

Agenda  
Governing School Board  
Wednesday, September 12, 2018  
4:00 p.m.  
Classroom, Kashia School District

1. Call to Order Board and Staff/Establishment of Quorum

|                 |       |                 |       |
|-----------------|-------|-----------------|-------|
| Paul Chappell   | _____ | Frances Johnson | _____ |
| Maxine Barboza  | _____ | Peter Tufele    | _____ |
| Charlene Pinola | _____ | Patti Pomplin   | _____ |

2. Approval of Agenda

3. Public Comment on Non Agenda Items (Limit 5 Minutes)

Public comment on any item of interest to the public that is within in the Board's jurisdiction will be heard. The Board may limit comments to no more than 5 minutes each pursuant to Board policy. Public comment will be allowed on each specific agenda item prior to Board action thereon.

4. Communication

Sonoma County Clerk-Recorder-Assessor – Registrar of Voters  
Sonoma County Office of Education – Approval of LCAP

5. Consent Agenda

- 5.1 Approval of Minutes from August 15 , 2018
- 5.2 Approval of Warrants for August 2018
- 5.3 Sonoma County Cooperative Services for Title II

6. Reports and Communications

- 6.1 Governing Board Members
- 6.2 Superintendent
- 6.3 Teacher
- 6.4 Business Manager
- 6.5 PTO

7. Items Scheduled for Information and Discussion

- 7.1 After Hours Playground Usage

8. Items Scheduled for Discussion and Action

8.1 Final Reading Board Policies

- |           |                                        |
|-----------|----------------------------------------|
| BP4100    | Certificated Personnel                 |
| BP4111    | Recruitment and Selection              |
| BP4111.2  | Legal Status Requirement               |
| AR4111.2  | Legal Status Requirement               |
| AR4112    | Appointment & Conditions of Employment |
| AR4112.1  | Contracts                              |
| BP4112.2  | Certification                          |
| AR4112.2  | Certification                          |
| BP4112.21 | Interns                                |
-

- AR4112.22 Interns
  - AR4112.23 Special Education Staff
  - BP4113 Assignment
  - AR4113 Assignment
  - BP4116 Probationary/Permanent Status
  - AR4116 Probationary/Permanent Status
  - BP4117.2 Resignation
  - AR4117.4 Dismissal
  - AR4117.5 Termination Agreements
  - AR4117.6 Decision not to Rehire
  - AR4117.7 Employment Status Reports
  - BP4118 Suspension/Disciplinary Action
  - AR4118 Suspension/Disciplinary Action
  - AR4121 Temporary/Substitute Personnel
  - BP4131.1 Beginning Teacher Support/Induction
  - BP4151 Employee Compensation
  - BP5112.1 Exemptions from Attendance
  - AR5112.1 Exemptions from Attendance
  - AR5112.2 Exclusions from Attendance
  - BP5123 Promotion/Acceleration/Retention
  - AR5123 Promotion/Acceleration/Retention
  - AR5125.2 Withholding Grades, Diploma or Transcripts
  - BP5149 At-Risk Students
  - 8.2 Approval of 2017-18 Unaudited Actuals
  - 8.3 Approve of 2017-18 GANN Limit Resolution
  - 8.3 Public Hearing and Approval of Williams Resolution on Instructional Materials
  - Open:
  - Closed:
  - 8.5 Educator Effectiveness Grant Expenditure Plan
- 9 Items Scheduled for Future Board Meetings
- 9.3 Board Policies
  - 9.4 Facilities Inspection Tool (FIT)

10 Adjournment

Next Regular Board Meeting, Wednesday, October 10, 2018

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## SONOMA COUNTY

Clerk-Recorder-Assessor

[www.sonoma-county.org/cra](http://www.sonoma-county.org/cra)

### REGISTRAR OF VOTERS DIVISION

P.O. Box 11485  
435 Fiscal Dr.  
Santa Rosa, CA 95406  
Tel: (707) 565-6800  
Toll Free (CA only):  
(800) 750-VOTE  
Fax: (707) 565-6843

AUGUST 23, 2018

Kashia School District  
Po Box 129  
Stewarts Point, CA 95485

Dear District Secretary:

Pursuant to Education Code §5328, the following nominees for your board should be seated at the organizational meeting and will be considered appointed as if elected. Where vacancies remain, the governing board shall appoint a qualified person at a meeting prior to Election Day (November 6, 2018), and such appointees shall be seated at the organizational meeting of the board as if elected at a district election.

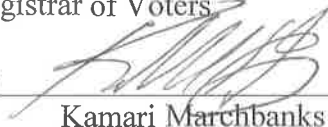
PAUL J. CHAPPELL  
VACANT

Enclosed you will find Certificate(s) of Election and Oaths of Office for these above-named candidates. Prior to taking office, each elective officer shall take the official oath. Any Governing Board Member may administer the oath. Please issue the original oath to the candidate and return a copy to the Sonoma County Registrar of Voters Office, P.O. Box 11485, Santa Rosa, CA 95406.

If you should have any questions, please contact our office at (707) 565-6800.

Yours truly,  
WILLIAM F. ROUSSEAU  
Sonoma County Clerk &  
Registrar of Voters

by

  
Kamari Marchbanks  
Deputy Clerk

August 20, 2018

Frances Johnson, Superintendent  
Kashia School District  
31510 Skaggs Springs Road, PO Box 129, Stewarts Point  
Stewarts Point, CA 95480

**RE: 2018-19 Local Control Accountability Plan (LCAP)**

Dear Frances:

The Local Control Funding Formula (LCFF) is a significant reform of California school funding, drawing a focus on student achievement particularly for our most at-risk students. The Local Control Accountability Plan (LCAP) is a comprehensive planning tool in which our communities address the instructional needs of all students and additional services for children in poverty, English learners, and foster youth.

The fiscal oversight responsibilities of the county office are combined with COE review and approval of the district's goals, actions, and services within the Board approved LCAP (Education Code 52070). Per state requirements, the district's LCAP is reviewed on three criteria for the 2018-19 school year:

1. Adherence to the State Board of Education Template
2. Sufficient Expenditures in Budget to Implement the LCAP
3. Adherence to State Board of Education Expenditure Regulations

After a comprehensive review it was determined that your district's 2018-19 LCAP **meets all of the above criteria** as outlined in Education Code Section 52070. You will be notified by September 15, 2018 regarding the approval status of your district's budget.

*Please note: If you choose to revise your LCAP during the 2018-19 school year, you will need to engage your stakeholders and follow the same process as the original adoption of the LCAP. Please visit the CDE Frequently Asked Questions page at <http://www.cde.ca.gov/fg/aa/lc/lcffffaq.asp#LCAP> for further information on this process.*

We appreciate and acknowledge the significant effort of your community, staff, and school board in developing your district's LCAP. The Sonoma County Superintendent of Schools strives to be a partner and a resource to you and your staff as you exercise this expanded local control over your educational programs and the resources provided to finance them.

Please feel free to contact us if you have questions.

Sincerely,



Mary Downey  
Deputy Superintendent, Business Services  
(707) 524-2631 | [mdowney@scoe.org](mailto:mdowney@scoe.org)



Jennie Snyder, Ed.D.  
Deputy Superintendent, Instructional Services  
(707) 524-2786 | [jsnyder@scoe.org](mailto:jsnyder@scoe.org)

Kashia School District  
Minutes  
Board Meeting, August 15, 2018

1. Meeting called to order at 4:19 by Board President Paul Chappell  
Roll Call: Trustee Paul Chappell, Trustee Maxine Barboza, Trustee Charlene Pinola (4:25)  
Absent: None  
Staff: Frances Johnson, Peter Tufele, Patti Pomplin  
Community: None
2. Approval of Agenda: Moved by Trustee Chappell, seconded by Trustee Barboza to approve the agenda as presented.
3. Public Comment on Non Agenda Items: None
4. Communication  
Letter presented from CDE Approval of J13A Waiver for Fiscal Year 2017-18
5. Consent Agenda  
Moved by Trustee Barboza, seconded by Trustee Chappell to approve the consent agenda as presented.
  - 5.1 Approved Minutes from June 27, 2018
  - 5.2 Approved Warrants from June and July 2018
  - 5.3 Approved Williams Quarterly Report for April to June 2018
  - 5.4 Approve Memorandum of Understanding for Annan Paterson to provide a Reading & Math Intervention Program
6. Reports and Communications
  - 6.1 Governing Board – Trustee Barboza stated there were three new students who would need backpacks; Trustee Chappell wanted to make sure the students, parents and teachers were aware that there should be no cell phones in the classroom; Trustee Pinola said she would be willing to do an acorn demonstration in October, she also stated she would help with a native language video.
  - 6.2 Superintendent –Thanked the board for all having positive input; children's test scores led to reading/math intervention for a six week program; prop 39 electric panels will be installed once a State inspector meeting the PG&E requirements is found; Tribal council is paying for the pre-school program; school is starting on August 22<sup>nd</sup>; staff day is August 16<sup>th</sup>; there will be more structure in the classroom in the 2018-19 school year; school received a \$400 donation from Gualala Arts/Robin Wellman to go towards field trips.
  - 6.3 Teacher – Looking forward to kicking off a new school year; will be working on instilling a better connection with the parents; asked about the possibility of having the playground open after hours.

6.4 Business Manager – Safety plan will be up for review in 2018-19; closing was completed on August 4<sup>th</sup>; working on a staff handbook with Frances; thanked the board for their continued support of Kashia.

6.5 PTO – None

## 7. Items Scheduled for Information and Discussion

### 7.1 Budget Updates

Business Manager reported 2017-18 budget ended up with a positive balance. Moved by Trustee Pinola, seconded by Trustee Barboza to approve the 2018-19 budget updates as presented with changes totaling \$3,670 still leaving a positive budgeted balance.

### 7.2 Discussion Concerning Lead Testing Program at Tribal Schools

After discussion, it was unanimously voted to have Trustee Chappell represent the Kashia School District on all matters with the Kashya Water Board and any possible voting necessary.

### 7.3 Second Reading for Board Policies

|           |                                            |
|-----------|--------------------------------------------|
| BP4100    | Certificated Personnel                     |
| BP4111    | Recruitment and Selection                  |
| BP4111.2  | Legal Status Requirement                   |
| AR4111.2  | Legal Status Requirement                   |
| AR4112    | Appointment & Conditions of Employment     |
| AR4112.1  | Contracts                                  |
| BP4112.2  | Certification                              |
| AR4112.2  | Certification                              |
| BP4112.21 | Interns                                    |
| AR4112.22 | Interns                                    |
| AR4112.23 | Special Education Staff                    |
| BP4113    | Assignment                                 |
| AR4113    | Assignment                                 |
| BP4116    | Probationary/Permanent Status              |
| AR4116    | Probationary/Permanent Status              |
| BP4117.2  | Resignation                                |
| AR4117.4  | Dismissal                                  |
| AR4117.5  | Termination Agreements                     |
| AR4117.6  | Decision not to Rehire                     |
| AR4117.7  | Employment Status Reports                  |
| BP4118    | Suspension/Disciplinary Action             |
| AR4118    | Suspension/Disciplinary Action             |
| AR4121    | Temporary/Substitute Personnel             |
| BP4131.1  | Beginning Teacher Support/Induction        |
| BP4151    | Employee Compensation                      |
| BP5112.1  | Exemptions from Attendance                 |
| AR5112.1  | Exemptions from Attendance                 |
| AR5112.2  | Exclusions from Attendance                 |
| BP5123    | Promotion/Acceleration/Retention           |
| AR5123    | Promotion/Acceleration/Retention           |
| AR5125.2  | Withholding Grades, Diploma or Transcripts |
| BP5149    | At-Risk Students                           |

## 8. Items Scheduled for Discussion and Action

8.1 There were no items for discussion/action.

9. Items Scheduled for Future Board Meetings.
  - 9.1 Board Policies
  - 9.2 Unaudited Actuals
  - 9.3 GANN Limit
  - 9.4 After Hours Playground Usage
  - 9.5 Educator Effective Grant
  - 9.6 Instructional Materials Hearing/Resolution

10. Meeting Adjourned at 5:03

Next Meeting  
Regular Board Meeting, Wednesday, October 10, 2018 4:00 p.m.

Respectfully submitted: Patti Pomplin

Signed: \_\_\_\_\_  
Charlene Pinola, Clerk

## Checks Dated 08/01/2018 through 08/31/2018

| Check Number | Check Date | Pay to the Order of         | Fund-Object | Comment                             | Expensed Amount | Check Amount |
|--------------|------------|-----------------------------|-------------|-------------------------------------|-----------------|--------------|
| 1657429      | 08/03/2018 | Chevron                     | 01-4362     | 7898859835                          |                 | 81.32        |
| 1657430      | 08/03/2018 | ESP & Alarms Inc            | 01-5832     | July August Sept #874-099 & 874-599 |                 | 90.00        |
| 1657431      | 08/03/2018 | Frontier Communications     | 01-5911     | 7077859682                          |                 | 195.15       |
| 1657432      | 08/03/2018 | Frances Johnson             | 01-5202     | safety conference                   |                 | 199.47       |
| 1657433      | 08/03/2018 | Sonoma County Office Of Ed  | 01-4310     | pans                                |                 | 3.60         |
| 1661475      | 08/24/2018 | Amerigas                    | 01-5510     | 653455481 school tank               |                 | 113.53       |
| 1661476      | 08/24/2018 | County of Sonoma            | 01-5800     | fa0005899                           |                 | 752.00       |
| 1661477      | 08/24/2018 | Discovery Office Systems    | 01-5632     | 6654617007-01                       |                 | 39.06        |
| 1661478      | 08/24/2018 | ESP & Alarms Inc            | 01-5832     | 874-599 august to october           | 90.00           |              |
|              |            |                             |             | 874-600 august to october           | 90.00           | 180.00       |
| 1661479      | 08/24/2018 | Kashia Utilities District   | 01-5530     | kud67938                            |                 | 69.00        |
| 1661480      | 08/24/2018 | Pacific Gas & Electric      | 01-5520     | 28343238771                         | 166.73          |              |
|              |            |                             |             | 93967066411                         | 107.99          |              |
|              |            |                             |             | 94383733055                         | 82.85           |              |
| 1661481      | 08/24/2018 | Patti Pomplin               | 01-4318     | great leaps                         |                 | 357.57       |
| 1661482      | 08/24/2018 | Recology Sonoma Marin       | 01-5560     | 1812654333                          |                 | 649.80       |
| 1661483      | 08/24/2018 | Wells Fargo Vendor Fin Serv | 01-5632     | 90136774142                         |                 | 1,703.53     |
|              |            |                             |             |                                     |                 | 139.48       |
|              |            |                             |             | Total Number of Checks              | 14              | 4,573.51     |

## Fund Summary

| Fund | Description                     | Check Count | Expensed Amount |
|------|---------------------------------|-------------|-----------------|
| 01   | General Fund                    | 14          | 4,573.51        |
|      | Total Number of Checks          | 14          | 4,573.51        |
|      | Less Unpaid Sales Tax Liability |             | .00             |
|      | Net (Check Amount)              |             | 4,573.51        |

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

046 - Kashia

Generated for Patti Pomplin (PPOMPLIN), Aug 28 2018 10:48AM

ESCAPE ONLINE

Page 1 of 1

**AGREEMENT FOR SERVICES FOR  
SONOMA COUNTY COOPERATIVE SCHOOL DISTRICTS  
JULY 1, 2018 TO JUNE 30, 2019**

WHEREAS, Kashia School District, hereinafter referred to as the School District, desires to contract for the period shown above for services to the Categorical Cooperative with the Sonoma County Office of Education, hereinafter referred to as SCOE.

