ 336,818	8000-8999 Plant Services		X	
6110-122-0001	7370	Specialized Secondary Programs	\$ 120,294	1000-2999 Instruction and Instruction-Related Services		X	
6110-104-0001	0000	Remedial Supplemental Instruction	\$ 610,166	1000-2999 Instruction and Instruction-Related Services	X		
6110-246-0001	7394	Targeted Instructional Improvement Block Grant	\$ 1,031,968	1000-2999 Instruction and Instruction-Related Services	X		
6110-244-0001	7392	Teacher Credentialing Block Grant	\$ 163,072	1000-2999 Instruction and Instruction-Related Services	X		
<b>Total Tier III Funding</b>			<b>\$ 7,611,745</b>				

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 20, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED AND SUBMITTED BY:** Ken Noah, Superintendent  
Rick Schmitt, Deputy Superintendent

**SUBJECT:** APPOINTMENT OF ASSOCIATE  
SUPERINTENDENT OF EDUCATIONAL  
SERVICES / APPROVAL OF EMPLOYMENT  
CONTRACT

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### EXECUTIVE SUMMARY

At the Regular Meeting of the Board held on May 16, 2013, Trustees approved the employment contract for incoming Superintendent, Rick Schmitt, effective July 1, 2013. With the reorganization of positions within the Educational Services Department, the position of Associate Superintendent of Educational Services is now vacant.

### RECOMMENDATION:

It is recommended that the Board appoint Dr. Michael Grove as Associate Superintendent for Educational Services and approve the employment contract effective July 1, 2013 through June 30, 2017, as shown in the attached supplement(s).

### FUNDING SOURCE:

District General Payroll Fund as Designated



### **AGREEMENT**

THIS AGREEMENT made and entered into this 6th day of June, 2013, by and between the SAN DIEGUITO UNION HIGH SCHOOL DISTRICT OF SAN DIEGO COUNTY, STATE OF CALIFORNIA, acting by and through the Board of Trustees of the district, and MICHAEL GROVE, hereinafter referred to as the Associate Superintendent of Educational Services, supersedes any and all prior agreements between the parties hereto for the purposes hereof.

### **WITNESSETH**

The District agrees to employ, and does hereby employ Dr. MICHAEL GROVE as Associate Superintendent of Educational Services for said district for a term of four (4) years, the term of said employment to commence on July 1, 2013, and to continue until June 30, 2017, a basic yearly compensation of One Hundred Sixty Two Thousand, Two Hundred Sixty Five Dollars (\$162,265.00) which is not inclusive of three (3) longevities of Two Thousand Seven Hundred Thirty Seven Dollars (\$2,737) each. Additional compensation may be granted for future school years under this agreement as may be agreed upon by the parties hereto. Compensation shall be paid in monthly installments on the last working day of each calendar month (except March which will be March 30<sup>th</sup> or the last working day of March, and December which will be the last working day before schools of the District close to observe the Winter Break).

It is further mutually understood and agreed by and between the parties hereto as follows:

1. That the Associate Superintendent of Educational Services accepts said employment for the term and at the compensation above stated and agrees to perform the duties of Associate Superintendent of Educational Services of the San Dieguito Union High School District of San Diego County, whether such duties are imposed by law or required by the district.
2. That the Associate Superintendent of Educational Services will receive all fringe benefits of employment granted to other management employees of the district.
3. That the district agrees to pay the actual and necessary traveling expenses incurred by the Associate Superintendent of Educational Services when performing services for said district outside the district at the direction of said Board of Trustees and when attending state, national or other conferences at the direction of said Board of Trustees.
4. That the Associate Superintendent of Educational Services shall have on file in the office of the County Superintendent of Schools any and all certificates required by law to be so filed in order to hold the said position of Associate Superintendent of Educational Services of San Dieguito Union High School District of San Diego County.

5. That the Associate Superintendent of Educational Services shall, under the direction of the District Superintendent, carry out all responsibilities outlined in the Board-adopted job description for the Associate Superintendent of Educational Services.
6. That the Associate Superintendent of Educational Services shall devote his full time to the performance of the duties of Associate Superintendent of Educational Services; provided, however, that the Associate Superintendent of Educational Services Shall be allowed an annual vacation of twenty-four(24) days with full pay exclusive of holidays to be taken at any time agreeable to both parties. Upon termination, the Associate Superintendent of Educational Services shall be compensated for all unused vacation up to forty-eight (48) days at the rate of compensation earned by the Associate Superintendent of Educational Services at the time of termination.
7. That the District shall evaluate the Associate Superintendent of Educational Services performance not later than December of each year of this agreement and advise the Associate Superintendent of Educational Services of the result thereof.
8. That the terms of this agreement are subject to change by mutual agreement of the parties hereto.

IN WITNESS WHEREOF, the said San Dieguito Union High School District of San Diego County, State of California, has caused its corporate name to be signed by its President and Clerk, who are thereunto duly authorized, and the Associate Superintendent of Educational Services has signed his name, the day and year first above written.

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT  
OF SAN DIEGO COUNTY, STATE OF CALIFORNIA

By: \_\_\_\_\_  
Barbara Groth, President of its Board of Trustees

By: \_\_\_\_\_  
Amy Herman, Clerk of its Board of Trustees

By: \_\_\_\_\_  
Michael Grove, Ed.D.

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 20, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED AND SUBMITTED BY:** Barbara Groth,  
Board President

**SUBJECT:** AMENDMENT TO SUPERINTENDENT  
CONTRACT

.....

### EXECUTIVE SUMMARY

At the Regular Meeting of the Board held on May 16, 2013, Trustees approved the employment contract for the incoming Superintendent, effective July 1, 2013. That contract included the provision for post-retirement health and welfare benefits. A review of the contracts of the current and two prior Superintendents shows that post-retirement health and welfare benefits were provided, with the exception of Mr. Noah, the current Superintendent.

### RECOMMENDATION:

Trustees, in correcting the omission of post-retirement health and welfare benefits from Mr. Noah's contract are asked to approved the addition of specific language doing so in the attached contract amendment

### FUNDING SOURCE:

District General Payroll Fund as Designated

**AMENDMENT  
TO ~~JULY 2010~~ **SEPTEMBER 2011** AGREEMENT BETWEEN  
SAN DIEGUITO UNION HIGH SCHOOL DISTRICT  
BOARD OF EDUCATION  
AND  
KENNETH NOAH, SUPERINTENDENT**

This amendment to the Agreement between San Dieguito Union High School District Board of Education and Kenneth Noah, Superintendent, (the Agreement) is made and entered into this 6<sup>th</sup> day of June, 2013.