The services to be rendered and the terms and conditions of this Agreement are outlined below.

**I. SCOE agrees to provide the services for the following programs:**

- a. Title I
- b. Title II
- c. Title III EL

**A. Planning and Program Assistance**

- 1. Serve as a liaison to the State Department in interpreting and reviewing forms, information and state/federal mandates that apply to the member districts/
- 2. Offer training for districts in the submission of information for the Consolidated Application as needed.
- 3. Assistance and coordination with Federal Program Monitoring (FPM) process.
- 4. Assistance for program planning and plan writing, including LEA and SPSA.
- 5. Provide support to districts in process for submission of information for the Consolidated Application.

**B. Administration and Fiscal Services**

- 1. Consultation for state and federal entitlement programs.
- 2. Assistance with the coordination of Private School Notification and program planning.
- 3. Maintenance of Co-op budget records identifying income and expenses, warrants, receipts and purchase orders.
- 4. Oversight and certification of Consolidated Application submission.

**C. Professional Development**

1. Consultation of the School Site Council's role and responsibilities as a result of AB825, provide suggested materials for the orientation for new School Site members, and copies of the School Site Council Handbook.
2. Personalized in-service and orientation for all administrators new to categorical programs.
3. Yearly training on SPSA/LEA Plan development, as needed.

**II. Member Districts agree to provide the following:**

- A.** Timely information to be given to Co-op office as needed for the submission of, and certification of Consolidated Application.
- B.** Provide evaluation feedback to Co-op office as needed at conclusion of contract.
- C.** Notify the Co-op office by March 1 of 2019 of the district's intent to leave the Co-op for the following year.

**III. The fee for centralized services will be based on the **prior year totals** of all Con App programs.**

- Flat Fee: (all members)
  - i. District with Title I: \$750
  - ii. Districts without Title I: \$500
- Pro-rated Fee: (all members - in addition to Flat Fee) Based upon Total Allocations of Consolidated Application Programs:
  - i. \$600,000 or greater: .5% of all programs
  - ii. \$400,000 - \$599,999: .75% of all programs
  - iii. \$100,000 - \$399,999: 1% of all programs
  - iv. \$99,999 and less: 2% of all programs

**SONOMA COUNTY OFFICE OF EDUCATION**

Signature: \_\_\_\_\_

By: Jennie Snyder  
**Co-op Co-Director**

Date: \_\_\_\_\_

**FOR THE GOVERNING BOARD:**

School: Kashia School Dist

By: [Signature]  
**Authorized School Official**

Date: 8-15-18

# **Kashia ESD**

## **Board Policy**

### **Certificated Personnel**

BP 4100

#### **Personnel**

The Board of Trustees recognizes that teachers and other certificated personnel work closely with students in carrying out the district's educational goals. The Superintendent/Principal or designee shall ensure that the duties, responsibilities, and district's expectations for certificated positions are clearly defined and made known to each member of the certificated staff.

Each certificated staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with law and negotiated agreements.

(cf. 4115 - Evaluation/Supervision)

(cf. 4141/4241 - Collective Bargaining Agreement)

The Board strongly encourages certificated staff to continually improve their skills and pursue excellence within their profession.

(cf. 4131 - Staff Development)

Policies, rules and regulations related to certificated personnel shall be available to all concerned and shall be administered in a fair and equitable manner.

#### **Legal Reference:**

##### **EDUCATION CODE**

90 Definition, certificated and certified

44006 Certificated person

##### **GOVERNMENT CODE**

3543.2 Scope of representation

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018

Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Recruitment And Selection**

BP 4111

#### **Personnel**

The Board of Trustees is committed to employing suitable, qualified individuals to carry out the district's mission to provide high-quality education to its students and to ensure the efficiency of district operations.

(cf. 0100 - Goals for the School District)  
(cf. 4000 - Concepts and Roles)  
(cf. 4100 - Certificated Personnel)  
(cf. 4200 - Classified Personnel)  
(cf. 4300 - Administrative and Supervisory Personnel)

The Superintendent/Principal or designee shall develop fair, open, and transparent recruitment and selection processes and procedures which ensure that individuals are selected based on demonstrated knowledge, skills, and competence and not on any bias, personal preference, or unlawful discrimination.

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4031 - Complaints Concerning Discrimination in Employment)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

When a vacancy occurs, the Superintendent/Principal or designee shall review the job description for the position to ensure that it accurately describes the major functions and duties of the position. He/she also shall disseminate job announcements to ensure a wide range of candidates.

With Board approval, the Superintendent/Principal or designee may provide incentives to recruit teachers, administrators, or other employees to work in low-performing schools or in hard-to-fill positions.

(cf. 4113 - Assignment)

The district's selection procedures shall include screening processes, interviews, observations, and recommendations from previous employers as necessary to identify the best possible candidate for a position. The Superintendent/Principal or designee may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

(cf. 2230 - Representative and Deliberative Groups)

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.

For each position, the Superintendent/Principal or designee shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent/Principal or designee.

(cf. 4112 - Appointment and Conditions of Employment)

(cf. 4112.2 - Certification)

(cf. 4112.22 - Staff Teaching English Language Learners)

(cf. 4112.23 - Special Education Staff)

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

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

(cf. 4212 - Appointment and Conditions of Employment)

(cf. 4312.1 - Contracts)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

41530-41533 Professional Development Block Grant

44066 Limitations on certification requirement

44259 Teaching credential; exception; designated subjects; minimum requirements

44735 Teaching as a Priority block grant

44740-44741 Personnel management assistance teams

44750 Teacher recruitment resource center

44830-44831 Employment of certificated persons

44858 Age or marital status in certificated positions

44859 Prohibition against certain rules and regulations re: residency

45103-45139 Employment (classified employees)

49406 Examination for tuberculosis

##### GOVERNMENT CODE

815.2 Liability of public entities and public employees

12900-12996 Fair Employment and Housing Act, including:

12940-12956 Discrimination prohibited; unlawful practices

##### UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens

1324b Unfair immigration related practices

##### UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

COURT DECISIONS

C.A. v William S. Hart Union High School District et al., (2012) 138 Cal.Rptr.3d 1

Management Resources:

WEB SITES

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

Education Job Opportunities Information Network: <http://www.edjoin.org>

Teach USA: <http://www.calteach.org>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Legal Status Requirement**

BP 4111.2

#### **Personnel**

The Board of Trustees shall ensure that the district employs only those individuals who are lawfully authorized to work in the United States.

The Superintendent/Principal or designee shall verify the employment eligibility of all persons hired by completing the U.S. Citizenship and Immigration Services Form I-9, Employment Eligibility Verification, for each individual hired and ensure that the district does not knowingly hire or continue to employ any person not authorized to work in the United States. (8 USC 1324a)

In accordance with law, the Superintendent/Principal or designee shall ensure that district employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including, but not limited to, discrimination against any refugees, grantees of asylum, or persons qualified for permanent or temporary residency.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4111 - Recruitment and Selection)

(cf. 4211 - Recruitment and Selection)

(cf. 4311 - Recruitment and Selection)

#### **Legal Reference:**

UNITED STATES CODE, TITLE 8

1324a Unlawful employment of aliens

1324b Unfair immigrant-related employment practices

CODE OF FEDERAL REGULATIONS, TITLE 8

274a.1-274a.14 Control of Employment of Aliens

#### **Management Resources:**

U.S. CITIZENSHIP AND IMMIGRATION SERVICES PUBLICATIONS

Handbook for Employers: Instructions for Completing Form I-9, April 2009

#### **WEB SITES**

U.S. Citizenship and Immigration Services: <http://www.uscis.gov>

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018     Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Legal Status Requirement**

AR 4111.2

#### **Personnel**

Within three business days of hire, the Superintendent/Principal or designee shall physically examine the documentation presented by the employee establishing his/her identity and employment authorization as set forth in U.S. Citizenship and Immigration Services Form I-9. The employee may present either an original document which establishes both employment authorization and identity or two separate original documents which establish authorization and identity. Only unexpired documents are acceptable. (8 CFR 274a.2)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

The Superintendent/Principal or designee shall: (8 CFR 274a.2)

1. Ensure that the documents presented appear to be genuine and relate to the individual
2. Complete the "Employer Review and Verification" section and sign the attestation with a handwritten signature or electronic signature on Form I-9

Persons employed for three business days or less must provide such documentation on their first day. (8 CFR 274a.2)

If unable to provide satisfactory documentation because the document was lost, stolen, or damaged, the employee shall furnish a receipt indicating that a replacement document has been requested. This receipt must be presented within three business days of the hire, and the replacement document must be provided within 90 days of the hire. (8 CFR 274a.2)

If an individual's employment authorization expires, the Superintendent/Principal or designee must reverify Form I-9, by noting the document's identification number and expiration date on the form, no later than the date the work authorization expires. The employee shall present a document that shows either continuing employment authorization or a new grant of work authorization. (8 CFR 274a.2)

The district shall retain an individual's Form I-9 for three years after the date of the hire or for one year after the date his/her employment is terminated, whichever is later. (8 CFR 274a.2)

(cf. 3580 - District Records)

The Superintendent/Principal or designee shall copy documents presented by an individual for verification and shall retain them with the individual's Form I-9. The documents shall be kept confidential and used only as needed to help justify the district's past decision to accept the documents as valid.

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

# **Kashia ESD**

## **Administrative Regulation**

### **Appointment And Conditions Of Employment**

AR 4112

#### **Personnel**

Upon recommendation from the Superintendent/Principal or designee, the Board of Trustees shall approve the appointment of all certificated personnel.

(cf. 4111 - Recruitment and Selection)

(cf. 4121 - Temporary/Substitute Personnel)

Individuals appointed to the certificated staff shall:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy (Education Code 44250-44279, 44330)

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

2. Demonstrate proficiency in basic skills as required by law and Board policy (Education Code 44252.5, 44830)

3. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of "highly qualified" teachers as defined in law, Board policy and administrative regulations (20 USC 6319)

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

(cf. 6171 - Title I Programs)

4. Submit to fingerprinting as required by law (Education Code 44830.1)

5. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 or 1192.7, unless the individual has received a certificate of rehabilitation and pardon (Education Code 44830.1)

(cf. 4112.5/4312.5 - Criminal Record Check)

(cf. 4118 - Suspension/Disciplinary Action)

6. Not have been convicted of any sex offense as defined in Education Code 44010 (Education Code 44836)

7. Not have been required to register as a sex offender pursuant to Penal Code 290 because

of a conviction for a crime where the victim was a minor under the age of 16 (Penal Code 290.95)

(cf. 3515.5 - Sex Offender Notification)

8. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837)

9. Not have been convicted of any controlled substance offense as defined in Education Code 44011 (Education Code 44836)

10. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy (Education Code 44839, 49406)

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

11. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service (Education Code 44838)

12. File the oath or affirmation of allegiance required by Government Code 3100-3109

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

13. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

#### Legal Reference:

#### EDUCATION CODE

35161 Powers and duties

44008 Effect of termination of probation

44009 Conviction of specified crimes; definitions

44010 Sex offense

44011 Controlled substance offense

44066 Limitation on certification requirements

44250-44277 Credential types

44330 Effect of registration of certification document

44830.1 Felons; certificated positions; criminal record summary; fingerprints

44836 Employment of person convicted of sex offenses or controlled substance offenses

44837 Employment of sexual sociopath

44838 Statement of military service

44839 Medical certificate

44839.5 Medical certificate for retirant

49406 Examination for tuberculosis

GOVERNMENT CODE

3100-3109 Oaths or affirmations of allegiance for disaster service workers and public employees

12940-12950 Unlawful employment practices

PENAL CODE

290 Registration of sex offenders

290.95 Disclosure by persons required to register as sex offenders

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

WELFARE AND INSTITUTIONS CODE

6300-6332 Sexual psychopaths

CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT  
approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Contracts**

AR 4112.1  
**Personnel**

When initially employed, certificated employees shall receive a written statement of their employment status and salary. In the case of temporary employees, this statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code 44916)

(cf. 4121 - Temporary/Substitute Personnel)

Length of Contract (Districts with less than 250 ADA)

Any certificated employee may be offered a continuing contract covering a period longer than one year but not exceeding four years. (Education Code 44929.20)

(cf. 4312.1 - Contracts)

Reemployment Notices

By May 30 of each year, the clerk or secretary of the Board may give, or mail by certified mail with return receipt requested, written notices to probationary and permanent certificated employees requesting that they notify the district of their intent to remain in district service for the next school year. This notice shall include a copy of Education Code 44842. If an employee, without good cause, fails to notify the district before July 1 that he/she will remain in district service, the employee may be deemed to have declined reemployment and the employee's services may be terminated on June 30 of that year. (Education Code 44842)

(cf. 4113 - Assignment)  
(cf. 4117.2/4217.2/4317.2 - Resignation)  
(cf. 4117.4 - Dismissal)  
(cf. 9122 - Secretary)

Employee Notification

By May 15 of each year, each classroom teacher shall notify the Superintendent/Principal or designee of his/her intent to return to a teaching position for the next school year. (Education Code 44832)

An employee on leave of absence shall notify the district of his/her intent to remain in service the following year in accordance with law, Board policy and administrative regulation.

(cf. 4161/4261/4361 - Leaves)

Legal Reference:

EDUCATION CODE

44832 Teachers; notice of intent to return

44842 Failure to provide notice or to report to work

44843 Notice of employment (to county superintendent)

44916 Time of classification; statement of employment status

44929.20 Continuing contract-districts w/less than 250 ADA

44955 Reduction in number of employees

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT  
approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Certification**

BP 4112.2

#### **Personnel**

The Board of Trustees recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent/Principal or designee shall ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.

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

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.5/4312.5 - Criminal Record Check)

(cf. 4113 - Assignment)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)

All teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)

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

When a credentialed teacher or intern is not available, the district may request that the CTC issue a short-term staff permit, provisional internship permit (PIP), visiting faculty permit, emergency permit, or credential waiver under the conditions and limitations provided in state or federal law.

When requesting a PIP, the Board shall approve, as an action item at a public Board meeting, a notice of intent to employ the applicant in the identified position. (5 CCR 80021.1)

Before requesting a visiting faculty permit or emergency permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators as an action item at a regularly scheduled public Board meeting. (Education Code 44300.1; 5 CCR 80026)

The Superintendent/Principal or designee shall provide support and guidance to noncredentialed teachers in accordance with law to ensure the quality of the instructional program. He/she also

may provide assistance and support to staff holding preliminary credentials to help them meet the qualifications required for the professional clear credential.

(cf. 4131 - Staff Development)

(cf. 4131.1 - Beginning Teacher Support/Induction)

(cf. 4138 - Mentor Teachers)

#### Legal Reference:

##### EDUCATION CODE

8360-8370 Qualifications of child care personnel

32340-32341 Unlawful issuance of a credential

35186 Complaints regarding teacher vacancy or misassignment

41520-41522 Teacher Credentialing Block Grant

42647 Eligibility to issue warrants

44066 Limitations on certification requirements

44200-44399 Teacher credentialing, especially:

44250-44277 Credential types; minimum requirements

44279.1-44279.7 Beginning Teacher Support and Assessment Program

44300-44302 Emergency permits and visiting faculty permits

44320.2 Teachers' performance assessment

44325-44329.5 District interns

44330-44355 Certificates and credentials

44380-44387 Alternative certification program

44395-44399 National Board for Professional Teaching Standards

44420-44440 Revocation and suspension of credentials

44450-44468 University internship program

44560-44562 Certificated Staff Mentoring Program

44735 Teaching as a Priority Block Grant

44830-44929 Employment of certificated persons; requirement of proficiency in basic skills

56060-56063 Substitute teachers in special education

##### CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act

80001-80674.6 Commission on Teacher Credentialing

##### UNITED STATES CODE, TITLE 20

6311 Parental notifications

6312 Title I local educational agency plan

6319 Highly qualified teachers

7801 Definitions, highly qualified teacher

##### CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

200.61 Parent notification regarding teacher qualifications

##### COURT DECISIONS

Association of Mexican-American Educators et al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

08-11 Approval of Amendments to Title 5 Regulations Pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit, July 18, 2008

08-09 New Online Credential View and Print Process, July 3, 2008

07-23 Visiting Faculty Permit, December 14, 2007

07-19 Designated Subjects Career Technical Education Teaching Credential, December 14, 2007

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Teacher Supply in California: A Report to the Legislature, April 2008

Standards of Quality and Effectiveness for Professional Teacher Induction Programs, June 2008

The Administrator's Assignment Manual, rev. September 2007

Standards of Quality and Effectiveness for Professional Teacher Preparation Programs, rev. March 2007

California Standards for the Teaching Profession, July 1997

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants, rev. October 5, 2006

WEB SITES

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

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

California Teacher Credentialing Examinations: <http://www.ctcexams.nesinc.com>

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

Commission on Teacher Credentialing, Commission's Information Guide (for employers' use only): <http://www.ctc.ca.gov/credentials/cig>

National Board for Professional Teaching Standards: <http://www.nbpts.org>

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Certification**

**AR 4112.2**  
**Personnel**

#### Registration

Each person employed by the district for a position requiring certification qualifications shall, within 60 days after beginning employment, register with the county office of education a valid credential issued by the Commission on Teacher Credentialing (CTC) authorizing the person to work in that position. Certificated employees also shall register renewed credentials within 60 days after the renewal. (Education Code 44330, 44857)

#### Basic Skills Proficiency Test

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

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)  
(cf. 4112.23 - Special Education Staff)  
(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)  
(cf. 4121 - Temporary/Substitute Personnel)  
(cf. 5148 - Child Care and Development)  
(cf. 6178 - Career Technical Education)  
(cf. 6178.2 - Regional Occupational Center/Program)  
(cf. 6200 - Adult Education)

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

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

(cf. 6146.1 - High School Graduation Requirements)  
(cf. 6146.2 - Certificate of Proficiency)  
(cf. 6162.5 - High School Exit Examination)

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

#### Short-Term Staff Permit

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

1. Enrollment adjustments require the addition of another teacher.
2. The teacher of record is unable to finish the school year due to approved leave or illness.
3. The applicant needs additional time to complete preservice requirements for enrollment into an approved internship program.

(cf. 4112.21 - Interns)

4. The applicant is unable to enroll in an approved internship program due to timelines or lack of space in the program.
5. A third-year extension of an internship program is unavailable or the applicant has withdrawn from an internship program.

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

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

(cf. 4131 - Staff Development)

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

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

## Provisional Internship Permit

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

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

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

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

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

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

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

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

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

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

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

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

## Visiting Faculty Permits

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

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

## Credential Waiver/"Long-Term Substitute" Emergency Permits

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

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

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

The district may request an emergency permit authorizing resource specialist, Crosscultural, Language and Academic Development (CLAD), Bilingual, Crosscultural, Language and Academic Development (BCLAD), or library media services.

In order to request an emergency permit, the district shall annually submit the Board-approved Declaration of Need for Fully Qualified Educators on a form provided by the CTC, including certification that the district has made reasonable efforts to recruit a fully prepared teacher for the assignment. (Education Code 44225.7; 5 CCR 80023, 80026)

The Superintendent/Principal or designee shall provide any first-time recipient of an emergency

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

(cf. 4117.14/4317.14 - Postretirement Employment)

#### Emergency Substitute Teaching Permits

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

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

Before employing a person with an emergency substitute permit pursuant to item #1 or 4 above, the Superintendent/Principal or designee shall prepare and keep on file a signed Statement of Need for the school year. The Statement of Need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025, 80025.5)

Regulation      KASHIA ELEMENTARY SCHOOL DISTRICT  
approved:      09/12/2018      Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Interns**

BP 4112.21

### **Personnel**

The Board of Trustees may employ interns to fulfill the district's need for additional instructional resources and to assist future teachers in meeting state credentialing requirements by linking teaching theory with practice.

The Superintendent/Principal or designee may enter into an agreement with an accredited college or university to provide supervised teaching experiences within the district as part of a teacher preparation program. He/she shall ensure that the district collaborates with the college or university in the selection, placement, support, and performance assessment of interns.

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

The Superintendent/Principal or designee shall ensure that interns employed by the district possess an appropriate internship credential from the Commission on Teacher Credentialing (CTC) and that their prior experiences and personal qualifications adequately prepare them for the responsibilities of the position.

(cf. 4112.2 - Certification)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

An intern may be assigned to provide the same service as a holder of a regular credential in accordance with the authorizations specified on the internship credential. (Education Code 44454, 44325, 44326, 44830.3)

(cf. 4113 - Assignment)

To be assigned to teach core academic subjects, as defined in law, an intern must meet the definition of a "highly qualified" teacher adopted by the State Board of Education. (20 USC 6319, 7801; 5 CCR 6100-6112)

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

Terms of employment for interns shall be consistent with law and the district's collective bargaining agreement, as applicable. Interns shall not displace certificated district employees.

(cf. 4116 - Probationary/Permanent Status)

(cf. 4141/4241 - Collective Bargaining Agreement)

Interns shall receive systematic supervision and guidance by qualified personnel in order to enhance their instructional skills and knowledge. The Superintendent/Principal or designee shall ensure that district staff serving as supervisors, mentor teachers, or other support providers receive appropriate training to fulfill their responsibilities and maintain frequent communication with the interns they are assigned to assist.

(cf. 4131 - Staff Development)  
(cf. 4138 - Mentor Teachers)

Interns shall be provided with ongoing feedback regarding their performance and shall be formally evaluated at least once every year in accordance with Board policy and the district's collective bargaining agreement.

(cf. 4115 - Evaluation/Supervision)

When an intern has successfully completed the program, the Board may recommend to the CTC that the intern be awarded a preliminary or professional clear credential commensurate with his/her qualifications. (Education Code 44328, 44468, 44830.3)

The Board shall regularly evaluate the effectiveness of the program to determine whether changes are needed in the support and/or assignment of interns. The Board's evaluation shall be based on a report by the Superintendent/Principal or designee, including, but not limited to, data on student performance in classes taught by interns, feedback from interns and supervisors, and the number of interns who successfully complete the program and obtain teaching or education specialist credentials.

(cf. 0500 - Accountability)

#### Legal Reference:

##### EDUCATION CODE

300-340 English language education for immigrant children  
44253.3-44253.4 Certificate to provide services to limited-English-proficient students  
44253.10 Qualifications to provide specially designed academic instruction in English  
44259 Minimum requirements for teaching credential  
44314 Diversified or liberal arts program  
44321 CTC approval of internship programs  
44325-44329.5 District interns  
44339-44341 Teacher fitness  
44380-44387 Alternative certification program; increased funding for internship programs  
44450-44468 Teacher Education Internship Act of 1967 (university interns)  
44560-44562 Certificated Staff Mentoring Program  
44830.3 Employing district interns  
44885.5 District interns classified as probationary employees

52055.605 Identification of high priority schools, High Priority Schools Grant Program  
CODE OF REGULATIONS, TITLE 5  
6100-6126 No Child Left Behind teacher requirements  
13000-13017 New Careers Program  
80021.1 Provisional internship permit  
80055 Internship credential  
UNITED STATES CODE, TITLE 20  
6319 Highly qualified teachers  
7801 Definitions, highly qualified teacher

Management Resources:

COMMISSION ON TEACHER CREDENTIALING CORRESPONDENCE

08-03 Preparation of Intern Credential Holders Prior to Service as Teacher of Record as an Intern, March 3, 2008

03-0028 Changes in District Intern Programs as a Result of Senate Bill 187, December 22, 2003

Implementation of SB 57, Early Completion Internship Option, March 10, 2003

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual, 2008

CTC Credential Handbook, revised 1997

California Standards for the Teaching Profession, 1997

Standards of Quality and Effectiveness for Teacher Preparation Programs for Preliminary Multiple and Single Subject Teaching Credentials (including internship programs), rev. April 2008

Standards of Quality and Effectiveness for Education Specialist Credential Programs (Including University Internship Options) and Clinical Rehabilitative Services Credential Programs, December 1996

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants, rev. January 16, 2004

WEB SITES

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

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/21/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Interns**

AR 4112.21  
**Personnel**

#### University Internship Program

The Superintendent/Principal or designee shall cooperate with a college or university in the development, implementation, and coordination of the university internship program. (Education Code 44452, 44465, 44467)

(cf. 4112.2 - Certification)

The Superintendent/Principal or designee may enter into an agreement with a college or university for the employment of competent and qualified college or university staff members to supervise and guide interns as they pursue their district responsibilities. (Education Code 44461)

Salary payments for the supervision of interns may be made out of district funds and may be met by proportionately reducing the salaries of paid interns. In such cases, no more than eight interns may be supervised by one staff member and the district salary normally paid to interns may be reduced by no more than one-eighth to pay the supervisor's salary. The intern shall not be paid less than the minimum salary required by the state for a regularly certificated teacher. (Education Code 44462)

(cf. 4151/4251 - Employee Compensation)

Before an intern enrolls in any college or university program to renew his/her internship credential, the Superintendent/Principal or designee shall counsel the intern and plan a program for the first and subsequent renewals. (Education Code 44457)

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

#### District Internship Program

The Superintendent/Principal or designee shall, in consultation with a college or university, develop and implement a professional development plan for district interns. This plan shall include, but not necessarily be limited to, the components described in Education Code 44830.3, including provisions for mandatory preservice training tailored to the grade level or class to be taught, additional instruction during the first year of service when required, and an annual evaluation of the district intern. (Education Code 44830.3)

(cf. 4115 - Evaluation/Supervision)  
(cf. 4131 - Staff Development)

Each district intern shall be assisted and guided by either of the following: (Education Code 44326, 44830.3)

1. A certificated employee who possesses valid certification at the same level or the same type of credential as the district intern he/she serves, and who is selected through a competitive process adopted by the Board of Trustees after consultation with the exclusive teacher representative unit

(cf. 4112.2 - Certification)  
(cf. 4138 - Mentor Teachers)  
(cf. 4140/4240 - Bargaining Units)

2. Personnel employed by a college or university to supervise student teachers

The Superintendent/Principal or designee shall ensure that appropriate records are maintained, showing the credit earned by each district intern. (Education Code 44327)

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

When a district intern's credential expires, the Superintendent/Principal or designee may recommend to the Commission on Teacher Credentialing (CTC) that the intern's credential be extended for one year. (Education Code 44325)

#### Early Completion Option

An intern may choose an early completion option leading to a five-year preliminary credential by completing the following requirements: (Education Code 44468)

1. Passing the CTC-approved assessment of knowledge of teaching foundations
2. Passing the CTC-approved Teaching Performance Assessment (TPA)
  - a. The intern shall first pass the assessment of teaching foundations described in item #1 before qualifying to take the TPA.
  - b. The intern may take the TPA only one time as part of the early completion option. An intern who is not successful on the TPA may complete his/her internship program and his/her scores shall be used to provide an individualized professional development plan that emphasizes preparation in areas where additional growth is warranted and waiving preparation in areas where the intern has demonstrated competence. The intern shall be required to retake and pass the TPA at the end of the internship in order to be considered for recommendation to the CTC.
3. For interns pursuing a preliminary multiple subjects credential, passing the reading

instruction competence assessment described in Education Code 44283

4. Meeting the requirements for teacher fitness as set forth in Education Code 44339, 44340, and 44341

#### Alternative Certification Program for Addressing Teacher Shortages

To assist with recruitment of teachers in geographic and subject matter shortage areas, the district shall implement an alternative certification program that encourages persons with work experience and others who already have a bachelor's degree in the field in which they plan to teach to obtain a permanent credential. (Education Code 44382)

The district's alternative certification program shall be operated as a university internship program and/or district internship program under the requirements specified above for the applicable program. (Education Code 44384)

#### Enhanced Internship Program

When granted additional state funding as an enhanced internship program, the district's program shall: (Education Code 44387)

1. Provide interns, before they provide instructional services, with the greater of the following:
  - a. 120 hours of intensive preservice training focused on the teaching of English language learners
  - b. 40 hours of preservice training in addition to all other required training, including, but not limited to, training related to services for English language learners pursuant to Education Code 44253.3, 44253.4, and 44253.10
2. Provide all teacher interns with 40 hours of classroom observation, supervision, assistance, and assessment by one or more experienced teachers who possess valid certification to teach the same grade level and the same subject matter and who are employed by the district and assigned to assist the interns  
  
(cf. 4138 - Mentor Teachers)
3. Maintain a ratio of one experienced teacher to no more than five

Regulation      KASHIA ELEMENTARY SCHOOL DISTRICT  
approved:      09/12/2018      Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Special Education Staff**

AR 4112.23  
**Personnel**

Any teacher assigned to serve students with disabilities shall possess a credential that authorizes him/her to teach the primary disability of the students within the program placement recommended in the students' individualized education programs (IEP). (5 CCR 80046.5)

(cf. 4112.2 - Certification)  
(cf. 4113 - Assignment)  
(cf. 6159 - Individualized Education Program)  
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (20 USC 1401, 6319, 7801; 34 CFR 200.55-200.57, 300.18; 5 CCR 6100-6126)

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

The Superintendent/Principal or designee shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or the comprehensive plan of the Special Education Local Plan Area (SELPA) in which the district participates.