WITNESSETH

WHEREAS, the Board of Trustees and Mr. Kenneth Noah entered into the Agreement for employment as the District Superintendent accepted by the Superintendent by his signature dated March 4, 2008; and

WHEREAS, the Board of Trustees and Mr. Noah desire to amend the provisions of the Agreement at Section 1. TERM OF AGREEMENT; and

WHEREAS, the Board of Trustees has received notice from the Superintendent of his intent to retire, effective July 1, 2013;

NOW THEREFORE, based on mutual agreement of the Board of Trustees and Mr. Noah, the Agreement is amended as follows:

4. HEALTH BENEFITS

4.1 In addition to the compensation described in Article 3, the Superintendent shall also be provided with the group health and welfare benefits currently in existence and/or as may be amended, changed, or modified by approval or resolution of the Board for certificated management employees. The Board shall provide the Superintendent with his choice of the District's medical and dental insurance plans at District's expense. Except otherwise provided by Article 17.3.2, the Board is not obligated to pay any health benefits to the Superintendent beyond the expiration or termination of this Agreement.

4.2 If the Board changes health carriers during the time the provisions of this agreement are to take effect, the Superintendent and/or spouse may select the insurance carrier, offered by the Board, of their choice.

4.3 This contract shall not take effect until the Superintendent has a comprehensive pre-employment medical examination and files a summary report of said medical examination with the Board which is acceptable to the Board. Thereafter, the Superintendent shall have a comprehensive medical examination biannually, every other year, and shall file promptly a summary report of said medical examination with the Board. All costs and expenses of medical examinations and reports shall be paid by the District.

4.4. In consideration for services provided, for each year served in the district, the Superintendent shall accrue one year of post-retirement health and welfare benefit. The district agrees to cover the Superintendent's health and welfare benefit from the date of retirement based on the accrued benefit. The benefit will terminate when the Superintendent becomes eligible for Medicare or is employed and receives health and welfare benefits in that capacity.

ITEM 19

IN WITNESS WHEREOF, the parties hereto execute this Amendment of ~~September 15<sup>th</sup>, 2011~~ June 6<sup>th</sup>, 2013, to be effective on the date of approval of the Board of Trustees.

\_\_\_\_\_  
Kenneth Noah, Superintendent

\_\_\_\_\_  
Date

Board of Trustees  
San Dieguito Union High School District

By \_\_\_\_\_  
Barbara Groth, Board President

\_\_\_\_\_  
Date

DRAFT

# San Dieguito Union High School District

## INFORMATION REGARDING BOARD AGENDA ITEM

**TO:** BOARD OF TRUSTEES

**DATE OF REPORT:** May 28, 2013

**BOARD MEETING DATE:** June 6, 2013

**PREPARED BY:** Delores Perley, Director of Financial Services  
Eric R. Dill, Assoc Supt, Business Services

**SUBMITTED BY:** Ken Noah  
Superintendent

**SUBJECT:** REVIEW OF 2013-14 DISTRICT TENTATIVE  
BUDGET / GENERAL FUND & SPECIAL  
FUNDS

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### EXECUTIVE SUMMARY

The 2013-14 General Fund budget is presented in tentative form for review.

The budget was prepared using the Governor's May Revised State Budget, which was released Tuesday, May 14, 2013. The state revenue has continued to improve and has exceeded estimates in the last half of 12-13. Those new revenues are reflected in the State's May Revise in a higher estimated beginning balance and slightly higher revenues in 2013-14. However, the Governor's Proposed Budget includes a revolutionary change to school funding in the Local Control Funding Formula (LCFF). The impact of the LCFF on Basic Aid Districts and the "Fair Share" agreement is uncertain.

The District's status as a Basic Aid district affects the most significant assumptions used in preparing the budget—property tax revenue is projected to increase as assessed values continue to show improvement. Although much remains uncertain, according to current estimates, the district would remain Basic Aid under the LCFF model as proposed for 2013-14.

The LCFF would impact the State's "Fair Share" reduction and categorical funding. Since the LCFF remains a proposal at this time, the tentative budget includes Tier III funding and the "Fair Share" agreement according to current law. Until the impact is fully known, this provides the most conservative estimate. The current agreement limits the reduction to the amount of the district's excess taxes. The increase in 2012-13 property taxes results in a decrease to Tier III revenue from 2012-13.

Routine assumptions made for the expenditure side of the budget include: Step and column changes for all employees; anticipated increase to health insurance premiums for all employees; decrease in unemployment insurance rates, and an estimate for contributions to restricted programs.

Staffing costs, salaries and benefits, make up about 85% of the total operating budget. As such, staffing allocations are under regular review. By nature, staffing changes occur on a daily basis. This budget reflects the most recent staffing, as known at the time of preparation.

## ITEM 21

Because the proposed state budget is currently being negotiated between the Governor, Assembly and Senate, details which would affect the District's 2013-14 budget are continually evolving. Staff will present the most up-to-date information at the Board Meeting.

As final details emerge with an anticipated on-time state budget, assumptions will be updated and reflected in the proposed budget or at the Fall Revision, depending on timing.

### **RECOMMENDATION:**

It is recommended that the Board review the 2013-14 District Tentative Budget / General Fund and Special Funds. This item will be resubmitted for Board action on June 20, 2013.