(cf. 0430 - Comprehensive Local Plan for Special Education)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 4141/4241 - Collective Bargaining Agreement)

#### **Resource Specialists**

The Board of Trustees shall employ certificated resource specialists to provide services for students with disabilities which shall include, but not be limited to: (Education Code 56362)

1. Providing instruction and services to students whose needs have been identified in an IEP and who are assigned to regular classroom teachers for a majority of the school day

A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.

2. Providing information and assistance to students with disabilities and their parents/guardians

3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program
5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate sufficient progress to the IEP team

The district's resource specialist program shall be under the direction of a resource specialist who possesses: (Education Code 56362)

1. A special education credential or clinical services credential with a special class authorization
2. Three or more years of teaching experience, including both regular and special education teaching experience
3. The demonstrated competencies required for a resource specialist as established by the Commission on Teacher Credentialing in 5 CCR 80070.8

No resource specialist shall have a caseload which exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver. (Education Code 56362, 56362.1; 5 CCR 3100)

(cf. 1431 - Waivers)

Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. (Education Code 56362)

#### Teachers of Students with Autism

A teacher whose preliminary Level I education specialist credential or other previously issued credential authorizes him/her to provide instruction to students with mild and moderate disabilities may be assigned to provide instruction to students with autism, provided that the teacher consents to the assignment and satisfies either of the following criteria prior to the assignment: (Education Code 44265.1)

1. The teacher has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves students with autism in accordance with their IEP and received a favorable evaluation or recommendation from the district to teach students

with autism.

2. The teacher has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education.

The Superintendent/Principal or designee shall report teachers assigned under the above conditions to the county office of education as part of the annual assignment monitoring pursuant to Education Code 44258.9. (Education Code 44265.1)

The Superintendent/Principal or designee may employ and assign a teacher to provide instruction to students age 3-4 who are diagnosed with autism if the teacher holds a valid preliminary Level I or clear Level II education specialist credential, is authorized to provide instruction to students with autism, and satisfies either of the criteria listed in items #1 and 2 above, except that the prior service shall have been with autistic students age 3-4 or the completed coursework shall have been in the subject of special education related to early childhood education. (Education Code 44265.2)

Verification of experience or coursework for any teacher of autistic students shall be maintained on file in the district office. (Education Code 44265.1, 44265.2)

#### Legal Reference:

##### EDUCATION CODE

44250-44279 Credentials, especially:

44256 Credential types, specialist instruction

44258.9 Assignment monitoring

44265-44265.99 Special education credential

44268 Clinical and rehabilitative services credential

56000-56865 Special education, especially:

56195.8 Adoption of policies

56361 Program options

56362 Resource specialist program

56362.1 Caseload

56362.5 Resource specialist certificate of competence

56362.7 Bilingual-crosscultural certificate of assessment competence

56363.3 Average caseload limits

56441.7 Maximum caseload, students age 3-5

##### CODE OF REGULATIONS, TITLE 5

3051.1 Language, speech and hearing development and remediation; appropriate credential

3100 Waivers of maximum caseload for resource specialists

6100-6126 Teacher qualifications, No Child Left Behind Act

80046-80046.1 Adapted physical education specialist

80046.5 Credential holders authorized to serve students with disabilities

80048-80048.6 Credential requirements and authorizations

80070.1-80070.8 Resource specialist certificate of competence

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1401 Definition of highly qualified special education teacher

6319 Highly qualified teachers

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

300.8 Definition of autism

300.18 Highly qualified special education teachers

300.156 Special education personnel requirements

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Handbook on Developing and Implementing Early Childhood Special Education Programs and Services, 2001

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

08-13 Alternative Route to Provide Special Education Services to Students with Autism Ages Three and 4, October 9, 2008

08-10 Alternative Route to Provide Special Education Services to Students with Autism, July 7, 2008

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Standards of Quality and Effectiveness for Education Specialist Credential Programs (including University Internship Options) and Clinical Rehabilitative Services Programs, 1996

WEB SITES

California Association of Resource Specialists and Special Education Teachers:

<http://www.carsplus.org>

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

California Speech-Language-Hearing Association: <http://www.csha.org>

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

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT

approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Assignment**

BP 4113

### **Personnel**

In order to serve the best interests of students and the educational program, the Board of Trustees authorizes the Superintendent/Principal or designee to assign certificated personnel to positions for which their preparation, certification, professional experience, and aptitude qualify them.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

### **Assignment to Courses/Classes**

The Superintendent/Principal or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent/Principal or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.

Teachers who are assigned to teach core academic subjects shall meet the requirements of the No Child Left Behind Act (NCLB) pertaining to qualifications of highly qualified teachers. (20 USC 6319, 7801; 5 CCR 6100-6126)

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

The Superintendent/Principal or designee may assign a teacher, with his/her consent, to a position outside his/her credential authorization when specifically authorized by law or regulation, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's Administrator's Assignment Manual. Assignments made pursuant to Education Code 44256, 44258.2, and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent/Principal or designee shall reference in district records the statute or regulation under which the assignment is authorized.

(cf. 3580 - District Records)

The Superintendent/Principal or designee shall periodically report to the Board on teacher assignments and vacancies, including the number and type of assignments made outside a

teacher's credential authorization through a local teaching assignment option. Whenever district misassignments and vacancies are reviewed by the County Superintendent of Schools or Commission on Teacher Credentialing, as applicable, the Superintendent/Principal or designee shall report the results to the Board and shall provide recommendations for remedying any identified issues.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

#### Legal Reference:

##### EDUCATION CODE

33126 School accountability report card  
35035 Additional powers and duties of superintendent  
35186 Complaint process  
37616 Assignment of teachers to year-round schools  
44225.6 Commission report to the legislature re: teachers  
44250-44277 Credentials and assignments of teachers  
44314 Subject matter programs, approved subjects  
44395-44398 Incentives for assigning NBPTS-certified teachers to high-priority schools  
44824 Assignment of teachers to weekend classes  
44955 Reduction in number of employees

##### GOVERNMENT CODE

3543.2 Scope of representation

##### CODE OF REGULATIONS, TITLE 5

6100-6126 Teacher qualifications, No Child Left Behind Act  
80003-80005 Credential authorizations  
80020-80020.5 Additional assignment authorizations  
80335 Performance of unauthorized professional services  
80339-80339.6 Unauthorized certificated employee assignment

##### UNITED STATES CODE, TITLE 20

6311 State plan  
6319 Highly qualified teachers  
6601-6651 Teacher and Principal Training and Recruiting Fund  
7801 Definitions, highly qualified teacher  
CODE OF FEDERAL REGULATIONS, TITLE 34  
200.55-200.57 Highly qualified teachers

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Revised State Plan for the No Child Left Behind Act, rev. September 2008

##### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

The Administrator's Assignment Manual, rev. September 2007

##### U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants: ESEA Title II, Part A, rev. October 5, 2006

##### WEB SITES

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

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

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

Santa Clara County Office of Education, Personnel Management Assistance Team:  
<http://www.sccoe.org/depts/pmat>

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT  
adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Assignment**

AR 4113  
**Personnel**

#### Assignment to Departmentalized Classes Outside Credential Authorization

Any holder of a credential other than an emergency permit may be assigned, with his/her consent, to teach departmentalized classes in grades K-12 regardless of the designations on his/her teaching credential, provided that their subject matter knowledge is verified prior to the assignment. (Education Code 44258.3)

Procedures for verifying a teacher's subject matter knowledge shall be developed and implemented by the Superintendent/Principal or designee with the involvement of appropriate subject matter specialists, including curriculum specialists, resource teachers, classroom teachers certified to teach the subject, staff assigned to regional subject matter projects or curriculum institutes, or college faculty. (Education Code 44258.3)

Procedures to be used for this purpose shall specify: (Education Code 44258.3)

1. One or more of the following ways in which subject matter competence shall be assessed:
  - a. Observation by subject matter specialists
  - b. Oral interviews
  - c. Demonstration lessons
  - d. Presentation of curricular portfolios
  - e. Written examinations
2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject and the specific content of the district's course of study for the subject at the grade level to be taught.

(cf. 4115 - Evaluation/Supervision)

Whenever a teacher is assigned to teach departmentalized classes pursuant to Education Code 44258.3, the Superintendent/Principal or designee shall notify the exclusive representative of the

district's certificated employees. (Education Code 44258.3)

(cf. 4140/4240 - Bargaining Units)

#### Assignment to Elective Courses Outside Credential Authorization

A full-time teacher with special skills and preparation outside his/her credential authorization may, with his/her consent and the prior approval of a district committee on assignments, be assigned to teach an elective course in the area of the special skills or preparation, excluding a course in English, mathematics, science, or social studies. (Education Code 44258.7)

#### Assignment to Special Schedules

Full-time probationary or permanent classroom teachers employed by the district prior to implementation of weekend classes shall not, without their written consent, be required to teach for more than 180 full days during a school year or for more than the number of full days during the preceding school year, whichever is greater. No teacher shall be assigned to work on a Saturday or Sunday if he/she objects in writing that such assignment would conflict with his/her religious beliefs or practices. (Education Code 44824)

(cf. 6176 - Weekend/Saturday Classes)

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# **Kashia ESD**

## **Board Policy**

### **Probationary/Permanent Status**

BP 4116

#### **Personnel**

##### **Probationary Status**

Probationary employees shall receive training, assistance and evaluations consistent with their needs as new teachers. Such training and assistance may consist of inservice training and/or meetings with the employee's evaluator to discuss areas of strength and areas requiring improvement. Inservice training may be provided during school hours as part of a comprehensive staff development program.

The performance of each probationary employee shall be evaluated and assessed at least once every school year.

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

##### **Permanent Status**

Granting of permanent status shall be based on completion of the probationary period in accordance with applicable law. Employees granted permanent status acquire specific rights under the Education Code, including those relating to discipline and dismissal. (Education Code 44932-44988)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Decision Not to Rehire)

##### **Legal Reference:**

###### **EDUCATION CODE**

44466 Status of university interns

44850.1 No tenure in administrative or supervisory position

44885.5 Status of district interns

44908 Complete year for probationary employees

44911-44913 Service not computed in eligibility for permanent status

44915 Classification of probationary employees

44917-44921 Status of substitute or temporary employees

44929.20 Continuing contracts (not to exceed four years - ADA under 250)

44929.21 Districts of 250 ADA or more

44929.23 Districts with less than 250 ADA  
44929.28 Employment by another district  
44930-44988 Resignations, dismissals and leaves of absence, especially:  
44948.2 Election to use provisions of Section 44948.3  
44948.3 Dismissal of probationary employees

Policy KASHIA ELEMENTARY SCHOOL DISTRICT  
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# **Kashia ESD**

## **Administrative Regulation**

### **Probationary/Permanent Status**

AR 4116

#### **Personnel**

Permanent Status (Districts of 250 ADA or More)

A probationary teacher who has been employed by the district in a position or positions requiring certification for two complete consecutive school years and is then rehired for the next succeeding school year shall become a permanent employee at the beginning of the third year. (Education Code 44929.21)

Permanent Status (Districts with Less than 250 ADA)

A probationary teacher who has been employed by the district in a position or positions requiring certification for three complete consecutive school years and is then rehired for the next succeeding school year may become a permanent employee at the beginning of the fourth year. This grant of permanent status may only be made specifically by and at the discretion of the Board. (Education Code 44929.23)

(cf. 4115 - Evaluation/Supervision)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Decision Not to Rehire)

(cf. 4121 - Temporary/Substitute Personnel)

Permanency Achieved in Other Districts

A person who has achieved permanent status as a certificated employee in another school district may be employed by the Board as a permanent certificated employee. (Education Code 44929.28)

Interns

A person employed as a district or university intern shall be classified as a probationary employee. Following completion of the internship, if he/she is reelected by the district to serve in a position requiring certification qualifications for the next succeeding school year, he/she shall continue to be classified as a probationary employee during that year. (Education Code 44466, 44885.5)

(cf. 4112.21 - Interns)

A person who has completed an internship and at least one complete school year in a position requiring certification qualifications within the district shall be granted permanent status when he/she is reelected for the next succeeding school year to a position requiring certification qualifications. (Education Code 44466, 44885.5)

# **Kashia ESD**

## **Board Policy**

### **Resignation**

BP 4117.2

#### **Personnel**

Any district employee who desires to resign his/her position shall submit, in writing, a letter of resignation which indicates the date which the employee intends as his/her last day at work. The Board of Trustees encourages employees to provide advance notice that is appropriate for the position they hold.