**FUNDING SOURCE: General Fund / 03-00 & 06-00**

## General Fund Revenue & Expenditures - 2013-2014 Tentative Budget

ITEM 21

	2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
	UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
<b>PROJECTED INCOME</b>							
Revenue Limit / Property Tax	79,627,149	1,891,931	81,519,080	78,438,944	1,873,355	80,312,299	(1,206,781)
Federal Income	749,278	4,054,376	4,803,654	677,560	3,416,024	4,093,584	(710,070)
Other State Income	3,075,687	1,735,329	4,811,016	2,660,261	1,984,670	4,644,931	(166,085)
Local Income	3,564,734	6,389,671	9,954,405	1,358,899	6,696,935	8,055,834	(1,898,571)
Transfers	0	0	0	765,588	0	765,588	765,588
Encroachment	(14,457,759)	14,457,759	0	(14,734,159)	14,734,159	0	0
<b>TOTAL PROJECTED INCOME</b>	<b>72,559,089</b>	<b>28,529,066</b>	<b>101,088,155</b>	<b>69,167,093</b>	<b>28,705,143</b>	<b>97,872,236</b>	<b>(3,215,919)</b>
<b>PROJECTED EXPENDITURES</b>							
Certificated Salaries	40,241,966	8,122,845	48,364,811	40,566,745	8,504,693	49,071,438	706,627
Classified Salaries	9,238,111	6,445,752	15,683,863	9,188,002	6,428,903	15,616,905	(66,958)
Benefits	15,264,196	5,006,864	20,271,060	15,301,245	5,082,375	20,383,620	112,560
Books & Supplies	2,747,150	2,849,263	5,596,413	1,378,202	1,561,857	2,940,059	(2,656,354)
Services & Operating Expenses	6,713,783	5,613,536	12,327,319	6,609,338	6,056,636	12,665,974	338,655
Capital Outlay	45,441	19,500	64,941	44,000	0	44,000	(20,941)
Other Outgo	1,329,350	1,072,420	2,401,770	1,188,001	1,070,679	2,258,680	(143,090)
Categorical	0	0	0	0	0	0	0
<b>TOTAL PROJECTED EXPENDITURES</b>	<b>75,579,997</b>	<b>29,130,180</b>	<b>104,710,177</b>	<b>74,275,533</b>	<b>28,705,143</b>	<b>102,980,676</b>	<b>(1,729,501)</b>
Estimated Unspent	0	0	0	0	0	0	0
Expenditures (over/under) Revenue	(3,020,908)	(601,114)	(3,622,022)	(5,108,440)	0	(5,108,440)	(1,486,418)
<b>FUND BALANCE, RESERVES:</b>							
<b>Beginning Balance - July 1</b>	13,126,361	601,114	13,727,475	10,105,453	0	10,105,453	(3,622,022)
Audit Adjustment	0	0	0	0	0	0	0
Adjusted Beginning Balance	13,126,361	601,114	13,727,475	10,105,453	0	10,105,453	(3,622,022)
<b>Projected Ending Balance - June 30</b>	10,105,453	0	10,105,453	4,997,013	0	4,997,013	(5,108,440)
<b>COMPONENTS OF THE ENDING BALANCE:</b>							
<i><b>Nonspendable:</b></i>							
Revolving Cash Fund 9130	180,000		180,000	180,000		180,000	0
Stores Inventory 9320	1,000		1,000	1,000		1,000	0
<i><b>Restricted:</b></i>							
Reserve for categorical programs		0	0		0	0	0
<i><b>Assigned:</b></i>							
Basic Aid Reserve (3.0%)	0		0	0		0	0
EPA Reserve	2,404,936		2,404,936	2,404,936		2,404,936	0
<i><b>Unassigned:</b></i>							
Recommended Min Reserve (4.5%)	4,711,958		4,711,958	4,634,130		4,634,130	(77,828)
<b>Total Components</b>	<b>7,297,894</b>	<b>0</b>	<b>7,297,894</b>	<b>7,220,066</b>	<b>0</b>	<b>7,220,066</b>	<b>(77,828)</b>
RESERVE FOR ECONOMIC UNCERTAINTIES	2,807,559	0	2,807,559	(2,223,053)	0	(2,223,053)	(5,030,612)
	2.68%	0.00%	2.68%	-2.16%	0.00%	-2.16%	-4.84%
SPECIAL RESERVE FUND	2,450,937	0	2,450,937	2,453,145	0	2,453,145	
Combined Reserve	11.99%	0.00%	11.99%	7.23%	0.00%	7.23%	



REVENUE LIMIT SOURCES

ITEM 21

Object	Resource	2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
		UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
8011	STATE AID	(39,236)		(39,236)	(39,236)		(39,236)	0
8012	EPA STATE AID CURRENT YEAR	2,404,936		2,404,936	0		0	(2,404,936)
8021	HOMEOWNERS' EXEMPTION	747,987		747,987	759,207		759,207	11,220
8041	SECURED TAXES	75,305,710		75,305,710	76,435,295		76,435,295	1,129,585
8042	UNSECURED TAXES	2,694,108		2,694,108	2,734,520		2,734,520	40,412
8043	PRIOR YEAR TAXES	10,169		10,169	10,169		10,169	0
8046	SUPPL ED REV AUGMENT FUNDS(SERAF)	0		0	0		0	0
8047	COMMUNITY REDEVELOPMENT FUNDS	15,883		15,883	38,739		38,739	22,856
8082	OTHER TAXES	500		500	500		500	0
8089	50% RECAPTURE, OTHER TAXES	(250)		(250)	(250)		(250)	0
8091	SPECIAL ED ADA	(1,500,000)	1,500,000	0	(1,500,000)	1,500,000	0	0
8096	XFER TO CHT SCH INLIEU PROP TX	(12,658)	0	(12,658)	0	0	0	12,658
8097	SPECIAL ED EXCESS TAX		391,931	391,931		373,355	373,355	(18,576)
	<b>TOTAL-REVENUE LIMIT SOURCES</b>	<b>79,627,149</b>	<b>1,891,931</b>	<b>81,519,080</b>	<b>78,438,944</b>	<b>1,873,355</b>	<b>80,312,299</b>	<b>(1,206,781)</b>

FEDERAL INCOME

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
8290-000	0000-024		12,629		12,629	5,000		5,000	(7,629)
8290 006	0000 012		736,649		736,649	672,560		672,560	(64,089)
8290 000	3010 000			774,521	774,521		728,863	728,863	(45,658)
8290 002	3010 000			167,326	167,326		0	0	(167,326)
8290 000	3185-000			50,000	50,000		0	0	(50,000)
8181 000	3310 000			1,973,238	1,973,238		1,850,517	1,850,517	(122,721)
8181 000	3311 000			106,783	106,783		106,783	106,783	0
8182 000	3327 000			307,220	307,220		137,843	137,843	(169,377)
8290 000	3410 000			196,416	196,416		196,416	196,416	0
8290 000	3550 001			119,415	119,415		113,444	113,444	(5,971)
8290 000	3550 002			5,584	5,584		4,968	4,968	(616)
8290 000	4035 000			196,960	196,960		185,700	185,700	(11,260)
8290 002	4035 000			687	687		0	0	(687)
8290 000	4036 000			6,000	6,000		5,646	5,646	(354)
8290 001	4036 000	D		4,179	4,179		0	0	(4,179)
8290 002	4036 000			3,000	3,000		0	0	(3,000)
8290 000	4045 000			1,856	1,856		1,752	1,752	(104)
8290 000	4201 000			24,200	24,200		23,525	23,525	(675)
8290 002	4201 000			18,431	18,431		0	0	(18,431)
8290 000	4203 000			64,365	64,365		60,567	60,567	(3,798)
8290 002	4203 000			34,195	34,195		0	0	(34,195)
			<b>749,278</b>	<b>4,054,376</b>	<b>4,803,654</b>	<b>677,560</b>	<b>3,416,024</b>	<b>4,093,584</b>	<b>(710,070)</b>

D DEFERRED

OTHER STATE INCOME

ITEM 21

Object	Resource		2012-2013 Second Interim			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
8590 000	0000 000		610,166		610,166	610,166		610,166	0
8590 002	0000 000	HOURLY PROGRAMS	(8,816)		(8,816)	0		0	8,816
8590 005	0000 000	BASIC AID FAIR SHARE	(5,501,934)		(5,501,934)	(6,286,133)		(6,286,133)	(784,199)
8590 006	0000 012	CA SOLAR INITIATIVE REBATE	922,847		922,847	918,068		918,068	(4,779)
8590 002	0000 023	CELDT TESTING	0		0	0		0	0
8590 000	0000 024	AP FEE REIMB PROG	6,122		6,122	6,122		6,122	0
8550 000	0000-000	MANDATED COST REIMBURSEMENT	357,722		357,722	585,722		585,722	228,000
8590 000	0900 XXX	CATEGORICAL FLEXIBILITY	5,212,182		5,212,182	5,349,600		5,349,600	137,418
8560 000	1100 000	LOTTERY	1,408,290		1,408,290	1,476,716		1,476,716	68,426
8560-002	1100 000	LOTTERY	69,108		69,108	0		0	(69,108)
8560 000	6300 000	LOTTERY INSTRUCTIONAL MATERIALS		210,000	210,000		357,270	357,270	147,270
8560 002	6300 000	LOTTERY INSTRUCTIONAL MATERIALS		70,889	70,889		0	0	(70,889)
8590 000	6512 000	SPED MENTAL HEALTH SERVICES		0	0		0	0	0
8590 003	6512 000	SPED PROP 98 MENTAL HEALTH SERVICES		701,934	701,934		695,584	695,584	(6,350)
8590 000	6520 000	SPED PROJ WORKABILITY		292,190	292,190		292,190	292,190	0
8590 000	6530 000	SPED LOW INCIDENCE		1,789	1,789		1,789	1,789	0
8590 000	6535 000	SPED PERSONNEL STAFF DEV		4,618	4,618		4,618	4,618	0
8590 000	6690 000	TUPE 6-12 GRANT		137,870	137,870		215,191	215,191	77,321
8590 002	6690 000	TUPE 6-12 GRANT		45,332	45,332		0	0	(45,332)
8311 000	7090 000	ECONOMIC IMPACT AID		488,014	488,014		398,028	398,028	(89,986)
8311 005	7090 000	ECONOMIC IMPACT AID-Fair Share		(237,307)	(237,307)	0	0	0	237,307
8311 000	7230 000	TRANSPORTATION - Home to School		482,709	482,709	0	482,709	482,709	0
8311 005	7230 000	TRANSPORTATION-HTS Fair Share		(482,709)	(482,709)	0	(482,709)	(482,709)	0
8311 000	7240 000	TRANSPORTATION-Special Education		59,185	59,185	0	59,185	59,185	0
8311 005	7240 000	TRANSPORTATION-SPED Fair Share		(59,185)	(59,185)	0	(59,185)	(59,185)	0
8590 000	7810 004	TRANSITION PRTNRSH PROJ - WIT		20,000	20,000	0	20,000	20,000	0
		<b>TOTAL OTHER STATE REVENUE</b>	<b>3,075,687</b>	<b>1,735,329</b>	<b>4,811,016</b>	<b>2,660,261</b>	<b>1,984,670</b>	<b>4,644,931</b>	<b>(166,085)</b>

D DEFERRED

LOCAL INCOME

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
8631 000	0100 046	SALE OF EQUIPMENT & SUPPLIES	10,000		10,000	10,000		10,000	0
8631 001	0100 046	SALE OF EQUIPMENT & SUPPLIES			0			0	0
8650 XXX	0000 634/5	M & O FIELD USE	100,000		100,000	80,000		80,000	(20,000)
8660 XXX	0000 000	INTEREST	455,697		455,697	320,000	0	320,000	(135,697)
8675 001	7230 002	TRANSPORT.SERVICES PARENT PAY		525,000	525,000		525,000	525,000	0
8677 000	6500 007	SP ED, NCCSE		54,000	54,000			54,000	(54,000)
8677 004	0100 038	INT/AGY PRIVATE CONTRACTOR	50,000		50,000	75,000		75,000	25,000
8677 005	7230 009	INT/AG REV - OTHER TRANSP		32,752	32,752			32,752	(32,752)
8677 006	9010 006	INT/AG REV - APCD - BUS PROGRAM			0			0	0
8677 007	9025 XXX	INT/AG. REV. - ROP TIER III			0			0	0
8677 010	6500 004	COASTAL LEARNING ACADEMY		100,000	100,000		100,000	100,000	0
8677 012	7230 009	I/A TRASPORTATION HTS			0			0	0
8677 012	7240 002	SP ED, TRANSPORTATION		20,000	20,000			20,000	(20,000)
8677 014	0100 051	ADMIN DEV FEES RSF/SB	1,500		1,500	1,500		1,500	0
8689 001	0100 039	OTHER PARKING FINES-TP	1,985		1,985			1,985	(1,985)
8689 001	0100 052	OTHER PARKING FINES-CCA	1,439		1,439			1,439	(1,439)
8689 001	0100 054	OTHER PARKING FINES-LCC	1,011		1,011			1,011	(1,011)
8689 001	0100 055	OTHER PARKING FINES-SDA	357		357			357	(357)
8689 005	0100 050	STUDENT PARKING FEES-TP	20,701		20,701			20,701	(20,701)
8689 010	0100 048	STUDENT PARKING FEES-LCC	19,551		19,551			19,551	(19,551)
8689 013	0100 049	STUDENT PARKING FEES-SDA	11,532		11,532			11,532	(11,532)
8689 014	0100 047	STUDENT PARKING FEES-CCA	16,710		16,710			16,710	(16,710)
8689 050	0000 300	TRANSP FEES-ATHL-TP	115,000		115,000	115,000		115,000	0
8689 100	0000 300	TRANSP FEES-ATHL-LCC	100,000		100,000	100,000		100,000	0
8689 130	0000 300	TRANSP FEES-ATHL-SDA	40,000		40,000	42,000		42,000	2,000
8689 140	0000 300	TRANSP FEES-ATHL-CCA	60,800		60,800	80,000		80,000	19,200
8699 000	0100 030	22ND AGR DIST NON COOP*	44,058		44,058	0		44,058	(44,058)
8699 000	9010 010,2-3	SB70 CAREER DEV		142,739	142,739	0		142,739	(142,739)
8699 700	0000 012	CAPITAL FUNDS FOR SOLAR	1,185,907		1,185,907	0		1,185,907	(1,185,907)
8699 XXX	XXXX XXX	OTHER LOCAL INCOME	1,185,382	130,539	1,315,921	465,000	27,000	492,000	(823,921)
8710 000	6500 008	SP ED, SEAS		38,000	38,000		20,000	20,000	(18,000)
8782 000	9025 XXX	ROP COUNTY OFFICE		1,575,458	1,575,458		1,575,458	1,575,458	0
8782 XXX	1100 001	ROP LOTTERY TRANSFER	89,850		89,850	70,399		70,399	(19,451)
8782 XXX	6300 001	ROP RESTRICTED LOTTERY		9,225	9,225			9,225	(9,225)
8783 000	0000 000	ALL OTHER TRANSFERS FROM JPA	53,254		53,254			53,254	(53,254)
8792 000	6500 000	SPECIAL EDUCATION		3,761,958	3,761,958		4,449,477	4,449,477	687,519
		<b>TOTAL LOCAL REVENUE</b>	<b>3,564,734</b>	<b>6,389,671</b>	<b>9,954,405</b>	<b>1,358,899</b>	<b>6,696,935</b>	<b>8,055,834</b>	<b>(1,898,571)</b>
8919 016	0000 000	I/TRANSF SELF INS FD	0	0	0	0	0	0	0
8919 021	0000 000	TRANSFER FROM BOND FUNDS FOR SOLAR	0	0	0	765,588	0	765,588	765,588
		<b>SUBTOTAL TRANSFERS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>765,588</b>	<b>0</b>	<b>765,588</b>	<b>765,588</b>
8980 000	0000 000	UNRESTRICTED CONTRIBUTIONS	(14,610,016)		(14,610,016)	(14,940,215)		(14,940,215)	(330,199)
8980 000	1100-001	ROP LOTTERY TRANSFER	(89,850)		(89,850)	(70,399)	0	(70,399)	19,451
8980 000	6500 000	CONTRIBUTION TO SPEC. ED. FOR ENCROACHMENT		7,579,871	7,579,871		7,876,765	7,876,765	296,894
8980 000	6512 000	SPED MENTAL HEALTH SERVICES		1,223,542	1,223,542		1,425,029	1,425,029	201,487
8980 005	7090 000	CONTRIBUTION TO EIA FAIR SHARE		237,307	237,307			237,307	(237,307)
8980 000	7230 000	CONTRIBUTION TO H-T-S TRANSPORTATION		29,566	29,566		116,815	116,815	87,249
8980 005	7230 000	CONTRIBUTION TO HTS. TRANSP. FAIR SHARE		482,709	482,709		482,709	482,709	0
8980 000	7240 000	CONTRIBUTION TO SP. ED. TRANSP. FOR ENCROACH.		2,750,123	2,750,123		2,729,116	2,729,116	(21,007)
8980 005	7240 000	CONTRIBUTION TO SP. ED. TRANSP. FAIR SHARE		59,384	59,384		59,384	59,384	0
8980 000	8150 000	CONTRIBUTION TO ROUTINE REPAIR FOR ENCROACH.		2,247,514	2,247,514		2,250,397	2,250,397	2,883
8980 000	9025 XXX	ROP LOTTERY TRANSFER		89,850	89,850		70,399	70,399	(19,451)
8990 000	3310 000	SPECIAL ED: IDEA PL 94-142		(312,003)	(312,003)		(293,595)	(293,595)	18,408
8990 000	3312 000	SPECIAL ED: IDEA EARLY INTERVENTION		312,003	312,003		293,595	293,595	(18,408)
8990 007	9025 000	ROP TIER III REVENUE		(242,107)	(242,107)		(276,455)	(276,455)	(34,348)
8990 007	0000 000	ROP TIER III REVENUE	242,107		242,107	276,455		276,455	34,348
		<b>SUBTOTAL ENCROACHMENT</b>	<b>(14,457,759)</b>	<b>14,457,759</b>	<b>0</b>	<b>(14,734,159)</b>	<b>14,734,159</b>	<b>0</b>	<b>0</b>
		<b>TOTAL TRANSFERS</b>	<b>(14,457,759)</b>	<b>14,457,759</b>	<b>0</b>	<b>(13,968,571)</b>	<b>14,734,159</b>	<b>765,588</b>	<b>765,588</b>
		<b>TOTAL ALL REVENUE W/O TEMP TRSFERS</b>	<b>72,559,089</b>	<b>28,529,066</b>	<b>101,088,155</b>	<b>69,167,093</b>	<b>28,705,143</b>	<b>97,872,236</b>	<b>(3,215,919)</b>
		OTHER I/F TRANSFERS IN-TEMP			0			0	0
		<b>TOTAL REVENUE WITH ALL TRANSFERS</b>	<b>72,559,089</b>	<b>28,529,066</b>	<b>101,088,155</b>	<b>69,167,093</b>	<b>28,705,143</b>	<b>97,872,236</b>	<b>(3,215,919)</b>