An employee's written resignation shall be submitted to the Board in care of the Superintendent/Principal or designee. The Board shall set the date when the resignation takes effect. Once the date is formally set by the Board, the resignation may not thereafter be withdrawn by the employee.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the Board may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received by the Board. (Education Code 44930, 45201)

(cf. 4117.7 - Employment Status Reports)

#### **Legal Reference:**

##### **EDUCATION CODE**

35161 Board delegation of any powers or duties

44242.5 Reports of change in employment status, alleged misconduct

44420 Failure to fulfill contract as ground for suspension of diplomas and certificates

44433 Unauthorized departure from service as unprofessional conduct

44930 Acceptance and date of resignation

45201 Power to accept resignation

##### **CODE OF REGULATIONS, TITLE 5**

80303 Reports of change in employment status

80304 Notice of sexual misconduct

##### **COURT DECISIONS**

American Federation of Teachers, Local #1050 v. Board of Education of Pasadena Unified School District, (1980) 107 Cal.App.3d 829

Policy KASHIA ELEMENTARY SCHOOL DISTRICT  
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# **Kashia ESD**

## **Administrative Regulation**

### **Dismissal**

AR 4117.4  
**Personnel**

#### Permanent Employees

Permanent employees shall not be dismissed from their position except when cause for dismissal can be shown. Cause and procedures for dismissal are defined by provisions of Education Code 44932 et seq.

(cf. 4116 - Probationary/Permanent Status)

#### Probationary Employees (Districts of less than 250 ADA)

During the school year, certificated probationary employees may be dismissed for causes specified in Education Code 44932 or for unsatisfactory performance determined pursuant to Education Code 44660-44665. Procedures and time limits for such action shall be those set forth in Education Code 44948.3.

(cf. 4115 - Evaluation/Supervision)

At the end of the school year, the Board of Trustees may decide not to rehire probationary employees without a statement of reasons, giving notice in accordance with Education Code 44929.21.

(cf. 4117.6 - Decision Not to Rehire)

During the school year, dismissal procedures shall be those set forth in Education Code 44932 et seq.

#### Legal References:

##### EDUCATION CODE

- 44660-44665 Evaluation and assessment of performance
- 44842 Automatic declining of employment
- 44918 Substitute or temporary employee; reemployment rights
- 44929.21 Districts with 250 ADA or more; notice of reelection decision.
- 44929.23 Districts with daily attendance less than 250
- 44932-44947 Suspension and/or dismissal of permanent employees
- 44948 Dismissal or suspension of probationary employees during school year

44948.2 Election to use provisions of Education Code 44948.3  
44948.3 Dismissal of probationary employees (over 250 ADA)  
44948.5 Dismissal of probationary employees (under 250 ADA)  
44949 Cause, notice and right to hearing for dismissal of probationary employee  
44953 Dismissal of substitute employees  
44955 Reduction in number of permanent employees

GOVERNMENT CODE

3543.2 Scope of representation (re duty of district to meet and negotiate regarding causes and procedures for discipline less than dismissal)

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT  
approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Termination Agreements**

AR 4117.5

#### **Personnel**

If a termination settlement agreement has been made with an employee, the Superintendent/Principal or designee shall inform prospective employers, upon request for an employment reference, that an agreement exists and that he/she may only provide information as provided for in the agreement.

(cf. 1340 - Access to District Records)

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

(cf. 4112.61/4212.61/4312.61 - Employment References)

Cash settlements made upon the termination of a contract shall never exceed an amount equal to the employee's monthly salary multiplied by the number of months, up to 18, in the unexpired term of the contract. This amount is a maximum ceiling, not to be construed as a target amount for settlement agreements. (Government Code 53260)

Settlement agreements shall not include noncash items other than health benefits, which the district may offer to continue for the unexpired term up to 18 months or until the employee finds other employment, whichever comes first. (Government Code 53261)

Copies of settlement agreements with a Superintendent/Principal or designee, deputy superintendent, assistant superintendent, associate superintendent or other similar chief administrative officer or chief executive officer shall be made available to the public upon request. (Government Code 53262)

(cf. 2121 - Superintendent's Contract)

(cf. 4312.1 - Contracts)

#### **Legal Reference:**

**CIVIL CODE**

47 Privileged communication

**GOVERNMENT CODE**

53260-53264 Employment contracts

**LABOR CODE**

1198.5 Inspection of personnel files by employees

**CODE OF REGULATIONS, TITLE 5**

80303 Reports of dismissal, resignation and other terminations for cause

80332 Professional honesty in letters of employment recommendation

COURT DECISIONS

Randi W. v. Muroc Joint Unified School District, (1997) 14 Cal.4th 1066

Board of Trustees of Leland Stanford Junior University v. Superior Court, (1981) 119 Cal. App. 3d 516

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# **Kashia ESD**

## **Administrative Regulation**

### **Decision Not To Rehire**

AR 4117.6

#### **Personnel**

The Superintendent/Principal or designee shall provide the Board of Trustees with his/her recommendations regarding the rehiring of probationary certificated personnel.

The Board may decide not to rehire a probationary employee for a second school year and give written notice of its decision to the employee at any time during his/her first year of employment. If the Board does not give written notice, the employee shall be deemed reelected for the next succeeding school year.

The Board may decide not to rehire a probationary employee for a third year and give written notice to the employee on or before March 15 of his/her second complete consecutive school year of employment. If the Board does not give written notice on or before March 15, the employee shall be deemed reelected for the next succeeding school year. (Education Code 44929.21, 44929.23)

(cf. 4112.21 - Interns)

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.3 - Personnel Reduction)

#### **Legal Reference:**

##### **EDUCATION CODE**

44885.5 District interns

44929.21 Districts with 250 ADA or more; notice of reelection decision

44929.23 Districts with daily attendance less than 250

44948.2 Election to use provisions of Education Code 44948.3

44948.3 Dismissal of probationary employees (over 250 ADA)

44949 Cause, notice and right to hearing required for dismissal of probationary employee

44955 Reduction in number of permanent employees

##### **COURT DECISIONS**

Hoschler v. Sacramento City Unified School District, (2007) 149 Cal. App. 4th 258

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

Bellflower Education Assn. v. Bellflower Unified School District (1991) 228 Cal.App.3d 805

Fontana Teachers Assn. v. Fontana Unified School District (1988) 201 Cal.App.3d 1517

Grimsley v. Board of Trustees (1987) 189 Cal.App.3d 1440

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# **Kashia ESD**

## **Administrative Regulation**

### **Employment Status Reports**

AR 4117.7

#### **Personnel**

The Superintendent/Principal shall report to the Commission on Teacher Credentialing (CTC) any change in the employment status of a certificated employee who, while working in a position requiring a credential and as a result of an allegation of misconduct or while an allegation of misconduct is pending: (Education Code 44030.5, 44242.5; 5 CCR 80303)

1. Is dismissed or nonreelected

(cf. 4116 - Probationary/Permanent Status)

(cf. 4117.4 - Dismissal)

(cf. 4117.6 - Decision Not to Rehire)

2. Resigns

(cf. 4117.2 - Resignation)

3. Is suspended or placed on unpaid administrative leave for more than 10 days as a final adverse employment action

(cf. 4118 - Suspension/Disciplinary Action)

4. Retires

5. Is otherwise terminated by a decision not to employ or reemploy

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

This report is not required when the change in employment status is due solely to unsatisfactory performance pursuant to Education Code 44932 or a reduction in force pursuant to Education Code 44955-44958. (Education Code 44030.5, 44242.5; 5 CCR 80303)

(cf. 4115 - Evaluation/Supervision)

(cf. 4117.3 - Personnel Reduction)

When required, the report of a change in employment status shall be submitted not later than 30 days after the employment action. The report shall be made using a form provided by the CTC and shall include all known information about each alleged act of misconduct by the employee. The report shall contain the name and current address of the certificated employee, name of the district, last school or district assignment, an explanation of the allegation of misconduct or pending allegation of misconduct, current contact information for all persons who may have information relating to the alleged misconduct, and any and all documentation related to the case. (Education Code 44030.5; 5 CCR 80303)

Upon a change in employment status as a result of alleged misconduct or while an allegation of misconduct is pending, the Superintendent/Principal shall, in writing, inform the employee of the contents of 5 CCR 80303. (5 CCR 80303)

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

#### Additional Reports of Employee Misconduct

The Superintendent/Principal or designee shall submit a report to the CTC, using a form provided by the CTC and attaching all relevant documents, whenever:

1. An employee, by complaint, information, or indictment filed in court, is charged with a "mandatory leave of absence offense," defined as a sex or drug offense specified in Education Code 44940. (Education Code 44242.5, 44940, 44940.5)

Not later than 10 days after receipt of such a complaint, information, or indictment regarding an employee, the Superintendent/Principal or designee shall forward a copy of the received documents to the CTC. In addition, he/she shall report to the CTC any action taken in connection with extending the employee's mandatory leave beyond the initial period. (Education Code 44940, 44940.5)

If the offense results in a change in employment status, the Superintendent/Principal shall submit an employment status report in addition to the report of the mandatory leave of absence offense.

2. An employee refuses, without good cause, to fulfill a valid employment contract, or departs from district service without the consent of the Superintendent/Principal or Board of Trustees. (Education Code 44242.5, 44420)

As appropriate, the Superintendent/Principal or designee also shall notify the CTC of any of the following:

1. A complaint filed with the district regarding a certificated employee's alleged sexual misconduct (Education Code 44242.5)

The notice to the CTC shall contain all of the following information: (5 CCR 80304)

- a. Name of the employee alleged to have engaged in the sexual misconduct
- b. Name, age, and address of each victim of the alleged sexual misconduct
- c. A summary of all information known to the district regarding the alleged sexual misconduct
- d. A summary of the action, if any, taken at the district level in response to the complaint of sexual misconduct

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5145.7 - Sexual Harassment)

2. An employee's knowing and willful use of school records of student data in connection with, or in implicit or explicit attempts to recruit a student to be a customer for, any business owned by the certificated employee or in which the certificated employee is an employee (Education Code 44242.5, 44421.1)

(cf. 5125 - Student Records)

3. An employee's knowing and willful reporting of false fiscal expenditure data relative to the conduct of any educational program (Education Code 44242.5, 44421.5)

4. An employee's subversion or attempt to subvert any licensing examination or the administration of an examination (Education Code 44242.5, 44439)

#### Legal Reference:

##### EDUCATION CODE

44009 Conviction of specified crimes

44010 Sex offense, definitions

44011 Controlled substance offense, definitions

44030.5 Employment status reports

44225 Powers and duties of the CTC

44242.5 Reports and review of alleged misconduct

44420-44440 Adverse actions by CTC against credential holder

44932 Causes for dismissal

44940 Sex offenses and narcotic offenses; compulsory leave of absence

44940.5 Compulsory leave of absence

44955-44958 Reduction in force

##### CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status, alleged misconduct

80304 Notice of sexual misconduct

#### Management Resources:

##### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2013

##### WEB SITES

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

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

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT

approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Suspension/Disciplinary Action**

BP 4118

#### **Personnel**

The Board of Trustees expects all employees to exhibit professional and appropriate conduct and serve as positive role models both at school and in the community. An employee may be suspended or disciplined for unprofessional or inappropriate conduct in accordance with law, the district's collective bargaining agreement, Board policy, and administrative regulation.

(cf. 4000 - Concepts and Roles)  
(cf. 4112.5/4312.5 - Criminal Record Check)  
(cf. 4117.4 - Dismissal)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards)  
(cf. 4141/4241 - Collective Bargaining Agreement)

The Superintendent/Principal or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved and based on the severity of the misconduct. Disciplinary actions may include, but not be limited to, verbal warnings, written warnings, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

The Superintendent/Principal or designee shall ensure that, consistent with law, disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4032 - Complaints Concerning Discrimination in Employment)  
(cf. 4112.6/4212.6/4312.6 - Personnel Files)  
(cf. 4119.1/4219.4319.1 - Civil and Legal Rights)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

In accordance with law, the Superintendent/Principal or designee shall notify the Commission on Teacher Credentialing when the status of a credentialed employee has been changed as a result of alleged misconduct.

(cf. 4117.7 - Employment Status Reports)

#### **Legal Reference:**

##### **EDUCATION CODE**

44008 Effect of termination of probation  
44009 Conviction of specified crimes  
44010 Sex offense - definitions

44011 Controlled substance offense - definitions  
44242.5 Reports and review of alleged misconduct  
44425 Conviction of a sex or narcotic offense  
44660-44665 Evaluation and assessment of performance of certificated employees  
44830.1 Criminal record summary certificated employees  
44930-44988 Resignations, dismissal, and leave of absence, especially:  
44940 Sex offenses and narcotic offenses; compulsory leave of absence  
44940.5 Compulsory leave of absence  
45055 Drawing of warrants for teachers  
48907 Exercise of free speech, expression  
48950 Speech and other communication  
51530 Advocacy or teaching of communism

#### GOVERNMENT CODE

3543.2 Scope of representation

#### HEALTH AND SAFETY CODE

11054 Schedule I; substances included

11055 Schedule II, substances included

11056 Schedule III, substances included

11357-11361 Marijuana

11363 Peyote

11364 Opium

11370.1 Possession of controlled substances with a firearm

#### PENAL CODE

187 Murder

291 School employees arrest for sex offense

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

#### CODE OF REGULATIONS, TITLE 5

80303 Reports of change in employment status

80304 Notice of sexual misconduct

#### COURT DECISIONS

Crowl v. Commission on Professional Competence, (1990) 225 Cal. App. 3d 334

#### Management Resources:

#### COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel,  
2007

#### WEB SITES

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

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018

Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Suspension/Disciplinary Action**

AR 4118  
**Personnel**

#### **Suspension Without Pay**

When a permanent certificated employee's unprofessional conduct is not considered serious enough to warrant dismissal, he/she may be suspended without pay on grounds of unprofessional conduct, following procedures designated in Education Code 44932-44938.

A probationary certificated employee may be suspended without pay for a specified period during the school year as an alternative to dismissal following procedures designated in Education Code 44948.3.