CERTIFICATED SALARIES

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
1100 000		TEACHERS' SALARIES	32,898,088	7,614,738	40,512,826	33,345,501	7,835,195	41,180,696	667,870
1100 033		EL STIPEND	475,000		475,000	475,000	0	475,000	0
1200 000		PUPIL SUPPORT: LIBRARIANS GUIDANCE, WELFARE & ATTEND. PHYSICAL & MENTAL HEALTH	2,744,183	81,215	2,825,398	2,842,056	52,390	2,894,446	69,048
1300 000		SUPERVISORS, ADMIN: SUPERINTENDENTS ADMINISTRATORS	3,577,438	285,503	3,862,941	3,353,594	383,455	3,737,049	(125,892)
1900 000		OTHER CERTIFICATED	547,257	141,389	688,646	550,594	233,653	784,247	95,601
		<b>TOTAL-OBJECT CODE 1000</b>	<b>40,241,966</b>	<b>8,122,845</b>	<b>48,364,811</b>	<b>40,566,745</b>	<b>8,504,693</b>	<b>49,071,438</b>	<b>706,627</b>

CLASSIFIED SALARIES

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
2100 000		INSTRUCTIONAL AIDES	861,000	2,188,846	3,049,846	861,000	2,353,241	3,214,241	164,395
2200 000		CLASSIFIED SUPPORT: MAINTENANCE & OPERATIONS INSTR. MEDIA / LIBRARY TRANSPORTATION	2,868,737	3,611,124	6,479,861	2,914,021	3,525,719	6,439,740	(40,121)
2300 000		SUPERVISORS AND ADMINISTRATORS' SALARIES	866,274	312,221	1,178,495	811,849	261,768	1,073,617	(104,878)
2400 000		CLERICAL & OFFICE PERSONNEL	4,285,791	332,061	4,617,852	4,274,301	288,175	4,562,476	(55,376)
2900 000		OTHER CLASSIFIED	356,309	1,500	357,809	326,831	0	326,831	(30,978)
		<b>TOTAL-OBJECT CODE 2000</b>	<b>9,238,111</b>	<b>6,445,752</b>	<b>15,683,863</b>	<b>9,188,002</b>	<b>6,428,903</b>	<b>15,616,905</b>	<b>(66,958)</b>

EMPLOYEE BENEFITS

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
3100 000		STATE TEACHERS' RETIREMENT SYS	3,649,552	665,954	4,315,506	3,728,912	699,911	4,428,823	113,317
3200 000		PUBLIC EMPLOYEE RETIREMENT SYS	1,074,494	666,552	1,741,046	1,066,633	664,314	1,730,947	(10,099)
3311/2 000		SOCIAL SECURITY	627,724	401,660	1,029,384	625,142	404,837	1,029,979	595
3321/2 000		MEDICARE	690,449	201,183	891,632	687,444	200,455	887,899	(3,733)
3400 000		INC PROTCT+CERT DNTAL+LIFE	511,219	124,274	635,493	529,695	128,650	658,345	22,852
3500 000		UNEMPLOYMENT INSURANCE	601,585	159,356	760,941	72,924	7,478	80,402	(680,539)
3600 000		WORKERS' COMPENSATION	934,246	243,689	1,177,935	996,026	267,946	1,263,972	86,037
3700 000		RETIREE BENEFITS (H & W)	602,282	153,034	755,316	572,140	142,262	714,402	(40,914)
3800 000		PERS REDUCTION	0	0	0	0	0	0	0
3900 000		FLEX ACCOUNTS	6,572,645	2,391,162	8,963,807	7,022,329	2,566,522	9,588,851	625,044
		<b>TOTAL-OBJECT CODE 3000</b>	<b>15,264,196</b>	<b>5,006,864</b>	<b>20,271,060</b>	<b>15,301,245</b>	<b>5,082,375</b>	<b>20,383,620</b>	<b>112,560</b>

BOOKS AND SUPPLIES

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
4100 000		TEXTBOOKS (7-8 + 9-12)	0	150,000	150,000	0	82,270	82,270	(67,730)
4200 000		BOOKS OTHER THAN TEXTBOOKS	1,872	52,570	54,442	450	228,400	228,850	174,408
4300 000		MATERIALS & SUPPLIES LOTTERY INSTRUCTIONAL MTRLS SCIENCE LAB MATERIALS OTHER SUPPLIES PUPIL TRANSPORTATION SUPPLIES GIFTS & DONATIONS	2,448,688	2,129,667	4,578,355	1,081,460	1,086,413	2,167,873	(2,410,482)
4300 999		ESTIMATED UNSPENT	0	359,005	359,005	0	101,476	101,476	(257,529)
4400 000		NON-CAPITALIZED EQUIP (under \$5,000)	296,590	158,021	454,611	296,292	63,298	359,590	(95,021)
		<b>TOTAL-OBJECT CODE 4000</b>	<b>2,747,150</b>	<b>2,849,263</b>	<b>5,596,413</b>	<b>1,378,202</b>	<b>1,561,857</b>	<b>2,940,059</b>	<b>(2,656,354)</b>



SERVICES AND OPERATING EXPENSES

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
5100 000		SUBAGREEMENT FOR SERVICES	130,500	2,079,410	2,209,910	355,500	0	355,500	(1,854,410)
5200 000		TRAVEL/CONFERENCES/INSERVICE TRNG	138,400	77,805	216,205	144,851	72,593	217,444	1,239
5300 000		DISTRICT DUES & MEMBERSHIP	62,600	1,250	63,850	46,060	800	46,860	(16,990)
5400 000		INSURANCE	556,475	0	556,475	501,708	0	501,708	(54,767)
5500 000		UTILITIES	2,109,818	2,500	2,112,318	2,067,000	0	2,067,000	(45,318)
5600 000		RENTALS, LEASES & REPAIRS	724,514	126,692	851,206	720,211	76,550	796,761	(54,445)
5700 000		INTER-PROGRAM SERVICES	498,489	(518,614)	(20,125)	330,700	(347,700)	(17,000)	3,125
5800 000		PROF./CONSULTING & OTHER SERVICES & OPERATING EXPENSES, INSTRUCTIONAL CONSULT. & LECT.	2,165,477	3,821,293	5,986,770	2,116,128	6,229,213	8,345,341	2,358,571
5900 000		COMMUNICATIONS: VOICE, DATA & POSTAGE	327,510	23,200	350,710	327,180	25,180	352,360	1,650
		<b>TOTAL-OBJECT CODE 5000</b>	<b>6,713,783</b>	<b>5,613,536</b>	<b>12,327,319</b>	<b>6,609,338</b>	<b>6,056,636</b>	<b>12,665,974</b>	<b>338,655</b>

CAPITAL OUTLAY

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budget			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
6100 000		SITES & IMPROVEMENT OF SITE	0	0	0	0	0	0	0
6200 000		IMPROVEMENT	0	0	0	0	0	0	0
6400 000		EQUIPMENT	36,000	19,500	55,500	36,000	0	36,000	(19,500)
6500 000		EQUIPMENT REPLACEMENT	9,441	0	9,441	8,000	0	8,000	(1,441)
		<b>TOTAL-OBJECT CODE 6000</b>	<b>45,441</b>	<b>19,500</b>	<b>64,941</b>	<b>44,000</b>	<b>0</b>	<b>44,000</b>	<b>(20,941)</b>

OTHER OUTGO

ITEM 21

Object	Resource		2012-2013 Spring Revision			2013-2014 Tentative Budger			Change
			UNRESTRICTED	RESTRICTED	TOTAL	UNRESTRICTED	RESTRICTED	TOTAL	
7130 000	XXXX XXX	STATE SPECIAL SCHOOLS	6,843		6,843	6,843	0	6,843	0
7141 000	65XX XXX	SPED OTH TUIT- DEFIC PMTS-SCH		34,814	34,814	0	156,748	156,748	121,934
7142 000	6500 000	SPED OTH TUIT-X COST	0	519,784	519,784	0	519,784	519,784	0
7142 000	6500 001	OTHER TUITION & SPEC. ED EXCESS COS	0	30,000	30,000	0	12,330	12,330	(17,670)
7142 000	6512 000	SPED MENTAL HEALTH OTH TUIT-X COST	0	106,605	106,605	0	106,605	106,605	0
7142-002	6500-005	ADULT TRANSITION SH PROGRAM	0	0	0	0	0	0	0
7142 003	6500 001	SP. ED. NCCSE MOU	0	0	0	0	0	0	0
7142 004	6512 000	SPED MENTAL HEALTH SERVICES	0	137,500	137,500	0	0	0	(137,500)
7310 001	XXXX XXX	DIRECT SUPPORT/INDIRECT COSTS	(240,717)	240,717	0	(275,212)	275,212	0	0
7350 011	XXXX XXX	ADULT ED INDIRECT - FUND 11-00	(32,608)	0	(32,608)	(30,154)	0	(30,154)	2,454
7350 013	XXXX XXX	FOOD SERVICE INDIRECT FD 13-00	(116,839)	0	(116,839)	(140,000)	0	(140,000)	(23,161)
7438 000	XXXX XXX	SOLAR PROJ DEBT SVC INT	840,639	0	840,639	840,936	0	840,936	297
7439 000	XXXX XXX	SOLAR PROJ OTH DEBT SVC PRINC.	765,588	0	765,588	765,588	0	765,588	0
7615 014	8150 000	TRSF FROM GEN TO DEF. MAINT. FUND 14	0	0	0	0	0	0	0
7619 015	XXXX XXX	TRSF FROM GEN TO FUND 15-00	11,444	3,000	14,444	0	0	0	(14,444)
7619 011	0000 800	I/F TRANSF TO ADULT ED	75,000	0	75,000	0	0	0	(75,000)
7619 030	0000 800	INTERFD-TRSF-TO DED. INS.	20,000	0	20,000	20,000	0	20,000	0
		<b>TOTAL-OBJECT CODE 7000</b>	<b>1,329,350</b>	<b>1,072,420</b>	<b>2,401,770</b>	<b>1,188,001</b>	<b>1,070,679</b>	<b>2,258,680</b>	<b>(143,090)</b>
		<b>TOTAL-ALL EXPENDITURES</b>	<b>75,579,997</b>	<b>29,130,180</b>	<b>104,710,177</b>	<b>74,275,533</b>	<b>28,705,143</b>	<b>102,980,676</b>	
									0
		<b>GRAND TOTAL-ALL EXPENDITURES</b>	<b>75,579,997</b>	<b>29,130,180</b>	<b>104,710,177</b>	<b>74,275,533</b>	<b>28,705,143</b>	<b>102,980,676</b>	