Prior to any disciplinary action on charges leading to suspension without pay on the grounds of unprofessional conduct, the Superintendent/Principal or designee shall give the employee written notice. This written notice shall: (Education Code 44938)

1. Indicate the nature of the employee's unprofessional conduct
2. Cite specific instances of unprofessional behavior
3. Give the employee a 45-day opportunity to correct the misconduct and overcome the ground(s) for the charge(s)
4. Include the evaluation made pursuant to Education Code 44660-44665, if applicable

(cf. 4115 - Evaluation/Supervision)

#### **Mandatory Leave of Absence**

Upon being informed that a certificated employee has been charged with a "mandatory leave of absence offense," the Superintendent/Principal or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes: (Education Code 44830.1, 44940)

1. Any sex offense as defined in Education Code 44010
2. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056, with the exception of marijuana, mescaline, peyote, or tetrahydrocannabinols

(cf. 4117.7 - Employee Status Reports)

Upon receipt of notification from the Department of Justice by telephone that a current temporary, substitute, or probationary employee serving before March 15 of the his/her second probationary year has been convicted of a violent or serious felony, that employee

shall be immediately placed on leave without pay. Upon receipt of written electronic notification of the conviction from the Department of Justice, such employee shall be automatically terminated and without regard to any other termination procedure. (Education Code 44830.1)

(cf. 4112.5/4312.5 - Criminal Record Check)

An employee's compulsory leave may extend for not more than 10 days after the entry of judgment in the proceedings. However, the Board of Trustees may extend a certificated employee's compulsory leave by giving notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless he/she demands a hearing. (Education Code 44940, 44940.5)

(cf. 4117.4 - Dismissal)

Employee compensation during the period of compulsory leave shall be made in accordance with Education Code 44940.5.

#### Optional Leave of Absence

The Board may require an immediate compulsory leave of absence when a certificated employee is charged with an "optional leave of absence offense" as specified in law. Such employees shall be subject to the same requirements specified in Education Code 44940.5 regarding extension of the leave, furnishing of a bond, and payment of salaries for employees charged with mandatory leave of absence offenses. (Education Code 44940, 44940.5)

#### Protection of a Student's Free Speech or Press Rights

An employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student, or for refusing to infringe on a student's protected conduct, when that student is exercising his/her free speech or press rights pursuant to Education Code 48907 or 48950. (Education Code 48907, 48950)

(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 5145.2 - Freedom of Speech/Expression)

# **Kashia ESD**

## **Administrative Regulation**

### **Suspension/Disciplinary Action**

AR 4118  
**Personnel**

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3. Give the employee a 45-day opportunity to correct the misconduct and overcome the ground(s) for the charge(s)
4. Include the evaluation made pursuant to Education Code 44660-44665, if applicable

(cf. 4115 - Evaluation/Supervision)

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(cf. 4117.4 - Dismissal)

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The Board may require an immediate compulsory leave of absence when a certificated employee is charged with an "optional leave of absence offense" as specified in law. Such employees shall be subject to the same requirements specified in Education Code 44940.5 regarding extension of the leave, furnishing of a bond, and payment of salaries for employees charged with mandatory leave of absence offenses. (Education Code 44940, 44940.5)

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(cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)

(cf. 5145.2 - Freedom of Speech/Expression)

Regulation      KASHIA ELEMENTARY SCHOOL DISTRICT  
approved:      09/12/2018      Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Temporary/Substitute Personnel**

AR 4121  
**Personnel**

#### Hiring

Substitute personnel may be employed on an on-call, day-to-day basis.

In addition, after September 1 of any school year, the Board of Trustees may employ substitute personnel for the remainder of the school year for positions for which no regular employee is available. The district shall first demonstrate to the Commission on Teacher Credentialing the inability to acquire the services of a qualified regular employee. (Education Code 44917)

(cf. 4117.14 - Postretirement Employment)

#### Classification

The Board may classify as substitute certificated personnel a teacher hired to fill a position of regularly employed person absent from service. (Education Code 44917)

The Board may classify as a temporary employee a teacher who is employed at least one semester and up to one complete school year. Any person whose service begins in the second semester and before March 15 may be classified as a temporary employee even if employed for less than a semester. The Board shall determine the number of persons who shall be so employed based on the absence of regular employees due to leaves or long-term illness. (Education Code 44920)

The Board also shall classify as temporary employees those certificated persons, other than substitute employees, who are employed to:

1. Serve from day-to-day during the first three months of any term to teach temporary classes which shall not exist after that time, or perform any other duties which do not last longer than the first three months of any term (Education Code 44919)
2. Teach in special day and evening classes for adults or in schools of migratory population for not more than four months of any school term (Education Code 44919)
3. Serve in a limited assignment supervising student athletic activities provided such assignments have first been made available to teachers presently employed in the district (Education Code 44919)

(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)

4. Serve in a position for a period not to exceed 20 working days in order to prevent the stoppage of district business during an emergency when persons are not immediately available for probationary classification (Education Code 44919)

At the time of initial employment and each July thereafter, the Board shall classify substitute and temporary employees as such. (Education Code 44915, 44916)

Before his/her first day of work, each new substitute and temporary employee shall receive a written statement at the time of initial employment during each school year confirming his/her employment status and salary. This statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed. (Education Code 44916)

Time of initial employment means before the employee starts work. (Kavanaugh v. West Sonoma County Union High School District)

The Superintendent/Principal or designee shall ensure that substitute and temporary employees are appropriately trained, assigned, oriented and evaluated.

(cf. 4113 - Assignment)

(cf. 4115 - Evaluation/Supervision)

(cf. 4131 - Staff Development)

### Qualifications

Any person employed on a substitute or temporary basis in a position requiring certification qualifications shall possess the appropriate credential or permit authorizing his/her employment in such position and shall meet all other requirements of law for certificated positions.

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

(cf. 4112.2 - Certification)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

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

(cf. 4112.5/4312.5 - Criminal Record Check)

Any person employed on a substitute or temporary basis in a capacity designated in his/her credential shall also be required to demonstrate basic skills proficiency in reading, writing and mathematics pursuant to Education Code 44252.5, unless exempted by law. (Education Code 44830)

### Qualifications for Special Education

A noncredentialed person shall not substitute for any special education certificated position. (Education Code 56060)

A person holding a valid credential authorizing substitute teaching may serve as a substitute for a special education teacher for a period not to exceed 20 cumulative school days for each special education teacher absent during each school year. Upon application by the district, the Superintendent of Public Instruction may approve an extension of 20 school days. In extraordinary circumstances the district may seek an extension beyond the initial 20 school days. (Education Code 56061)

In placing substitute teachers in special education classrooms, the district shall give first priority to substitute teachers with the appropriate special education credential(s), second priority to substitute teachers with any other special education credential, and third priority to substitute teachers with a regular teaching credential. (Education Code 56062)

The Superintendent/Principal or designee shall recruit and maintain lists of appropriately credentialed substitute teachers. He/she shall contact institutes of higher education with approved special education programs for possible recommendations of appropriately credentialed special education personnel. (Education Code 56063)

#### Salary/Benefits

The Board shall adopt and make public a salary schedule setting the daily or pay period rate(s) for substitute employees for all categories or classes of certificated employees of the district. (Education Code 44977, 45030)

Substitute and temporary employees shall not participate in the health and welfare plans or other fringe benefits of the district.

#### Granting Probationary Status

Unless released from employment pursuant to Education Code 44954, and with the exception of on-call, day-to-day substitutes, any substitute or temporary employee who performs the duties normally required of certificated employees for at least 75 percent of the number of days the district school was maintained in that school year, shall be deemed to have served a complete school year as a probationary employee if employed as a probationary employee for the following school year. (Education Code 44918)

(cf. 4116 - Probationary/Permanent Status)

A temporary employee hired to teach temporary classes or perform other certificated duties not expected to last more than the first three months of any semester, or to teach special day and evening classes for adults or in schools for migratory populations for the first four months of a semester, shall be classified as a probationary employee if the duties continue beyond the time limits. (Education Code 44919)

A temporary employee hired to teach only the first semester due to anticipated midyear high school graduations shall be classified as a probationary employee for the entire school year if the

employment continues beyond the first semester. (Education Code 44921)

#### Release from Employment/Dismissal

The Board may dismiss a substitute employee at any time at its discretion. (Education Code 44953)

The Board may release a temporary employee at its discretion if the employee has served less than 75 percent of the number of days the district school is maintained. After serving during one school year 75 percent of the number of days the district school is maintained, a temporary employee may be released as long as the employee is notified before the end of the school year of the district's decision not to reelect him/her for the following school year. (Education Code 44954)

#### Reemployment Rights

With the exception of on-call, day-to-day substitutes, a temporary or substitute employee who served during one school year at least 75 percent of the number of days the district school was maintained and who was not released pursuant to Education Code 44954 prior to the end of the school year shall be reemployed for the following school year to fill any vacant positions in the district. (Education Code 44918)

With the exception of on-call, day-to-day substitutes, a temporary or substitute employee who was released pursuant to Education Code 44954 but who has nevertheless served for two consecutive years, for at least 75 percent of each year, shall receive first priority if the district fills a vacant position for the subsequent school year at the grade level at which the employee served during either year. In the case of a departmentalized program, the employee shall have taught the subject matter in which the vacant position occurs. (Education Code 44918)

#### Legal Reference:

##### EDUCATION CODE

- 44252.5 State basic skills assessment required for certificated personnel
- 44300 Emergency teaching or specialist permits
- 44830 Employment of certificated persons; requirements of proficiency in basic skills
- 44839.5 Employment of retirant
- 44846 Criteria for reemployment preferences
- 44914 Substitute and probationary employment computation for classification as permanent employee
- 44915 Classification of probationary employees
- 44916 Time of classification; statement of employment status
- 44917 Classification of substitute employees
- 44918 Substitute or temporary employee deemed probationary employee; reemployment rights
- 44919 Classification of temporary employees
- 44920 Employment of certain temporary employees; classifications

44921 Employment of temporary employees; reemployment rights (unified and high school districts)

44953 Dismissal of substitute employees

44954 Release of temporary employees

44956 Rights of laid-off permanent employees to substitute positions

44957 Rights of laid-off probationary employees to substitute positions

44977 Salary schedule for substitute employees

45030 Substitutes

45041 Computation of salary

45042 Alternative method of computation for less than one school year

45043 Compensation for employment beginning in the second semester

56060-56063 Substitute teachers in special education

#### CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired person

5503 Physical examination for employment of retired persons

#### COURT DECISIONS

Kavanaugh v. West Sonoma Union High School District, (2003) 29 Cal.4th 911

#### Management Resources:

##### WEB SITES

CTC: <http://www.ctc.ca.gov>

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

Regulation approved: KASHIA ELEMENTARY SCHOOL DISTRICT  
09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Beginning Teacher Support/Induction**

BP 4131.1

#### **Personnel**

The Board of Trustees recognizes that intensive professional development and support will help beginning teachers apply their academic preparation more effectively in the classroom and result in greater district retention of capable beginning teachers. The Superintendent/Principal or designee shall ensure that first- and second-year teachers receive guidance to help them make an effective transition into the teaching profession.

(cf. 4131 - Staff Development)

The Superintendent/Principal or designee shall inform beginning teachers about induction programs that are available to help them fulfill the requirements of the professional clear multiple- or single-subject teaching credential pursuant to Education Code 44259.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

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

#### **District-Sponsored BTSA Induction Program**

When approved by the Commission on Teacher Credentialing (CTC) and the Superintendent of Public Instruction, the district may serve as a sponsor of an induction program. The program shall meet state standards for induction programs and shall support beginning teachers in meeting the competencies described in the California Standards for the Teaching Profession.

The Superintendent/Principal or designee, with input from the participating teacher, shall pair each participating teacher with a support provider who is an experienced teacher, knowledgeable about beginning teacher development and needed competencies, and effective in interpersonal and communication skills. The roles and responsibilities of support providers shall be clearly defined in writing and communicated to all program participants.

(cf. 4138 - Mentor Teachers)

The Superintendent/Principal or designee shall provide initial preparation and additional professional development for support providers to enable them to acquire and enhance their knowledge and skills needed to work with beginning teachers.

Professional development provided to a beginning teacher shall be based on an individual induction plan which takes into consideration the teacher's prior preparation and experience.

Subject to verification and approval of the Superintendent/Principal or designee, a beginning teacher shall not be required to demonstrate that a competency has been met, nor complete a program element designed to assist beginning teachers in meeting that competency, if he/she previously met the competency while participating in a CTC-approved teacher preparation program. (Education Code 44279.1)

The beginning teacher's knowledge and classroom practice shall be regularly assessed using multiple measures and the results shall be used to monitor and revise subsequent individual induction plans. The Superintendent/Principal or designee shall maintain a complete record of each participating teacher's participation and progress toward completion of professional credential requirements.

Performance assessments conducted as part of the induction program shall not be used for employment-related evaluations, as a condition of employment, or as a basis of terminating employment. (Education Code 44279.1)

(cf. 4115 - Evaluation/Supervision)  
(cf. 4117.4 - Dismissal)

The Superintendent/Principal or designee shall conduct an annual evaluation of the induction program and shall report to the Board regarding its effectiveness in meeting induction program goals.

(cf. 0500 - Accountability)  
(cf. 9000 - Role of the Board)

#### Legal Reference:

##### EDUCATION CODE

41520-41522 Teacher Credentialing Block Grant

41530-41532 Professional Development Block Grant

44259 Credential requirements

44259.5 Standards for professional preparation programs

44275.4 Credential requirements, induction, out-of-state teachers

44279.1-44279.7 Beginning Teacher Support and Assessment Program (BTSA)

44325-44329 District interns

44380-44386 Alternative certification

44450-44468 University interns

44560-44562 Certificated Staff Mentoring Program

##### CODE OF REGULATIONS, TITLE 5

6100-6126 Teacher qualifications, No Child Left Behind Act

80055 Internship credential

80413 Credential requirements

80413.3 Credential requirements; teachers with out-of-state credentials

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

6601-6702 Preparing, training and recruiting high quality teachers and principals

7801 Definitions, highly qualified teacher

Management Resources:

COMMISSION ON TEACHER CREDENTIALING/CALIFORNIA DEPARTMENT OF  
EDUCATION POLICY

Funding Policy for Teacher Development Programs, December 2006

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Induction Manual: A Credential Application Processing Guidebook for Commission-Approved  
Induction Programs, June 2004

Final Report of the Individual Evaluation of the Beginning Teacher Support and Assessment  
Program,

April 2002

Standards of Quality and Effectiveness for Professional Teacher Induction Programs, March  
2002

California Standards for the Teaching Profession, 1997

WEB SITES

Beginning Teacher Support and Assessment: <http://www.btsa.ca.gov>

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

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Employee Compensation**

**BP 4151**

#### **Personnel**

In order to recruit and retain employees committed to the district's goals for student learning, the Board of Trustees recognizes the importance of offering a competitive compensation package which includes salaries and health and welfare benefits.