ITEM 21

**General Fund Revenue & Expenditures - 2013-2014 Tentative Budget**  
Business Services Division  
Finance Department  
  
2013-2014  
Tentative Budget  
**Summary of Changes**

<b>Income:</b>	<b><u>Spring Revision</u></b>	<b><u>Tentative</u></b>	<b><u>Summary of Changes</u></b>
Revenue Limit	81,519,080	80,312,299	(1,206,781) * \$1.2M 1.5% Increase Property Taxes * <\$2.4M> EPA State Aid
Federal	4,803,654	4,093,584	(710,070) * <\$213K> Title 1 NCLB (Sequestration Reduction & Prior year revenue) * <\$169K> IDEA Mental Health (Prior year revenue) * <\$123K> IDEA PL 94-142 (Sequestration Reduction) * <\$64K> Direct Subsidy on QSCB (Sequestration Reduction) * <\$50K> Title 1 Program Improvement
Other State	4,811,016	4,644,931	(166,085) * \$228K Mandated Cost Block Grant * \$137K Categorical Flexibility * \$90K Economic Impact Aid * \$76K Lottery - Instructional Materials * <\$546K> Basic Aid Fair Share increase
Local	9,954,405	8,055,834	(1,898,571) * \$688K Special Ed (Equalization and Backfill for Federal Sequestration Reduction) * <\$33K> Interagency Revenue - Other Transportation * <\$44K> 22nd Agricultural District Non-Coop * <\$54K> NCCSE Interagency Services * <\$143K> SB70 Career Development * <\$156K> Interest * <\$776K> Donations, College Testing, etc., Revenue * <\$1.2M> Capital Funds for Solar (Reclassification)
Transfers	0	765,588	765,588 \$766K Transfer from Bond Funds for Solar (Reclassification)
Encroachment	(14,457,759)	(14,734,159)	(276,400) * \$297K Special Ed Contribution * \$201K Special Ed Mental Health Services Contribution * <\$237K> EIA Fair Share Contribution
<b>Total</b>	<b>101,088,155</b>	<b>97,872,236</b>	<b>(3,215,919)</b>

ITEM 21

**General Fund Revenue & Expenditures - 2013-2014 Tentative Budget**  
Business Services Division  
Finance Department  
  
2013-2014  
Tentative Budget  
**Summary of Changes**

**Expenditures:**

	<u>Spring Revision</u>	<u>Tentative</u>	<u>Summary of Changes</u>	
Certificated Salaries	48,364,811	49,071,438	706,627	* 4.5 FTE * Step & Column Increases
Classified Salaries	15,683,863	15,616,905	(66,958)	* \$137K Instructional Aides * <\$230K> Staffing Funding Savings * Step Increases
Benefits	20,271,060	20,383,620	112,560	* \$648K Health & Welfare Rate Increase * <\$680K> Unemployment Ins Rate Decrease * Benefits related to Step & Column Increases
Books & Supplies	5,596,413	2,940,059	(2,656,354)	* <\$222K> SB70 Career Development Carryover * <\$337K> Lottery - Instructional Materials Carryover * <\$573K> Restricted Carryover * <\$1.1M> Donations, College Testing, and other Carryover
Services & Operating Expenses	12,327,319	12,665,974	338,655	* \$240K Special Ed NPS/NPA * \$105K Instructional Computer Licenses * <\$45K> Utilities * <\$54K> Insurance
Capital Outlay	64,941	44,000	(20,941)	* <\$20K> SB 70 Career Development Carryover
Other Outgo	2,401,770	2,258,680	(143,090)	* <\$75K> Adult Ed Contribution * <\$23K> Indirect Cost Increase - Child Nutrition * <\$14K> Transportation Equipment Fund Transfer
<b>Total</b>	<b>104,710,177</b>	<b>102,980,676</b>	<b>(1,729,501)</b>	

## SPECIAL FUNDS - OVERVIEW

Information relative to special funds, other than the General Fund, gives a brief description of the activities of the fund.

### Adult Education Fund, 11-00

The Adult Education Fund is used to account separately for federal and local revenues related to adult education programs. San Dieguito Adult Education provides a wealth of educational and recreational programs for the community, including high school diploma classes, English as a second language, programs for senior citizens, a host of cultural and personal enrichment courses, and recreation activities. State aid to Adult Education has been eliminated as of 2009-10 as part of the Fair Share proposal which reduces categorical funding to Basic Aid districts.

### Cafeteria Fund, 13-00

School lunch nutrition standards have caused increased expenses and decreased revenue for the last few years. As a result, menus, staffing and productivity are constantly evaluated to ensure the district is providing wholesome, nutritious meals that are attractive to its customers and can be sold at a reasonable price. Nutrition Services continues to hone its marketing efforts and will further enhance technology to provide faster meal service. Managing the challenges of open campuses and single lunch periods continues.

### Deferred Maintenance Fund, 14-00

Contributions to this program were eliminated in 2009-10 under the Fair Share proposal. Program requirements are waived until 2014-15. The deferred maintenance fund will be used until funds are depleted. Because deferred maintenance needs are ongoing, the costs of some necessary projects have been shifted to the General Fund.

### Pupil Transportation Equipment Fund, 15-00

This fund was created for the purpose of accounting separately for income and expenses related to the acquisition of pupil transportation equipment.

### Special Reserve Other Than Capital Outlay, 17-42

The purpose of this fund is to provide for the accumulation of General Fund resources for general operating purposes. Previous one-time mandate revenue was deposited to contribute to GASB 45 (OPEB) obligations. The balance has been used as part of the district's reserve for economic uncertainties.

### Building Fund, 21-09

This fund is used to account for income due from prior construction projects. This fund is used for various construction projects. The balance will diminish until funds are depleted.

ITEM 21

Building Fund-Proposition 39, 21-39

In November 2012, voters of the San Dieguito Union High School District community passed Proposition AA, a proposition 39 general obligation bond measure to provide monies to finance the construction of school facilities. This fund was created to account for income from the sale of the bonds and is used for the various construction projects approved by Proposition AA.

Capital Facilities, 25-18

Used for developer fees generated by agreements before 1987, this is a dwindling resource fund. The use of these funds is restricted to the cost of construction/reconstruction of facilities as a result of student population growth.

Capital Facilities, 25-19

Used for "per square foot" developer fees that the state authorized beginning in January 1987 and before many of the currently established Mello-Roos districts were formed. The use of these funds is limited to capital expenditures related to enrollment growth.

County School Facilities Fund, 35-00

This fund is used exclusively to account for income from the state for construction and modernization of school facilities.

Special Reserve for Capital Projects, 40-00

This fund is used to account for donated funds associated with capital projects. This fund balance will decline until all funds are depleted, unless future donations are made for capital projects.