(cf. 3100 - Budget)

(cf. 3400 - Management of Districts Assets/Accounts)

(cf. 4000 - Concepts and Roles)

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

The Board shall adopt separate salary schedules for certificated, classified, and supervisory and administrative personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for review at the district office. (Education Code 45023, 45028)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4143/4243 - Negotiations/Consultation)

Salary schedules for staff who are not a part of a bargaining unit shall be determined by the Board at the recommendation of the Superintendent/Principal or designee.

(cf. 4312.1 - Contacts)

The Superintendent/Principal or designee shall ensure that the district's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.

(cf. 4140/4240 - Bargaining Units)

#### **Legal Reference:**

##### **EDUCATION CODE**

45022-45061.5 Salaries, especially:

45023 Availability of salary schedule

45028 Salary schedule for certificated employees

45160-45169 Salaries for classified employees

45268 Salary schedule for classified service in merit system districts

GOVERNMENT CODE

3540-3549 Meeting and negotiating, especially:

3543.2 Scope of representation

3543.7 Duty to meet and negotiate in good faith

LABOR CODE

226 Employee access to payroll records

232 Disclosure of wages

UNITED STATES CODE, TITLE 26

409A Deferred compensation plans

CODE OF FEDERAL REGULATIONS, TITLE 26

1.409A-1 Definitions and covered plans

Management Resources:

NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS

NEA and NSBA Joint Guidance on the Tax Consequences of Deferred Compensation - Section 409A of the Internal Revenue Code, January 2008

WEB SITES

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

Internal Revenue Service: <http://www.irs.gov>

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Exemptions From Attendance**

BP 5112.1

#### **Students**

Each student between the ages of 6 and 18 shall be subject to compulsory full-time education.  
(Education Code 48200)

(cf. 5113.1 - Truancy)

However, the Superintendent/Principal or designee may grant exemptions from compulsory attendance to a student as allowed by law and in the best interest of the student. Exemptions shall not be used to remove a student from the school for disciplinary purposes.

(cf. 5111 - Admission)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5112.3 - Student Leave of Absence)

(cf. 5113.2 - Work Permits)

(cf. 5141.22 - Infectious Diseases)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6158 - Independent Study)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

(cf. 6200 - Adult Education)

As needed, the Superintendent/Principal or designee may require a student or his/her parent/guardian to submit written documentation that the student fulfills one of the conditions specified in law and administrative regulation for which exemption is authorized.

(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

33190 Affidavit by persons conducting private school instruction

46100-46147 Minimum school day

46170 Minimum school day, continuation education

48200-48341 Compulsory education law

48400-48454 Compulsory continuation education

48800-48802 Attendance at community college

49110-49119 Permits to work

49130-49135 Permits to work full time

#### LABOR CODE

1285-1312 Employment of minors

1390-1399 Employment of minors

#### CODE OF REGULATIONS, TITLE 5

11522 Parental consent for exemption based on high school proficiency certificate

#### UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

#### UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

#### CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

#### COURT DECISIONS

Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 342

#### Management Resources:

##### WEB SITES

California Department of Education, Attendance Improvement: <http://www.cde.ca.gov/ls/ai/>

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Exemptions From Attendance**

AR 5112.1  
**Students**

#### Exemptions from Regular Education Program

A student may be exempted from full-time attendance in the district's regular education program if he/she:

1. Is being instructed in a private full-time school and the Superintendent/Principal or designee verifies that the private school has filed an affidavit pursuant to Education Code 33190 (Education Code 48222, 48223)

2. Is being instructed by a private tutor who holds a valid state credential for the grade taught, provided that the instruction consists of study and recitation for at least three hours a day for 175 days of each calendar year (Education Code 48224)

3. Holds a work permit to work temporarily in the entertainment or allied industries (Education Code 48225, 48225.5)

(cf. 5113.2 - Work Permits)

4. Holds a work permit and attends part-time classes (Education Code 48230)

5. Is between the ages of 12 and 18 and enters a school attendance area from another state within 10 days of the end of the school term, with the exemption applicable for the remainder of the term (Education Code 48231)

6. Attends a community college as a special full-time student on the grounds that he/she would benefit from advanced scholastic or vocational work (Education Code 48800.5)

(cf. 6172.1 - Concurrent Enrollment in College Classes)

#### Exemptions from Continuation Education

A student who would otherwise be subject to compulsory continuation education pursuant to Education Code 48400 or 48402 may be exempted if he/she: (Education Code 48410)

1. Has graduated from a public high school maintaining a four-year course above grade 8 or has had an equal amount of education in a private school or from a private tutor

In the case of a private school, the exemption shall be granted only if the Superintendent/Principal or designee has verified that the private school has filed an affidavit pursuant to Education Code 33190. (Education Code 48415)

2. Has successfully demonstrated proficiency equal to or greater than standards established by the California Department of Education and has verified approval submitted by his/her parent/guardian

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

3. Is attending a public or private full-time day school or satisfactory part-time classes maintained by other agencies

4. Is attending adult school for not less than four hours per calendar week

(cf. 6200 - Adult Education)

5. Is attending a regional occupational program or center pursuant to Education Code 48432

(cf. 6178.2 - Regional Occupational Center/Program)

6. Is disqualified because of his/her physical or mental condition or because of personal services that must be rendered to his/her dependents

(cf. 5141.22 - Infectious Diseases)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6158 - Independent Study)

(cf. 6183 - Home and Hospital Instruction)

(cf. 6184 - Continuation Education)

7. Is between the ages of 12 and 18 and enters a school attendance area from another state within 10 days of the end of the school term, with the exemption applicable for the remainder of the term pursuant to Education Code 48231

Regulation approved: KASHIA ELEMENTARY SCHOOL DISTRICT  
09/12/2018     Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Exclusions From Attendance**

**AR 5112.2**  
**Students**

Students may be excluded from attendance at the district school if they:

1. Are under the legal age of attendance, except as otherwise provided by law. (Education Code 48210)

(cf. 5111 - Admission)

2. Do not present evidence of immunization from certain infectious diseases as required by law. A student shall not be excluded, however, if the parent/guardian, in writing, requests exemption from the immunization requirement on the basis of the student's physical condition or a conflict with the parent/guardian's religious beliefs. (Health and Safety Code 120335, 120365, 120370)

(cf. 5141.31 - Immunizations)

3. Are reasonably suspected of having active tuberculosis. (Health and Safety Code 121485, 121495, 121505)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.33 - Head Lice)

4. Are infected with any contagious or infectious disease. (Education Code 49451; 5 CCR 202)

(cf. 5141.22 - Infectious Diseases)

5. Reside where any contagious, infectious, or communicable disease subject to quarantine exists or has recently existed, unless written permission of the health officer is provided. (Health and Safety Code 120230)

6. Have not had the health screening, specified in Health and Safety Code 124040, before or within the first 90 days of attending first grade. Such students may be excluded for up to five days unless the parent/guardian has presented a waiver or the district has exempted the student from this requirement in accordance with law. (Health and Safety Code 124105)

(cf. 5141.32 - Child Health and Disability Prevention Program)

## Notifications to Parents/Guardians

Prior to excluding a student from attendance, the Superintendent/Principal or designee shall send a notice to the student's parent/guardian stating the facts leading to the exclusion.

The Superintendent/Principal or designee may exclude a student without prior notice to the parent/guardian if the student is excluded because: (Education Code 48213)

1. He/she resides in an area subject to quarantine pursuant to Health and Safety Code 120230
2. He/she is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to Education Code 49451.
3. The Superintendent/Principal or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

However, in such cases, the Superintendent/Principal or designee shall send a notice as soon as reasonably possible after the exclusion. (Education Code 48213)

## Appeals from Exclusion

Upon exclusion of his/her child, a parent/guardian may meet with the Superintendent/Principal or designee to discuss the exclusion. If the parent/guardian disagrees with the decision of the Superintendent/Principal or designee to exclude his/her child, he/she may appeal the decision to the Board of Trustees.

The parent/guardian shall have an opportunity to inspect all documents upon which the district is basing its decision, to challenge any evidence and question any witness presented by the district, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

## Legal Reference:

### EDUCATION CODE

48210-48216 Persons excluded

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49451 Parent's refusal to consent

### HEALTH AND SAFETY CODE

120230 Exclusion of persons from school

120325-120380 Educational and child care facility immunization requirements

121475-121520 Tuberculosis tests for students

124025-124110 Child Health and Disability Prevention Program

CODE OF REGULATIONS, TITLE 5

202 Exclusion of students with a contagious disease

Management Resources:

WEB SITES

California Department of Health Services: <http://www.dhs.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

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

Regulation      KASHIA ELEMENTARY SCHOOL DISTRICT  
approved:      09/12/2018      Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **Promotion/Acceleration/Retention**

BP 5123

#### **Students**

The Board of Trustees expects students to progress through each grade level within one school year. Toward this end, instruction shall be designed to accommodate the variety of ways that students learn and provide strategies for addressing academic deficiencies as needed.

Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6170.1 - Transitional Kindergarten)

When high academic achievement is evident, the teacher may recommend a student for acceleration to a higher grade level. The student's maturity level shall be taken into consideration in making a determination to accelerate a student.

Teachers shall identify students who should be retained or who are at risk of being retained at their current grade level as early as possible in the school year and as early in their school careers as practicable. Such students shall be identified at the following grade levels: (Education Code 48070.5)

1. Between grades 2 and 3
2. Between grades 3 and 4
3. Between grades 4 and 5
4. Between the end of the intermediate grades and the beginning of the middle school grades
5. Between the end of the middle school grades and the beginning of the high school grades

Students shall be identified for retention on the basis of failure to meet minimum levels of proficiency, as indicated by the results of state assessments administered pursuant to Education Code 60640-60649 and the following additional indicators of academic achievement:

1. District benchmarks
2. Classroom grades
3. Supplement assessments established by (AST) Achievement Study Team

(cf. 5149 - At-Risk Students)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

Students between grades 2 and 3 and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts, and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades. (Education Code 48070.5)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

If a student does not have a single regular classroom teacher, the Superintendent/Principal or designee shall specify the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The teacher's decision to promote or retain a student may be appealed in accordance with AR 5123 - Promotion/Acceleration/Retention.

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent/Principal or designee shall offer an appropriate program of remedial instruction to assist the student in meeting grade-level expectations. (Education Code 48070.5)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

#### Legal Reference:

#### EDUCATION CODE

37252-37254.1 Supplemental instruction

41505-41508 Pupil Retention Block Grant

46300 Method of computing average daily attendance

48010 Admittance to first grade

48011 Promotion/retention following one year of kindergarten

48070-48070.5 Promotion and retention

56345 Elements of individualized education plan

60640-60649 California Assessment of Student Performance and Progress

60850-60859 Exit examination  
CODE OF REGULATIONS, TITLE 5  
200-202 Admission and exclusion of students

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

FAQs Promotion, Retention, and Grading (students with disabilities)

FAQs Pupil Promotion and Retention

Kindergarten Continuance Form

WEB SITES

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

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT  
adopted: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Promotion/Acceleration/Retention**

AR 5123  
**Students**

#### Acceleration from Kindergarten to First Grade

Any student who meets the age eligibility requirement and has completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the Superintendent/Principal or designee agree that the student shall continue in kindergarten. (Education Code 48010, 48011)

(cf. 5111 - Admission)

A student who does not meet the age eligibility requirement may be admitted to first grade at the discretion of the Superintendent/Principal or designee and with the consent of the parent/guardian upon determination that the student is ready for first-grade work, subject to the following minimum criteria: (Education Code 48011; 5 CCR 200)

1. The student is at least five years of age.
2. The student has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability.
3. The student is in the upper five percent of his/her age group in terms of general mental ability.
4. The physical development and social maturity of the student are consistent with his/her advanced mental ability.
5. The parent/guardian of the student has filed a written statement with the district approving the placement in first grade.

#### Continuation in Kindergarten

Whenever the Superintendent/Principal or designee and the parents/guardians agree that a student shall continue in kindergarten for an additional year, the Superintendent/Principal or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300, 48011)

The Superintendent/Principal or designee shall not approve a student's continuation in

kindergarten until the student has been enrolled in kindergarten for close to one school year.

#### Retention at Other Grade Levels

If a student is identified as performing below the minimum standard for promotion to the next grade level based on the indicators specified in Board policy, the student shall be retained in his/her current grade level unless the student's regular classroom teacher

determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - State Academic Achievement Tests)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time. The teacher's evaluation shall be provided to and discussed with the student's parents/guardians and the principal before any final determination of retention or promotion. (Education Code 48070.5)

(cf. 6176 - Weekend/Saturday Classes)

(cf. 6177 - Summer Learning Programs)

(cf. 6179 - Supplemental Instruction)

When a student is identified as being at risk of retention, the Superintendent/Principal or designee shall so notify the student's parent/guardian as early in the school year as practicable. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

(cf. 5145.6 - Parental Notifications)

The Superintendent/Principal or designee shall also provide a copy of the district's promotion/retention policy and administrative regulation to those parents/guardians who have been notified that their child is at risk of retention.

#### Appeal Process

Whenever a student's parent/guardian appeals the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision should be overruled. (Education Code 48070.5)

To appeal a teacher's decision, the parent/guardian shall submit a written request to the Superintendent/Principal or designee specifying the reasons that the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion.

The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 30 days of receiving the request, the Superintendent/Principal or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the Superintendent/Principal or designee may meet with the parent/guardian and the teacher. If the Superintendent/Principal or designee determines that the parent/guardian has overwhelmingly proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

The Superintendent/Principal or designee's determination may be appealed by submitting a written appeal to the Board of Trustees within 15 school days. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The Board's decision may be made on the basis of documentation prepared as part of the appeal process or, at the discretion of the Board, the Board may also meet with the parent/guardian, the teacher, and the Superintendent/Principal or designee to decide the appeal. The decision of the Board shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

If the final decision is unfavorable to the parent/guardian, he/she shall have the right to submit a written statement of objections which shall become part of the student's record.