Self-Insurance Fund, 67-16

This fund is used as a trust account for amounts not spent on insurance premiums for certificated employees to declined health insurance. The balance in this fund grows until a distribution is agreed upon between the district and the San Dieguito Faculty Association.

Other Post Employment Benefits Fund, 67-17

This fund is used as an escrow account to fund the annual "pay-as-you-go" amount for Other Post Employment Benefits (OPEB). The General Fund makes contributions to this fund and then premiums are paid from this account. Assets do not count toward the unfunded OPEB liability as the funds are not held in a special trust. The negative ending fund balance reflects the accumulated unfunded liability for OPEB.

Deductible Insurance Loss Fund, 67-30

This fund is used for the purpose of claims, administrative costs, services, deductible insurance amounts, costs of excess insurance and other related costs.

## ITEM 21

## Special Funds - Balance Summary

### 2012-13 Estimated / 2013-14 Tentative

	Adult Ed. Fund 11-00 12-13 Est.	Adult Ed. Fund 11-00 13-14 Prop.	Cafeteria Fund 13-00 12-13 Est.	Cafeteria Fund 13-00 13-14 Prop.	Defer. Maint. Fund 14-00 12-13 Est.	Defer. Maint. Fund 14-00 13-14 Prop.
INCOME	956,024	782,087	2,719,500	3,238,000	-	-
EXPENDITURES	932,256	693,339	2,839,659	3,099,924	-	-
Expenditures (over)/under Revenue	23,768	88,748	(120,159)	138,076	-	-
FUND BALANCE, RESERVES: Beginning Balance - July 1	-	23,768	622,127	501,968	3,126	3,126
Ending Balance - June 30 Reserve for economic uncertainties	23,768	112,516	501,968	640,044	3,126	3,126

	Bus Replacement Fund 15-00 12-13 Est.	Bus Replacement Fund 15-00 13-14 Prop.	Sp. Res. w/o Cap. Out. Fund 17-42 12-13 Est.	Sp. Res. w/o Cap. Out. Fund 17-42 13-14 Prop.	Building Fund 21-09 12-13 Est.	Building Fund 21-09 13-14 Prop.
INCOME	14,444	125	15,000	10,000	1,000	800
EXPENDITURES	-	-	-	-	55,000	-
Expenditures (over)/under Revenue	14,444	125	15,000	10,000	(54,000)	800
FUND BALANCE, RESERVES: Beginning Balance - July 1	33,921	48,365	2,438,145	2,453,145	279,357	225,357
Ending Balance - June 30 Reserve for economic uncertainties	48,365	48,490	2,453,145	2,463,145	225,357	226,157



ITEM 21

## Special Funds - Balance Summary 2012-13 Estimated / 2013-14 Tentative

	Prop AA Fund 21-39 12-13 Est.	Prop AA Fund 21-39 13-14 Prop.	Cap. Fac. Fund 25-18 12-13 Est.	Cap. Fac. Fund 25-18 13-14 Prop.	Cap. Fac. Fund 25-19 12-13 Est.	Cap. Fac. Fund 25-19 13-14 Prop.
INCOME	168,336,717	-	13,000	1,074,478	325,000	2,500
EXPENDITURES	9,786,342	65,889,710	382,256	1,062,474	518,143	14,000
Expenditures (over)/under Revenue	158,550,375	(65,889,710)	(369,256)	12,004	(193,143)	(11,500)
FUND BALANCE, RESERVES: Beginning Balance - July 1	-	158,550,375	787,297	418,041	897,506	704,363
Ending Balance - June 30 Reserve for economic uncertainties	158,550,375	92,660,665	418,041	430,045	704,363	692,863

	SSF Fund 35-00 12-13 Est.	SSF Fund 35-00 13-14 Prop.	Spec Res Cap Proj Fund 40-00 12-13 Est.	Spec Res Cap Proj Fund 40-00 13-14 Prop.	Self Ins. Fund 67-16 12-13 Est.	Self Ins. Fund 67-16 13-14 Prop.
INCOME	7,000	4,000	100	100	151,000	171,000
EXPENDITURES	-	-	-	-	-	-
Expenditures (over)/under Revenue	7,000	4,000	100	100	151,000	171,000
FUND BALANCE, RESERVES: Beginning Balance - July 1	1,061,893	1,068,893	26,693	26,793	270,059	421,059
Ending Balance - June 30 Reserve for economic uncertainties	1,068,893	1,072,893	26,793	26,893	421,059	592,059

ITEM 21

## Special Funds - Balance Summary

### 2012-13 Estimated / 2013-14 Tentative

	OPEB Fund 67-17 12-13 Est.	OPEB Fund 67-17 13-14 Prop.	Deduct. Ins. Loss Fund 67-30 12-13 Est.	Deduct. Ins. Loss Fund 67-30 13-14 Prop.
INCOME	601,000	700,000	20,750	20,500
EXPENDITURES	682,565	633,060	50,000	30,000
Expenditures (over)/under Revenue	(81,565)	66,940	(29,250)	(9,500)
FUND BALANCE, RESERVES: Beginning Balance - July 1	(5,243,978)	(5,325,543)	53,761	24,511
Ending Balance - June 30 Reserve for economic uncertainties	(5,325,543)	(5,258,603)	24,511	15,011

## 2013-2014 Capital/Deferred Maintenance Projects

## ITEM 21

## Fund 25-19 - Capital Facilities

Site	Description	Estimated Cost	Funding Source
TPHS	Seaside Prep, Non-Public School Alternative	\$50,000	Fund 25-19 - Capital Facilities
<b>Total 25-19 Capital Facilities Funds</b>		<b>\$50,000.00</b>	

## Fund 21-39 - Building Fund - Prop 39 (Prop AA)

Site	Description	Estimated Cost	Funding Source
CCA	Stadium Construction and Field Improvement	\$14,303,850	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
DNO	HVAC Building Improvements	\$2,768,850	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
LCC	Technology Infrastructure and HVAC Building Improvements	\$10,565,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
OC	HVAC Building Improvements and Field Improvements	\$2,901,300	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
SDA	Stadium and Field Improvements	\$2,908,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
SDA	Math and Science Building/Mustang Center Remodel	\$4,418,500	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
TPHS	Stadium and Field Improvements	\$600,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
TPHS	Performing Arts Center Planning	\$663,350	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
LCC	Media Center/Teleconference and Field House	\$3,950,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
CV	Planning	\$265,650	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
EW	Planning	\$587,121	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
District Wide	Voice Over IP	\$212,992	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
District Wide	Voice Over IP Equipment (LCC)	\$417,323	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
District Wide	Voice Over IP Equipment (Sunset)	\$9,463	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
District Wide	Technology Infrastructure	\$4,433,722	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
Middle School #5	Land Purchase and Approval	\$12,033,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
Middle School #5	Building Construction	\$4,036,000	Fund 21-39 - Building Fund-Prop 39 (Prop AA)
<b>Total 21-09 Building Funds</b>		<b>\$65,074,121.00</b>	