(cf. 5125 - Student Records)

(cf. 5125.3 - Challenging Student Records)

Regulation      KASHIS ELEMENTARY SCHOOL DISTRICT  
approved:      09/12/2018      Stewarts Point, California

# **Kashia ESD**

## **Administrative Regulation**

### **Withholding Grades, Diploma Or Transcripts**

AR 5125.2

#### **Students**

When school property has been willfully damaged or not returned upon demand, the Superintendent/Principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due.

This notice shall include a statement that the district may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

If reparation is not made, the district shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.

(cf. 5144.1 - Suspension and Expulsion/Due Process)

If the student and parent/guardian are unable to pay for the damages or return the property, the Superintendent/Principal or designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. (Education Code 48904)

When a student from whom the district is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared.

The Superintendent/Principal or designee shall notify the parent/guardian in writing that this district's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code 48904.3)

The district shall withhold grades, diploma or transcripts from any student transferring into the district whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the district shall release these documents. (Education Code 48904.3)

(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48904 Liability of parent

48904.3 Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

48911 Suspension by principal, designee or superintendent

49069 Absolute right to access

Regulation KASHIA ELEMENTARY SCHOOL DISTRICT

approved: 09/12/2018 Stewarts Point, California

# **Kashia ESD**

## **Board Policy**

### **At-Risk Students**

BP 5149

#### **Students**

The Board of Trustees recognizes that personal, social, health, and economic circumstances of children and families sometimes place students at risk of school failure. The Board believes, however, that each student can succeed in meeting district academic standards with appropriate educational programs and support services.

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.5 - Elementary/Middle School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

District assessments and ongoing classroom evaluations shall be used to identify students performing below grade-level or at risk of failing to meet district standards. The Superintendent/Principal or designee shall develop strategies to address the needs of at-risk students, which may include but are not limited to instructional strategies responsive to the needs of individual students, provision of supplemental instruction outside the regular school day, provision of effective support services, parent involvement, and/or enrollment in an alternative program.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 5113.1 - Truancy)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Health Screening for School Entry)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.52 - Suicide Prevention)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 5147 - Dropout Prevention)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6164.2 - Guidance/Counseling Services)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.5 - Student Success Teams)  
(cf. 6164.6 - Identification and Education Under Section 504)  
(cf. 6179 - Supplemental Instruction)  
(cf. 6181 - Alternative Schools/Programs of Choice)  
(cf. 6300 - Preschool/Early Childhood Education)

The Superintendent/Principal or designee shall ensure that employees are trained to support students and are prepared to implement intervention strategies as needed or to make appropriate referrals.

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

The Superintendent/Principal or designee shall establish a student assistance program to help coordinate the district's learning support programs including education, prevention, early identification, intervention, referral, and support services, into an integrated delivery system.

The district's program for at-risk students shall emphasize coordination between site, district, and community-based programs in order to ensure effective implementation and shared accountability.

Legal Reference:

EDUCATION CODE

8800-8807 Healthy Start support services for children  
11500-11506 Programs to encourage parent involvement  
35160 Authority of governing boards  
35183 Gang-related apparel  
41505-41508 Pupil Retention Block Grant  
41510-41514 School Safety Consolidated Competitive Grant  
44049 Report of alcohol or controlled substance abuse  
48260-48273 Truancy  
48400-48454 Continuation education  
48660-48666 Community day schools  
49400-49409 Student health  
49450-49457 Physical examinations of students  
49600-49604 Educational counseling  
51266-51266.5 Gang and substance abuse prevention curriculum  
51268 Collaboration re drug, alcohol and tobacco prevention  
51745-51749.3 Independent study programs  
52200-52212 Gifted and Talented Pupil Program  
52800-52887 School-Based Program Coordination Act  
54400-54425 Programs for disadvantaged children  
54440-54445 Migrant children

54740-54749.5 California School Age Families  
56000-56001 Special education programs  
56302 Identification and assessment of needs for individuals with disabilities  
REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS  
52014 Inclusion of activities in plan  
52015 Components of plan  
54685-54686.2 Early Intervention for School Success Program  
HEALTH AND SAFETY CODE  
11802 Joint school-community alcohol abuse primary education and prevention program  
120325-120380 Immunizations  
121475-121520 Tuberculosis tests for students  
124025-124110 Child health and disability prevention program  
PENAL CODE  
11164-11174.3 Child abuse and neglect reporting  
WELFARE AND INSTITUTIONS CODE  
4343-4360 Primary intervention programs - mental health  
4370-4390 School-based early mental health intervention and prevention  
18975-18979 Child abuse prevention training  
18986.40-18986.46 Interagency children's services programs  
CODE OF REGULATIONS, TITLE 5  
11900-11935 Healthy Start program  
UNITED STATES CODE, TITLE 20  
6301-6578 Title I programs

Management Resources:

WEB SITES

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

Policy KASHIA ELEMENTARY SCHOOL DISTRICT  
adopted: 09/12/2018 Stewarts Point, California

UNAUDITED ACTUAL FINANCIAL REPORT:

To the County Superintendent of Schools:

2017-18 UNAUDITED ACTUAL FINANCIAL REPORT. This report was prepared in accordance with Education Code Section 41010 and is hereby approved and filed by the governing board of the school district pursuant to Education Code Section 42100.

Signed: \_\_\_\_\_  
Clerk/Secretary of the Governing Board  
(Original signature required)

Date of Meeting: Sep 12, 2018

To the Superintendent of Public Instruction:

2017-18 UNAUDITED ACTUAL FINANCIAL REPORT. This report has been verified for accuracy by the County Superintendent of Schools pursuant to Education Code Section 42100.

Signed: \_\_\_\_\_  
County Superintendent/Designee  
(Original signature required)

Date: \_\_\_\_\_

For additional information on the unaudited actual reports, please contact:

For County Office of Education:

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Unaudited Actuals  
FINANCIAL REPORTS  
2017-18 Unaudited Actuals  
Summary of Unaudited Actual Data Submission

Following is a summary of the critical data elements contained in your unaudited actual data. Since these data may have fiscal implications for your agency, please verify their accuracy before filing your unaudited actual financial reports.

| Form  | Description                                                                                                                                                                                                                                                                                                     | Value        |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| CEA   | Percent of Current Cost of Education Expended for Classroom Compensation<br>Must equal or exceed 60% for elementary, 55% for unified, and 50% for high school districts or future apportionments may be affected. (EC 41372)                                                                                    | 25.90%       |
|       | CEA Deficiency Amount<br>Applicable to districts not exempt from the requirement and not meeting the minimum classroom compensation percentage - see Form CEA for further details.                                                                                                                              | exempt       |
|       |                                                                                                                                                                                                                                                                                                                 |              |
| ESMOE | Every Student Succeeds Act (ESSA) Maintenance of Effort (MOE) Determination<br>If MOE Not Met, the 2019-20 apportionment may be reduced by the lesser of the following two percentages:<br>MOE Deficiency Percentage - Based on Total Expenditures<br>MOE Deficiency Percentage - Based on Expenditures Per ADA | MOE Met      |
|       |                                                                                                                                                                                                                                                                                                                 |              |
|       |                                                                                                                                                                                                                                                                                                                 |              |
| GANN  | Adjustments to Appropriations Limit Per Government Code Section 7902.1<br>If this amount is not zero, it represents an increase to your Appropriations Limit. The Department of Finance must be notified of increases within 45 days of budget adoption.                                                        | \$0.00       |
|       |                                                                                                                                                                                                                                                                                                                 |              |
|       | Adjusted Appropriations Limit                                                                                                                                                                                                                                                                                   | \$266,473.60 |
|       | Appropriations Subject to Limit                                                                                                                                                                                                                                                                                 | \$182,670.95 |
| ICR   | Preliminary Proposed Indirect Cost Rate<br>Fixed-with-carry-forward indirect cost rate for use in 2019-20, subject to CDE approval.                                                                                                                                                                             | 5.45%        |
|       |                                                                                                                                                                                                                                                                                                                 |              |

Unaudited Actuals  
General Fund  
Unrestricted and Restricted  
Expenditures by Object

| Description                                                                                            | Resource Codes | Object Codes           | 2017-18 Unaudited Actuals |                |                           | 2018-19 Budget   |                |                           | % Diff Column C & F |
|--------------------------------------------------------------------------------------------------------|----------------|------------------------|---------------------------|----------------|---------------------------|------------------|----------------|---------------------------|---------------------|
|                                                                                                        |                |                        | Unrestricted (A)          | Restricted (B) | Total Fund col. A + B (C) | Unrestricted (D) | Restricted (E) | Total Fund col. D + E (F) |                     |
| A. REVENUES                                                                                            |                |                        |                           |                |                           |                  |                |                           |                     |
| 1) LCFF Sources                                                                                        |                | 8010-8099              | 181,546.43                | 0.00           | 181,546.43                | 191,591.00       | 0.00           | 191,591.00                | 5.5%                |
| 2) Federal Revenue                                                                                     |                | 8100-8299              | 52,790.13                 | 21,071.00      | 73,861.13                 | 59,133.00        | 21,600.00      | 80,733.00                 | 9.3%                |
| 3) Other State Revenue                                                                                 |                | 8300-8599              | 1,619.10                  | 4,833.09       | 6,452.19                  | 5,215.00         | 4,282.00       | 9,497.00                  | 47.2%               |
| 4) Other Local Revenue                                                                                 |                | 8600-8799              | 17,381.38                 | 32,490.09      | 49,871.47                 | 16,500.00        | 93,000.00      | 109,500.00                | 119.6%              |
| 5) TOTAL REVENUES                                                                                      |                |                        | 253,337.04                | 58,394.18      | 311,731.22                | 272,439.00       | 118,882.00     | 391,321.00                | 25.5%               |
| B. EXPENDITURES                                                                                        |                |                        |                           |                |                           |                  |                |                           |                     |
| 1) Certificated Salaries                                                                               |                | 1000-1999              | 39,998.76                 | 18,247.00      | 58,245.76                 | 41,553.00        | 38,008.00      | 79,561.00                 | 36.6%               |
| 2) Classified Salaries                                                                                 |                | 2000-2999              | 26,037.13                 | 0.00           | 26,037.13                 | 31,525.00        | 0.00           | 31,525.00                 | 21.1%               |
| 3) Employee Benefits                                                                                   |                | 3000-3999              | 13,243.44                 | 6,664.00       | 19,907.44                 | 15,542.00        | 9,247.00       | 24,789.00                 | 24.5%               |
| 4) Books and Supplies                                                                                  |                | 4000-4999              | 16,618.92                 | 2,369.50       | 18,988.42                 | 22,100.00        | 4,594.00       | 26,694.00                 | 40.6%               |
| 5) Services and Other Operating Expenditures                                                           |                | 5000-5999              | 141,465.37                | 32,580.68      | 174,046.05                | 155,215.00       | 67,033.00      | 222,248.00                | 27.7%               |
| 6) Capital Outlay                                                                                      |                | 6000-6999              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 7) Other Outgo (excluding Transfers of Indirect Costs)                                                 |                | 7100-7299<br>7400-7499 | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 8) Other Outgo - Transfers of Indirect Costs                                                           |                | 7300-7399              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 9) TOTAL EXPENDITURES                                                                                  |                |                        | 237,363.62                | 59,861.18      | 297,224.80                | 265,935.00       | 118,882.00     | 384,817.00                | 29.5%               |
| C. EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9) |                |                        |                           |                |                           |                  |                |                           |                     |
|                                                                                                        |                |                        | 15,973.42                 | (1,467.00)     | 14,506.42                 | 6,504.00         | 0.00           | 6,504.00                  | -55.2%              |
| D. OTHER FINANCING SOURCES/USES                                                                        |                |                        |                           |                |                           |                  |                |                           |                     |
| 1) Interfund Transfers                                                                                 |                | 8900-8929              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| a) Transfers In                                                                                        |                |                        |                           |                |                           |                  |                |                           |                     |
| b) Transfers Out                                                                                       |                | 7600-7629              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 2) Other Sources/Uses                                                                                  |                | 8930-8979              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| a) Sources                                                                                             |                |                        |                           |                |                           |                  |                |                           |                     |
| b) Uses                                                                                                |                | 7630-7699              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 3) Contributions                                                                                       |                | 8980-8999              | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| 4) TOTAL OTHER FINANCING SOURCES/USES                                                                  |                |                        | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |

| Description                                         | Resource Codes | Object Codes | 2017-18 Unaudited Actuals |                |                           | 2018-19 Budget   |                |                           | % Diff Column C & F |
|-----------------------------------------------------|----------------|--------------|---------------------------|----------------|---------------------------|------------------|----------------|---------------------------|---------------------|
|                                                     |                |              | Unrestricted (A)          | Restricted (B) | Total Fund col. A + B (C) | Unrestricted (D) | Restricted (E) | Total Fund col. D + E (F) |                     |
| E. NET INCREASE (DECREASE) IN FUND BALANCE (C + D4) |                |              | 15,973.42                 | (1,467.00)     | 14,506.42                 | 6,504.00         | 0.00           | 6,504.00                  | -55.2%              |
| F. FUND BALANCE, RESERVES                           |                |              |                           |                |                           |                  |                |                           |                     |
| 1) Beginning Fund Balance                           |                | 9791         | 130,189.16                | 91,167.00      | 221,356.16                | 127,007.58       | 108,855.00     | 235,862.58                | 6.6%                |
| a) As of July 1 - Unaudited                         |                | 9793         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| b) Audit Adjustments                                |                |              | 130,189.16                | 91,167.00      | 221,356.16                | 127,007.58       | 108,855.00     | 235,862.58                | 6.6%                |
| c) As of July 1 - Audited (F1a + F1b)               |                | 9795         | (19,155.00)               | 19,155.00      | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| d) Other Restatements                               |                |              | 111,034.16                | 110,322.00     | 221,356.16                | 127,007.58       | 108,855.00     | 235,862.58                | 6.6%                |
| e) Adjusted Beginning Balance (F1c + F1d)           |                |              | 127,007.58                | 108,855.00     | 235,862.58                | 133,511.58       | 108,855.00     | 242,366.58                | 2.8%                |
| 2) Ending Balance, June 30 (E + F1e)                |                |              |                           |                |                           |                  |                |                           |                     |
| Components of Ending Fund Balance                   |                |              |                           |                |                           |                  |                |                           |                     |
| a) Nonspendable                                     |                | 9711         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Revolving Cash                                      |                | 9712         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Stores                                              |                | 9713         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Prepaid Items                                       |                | 9719         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| All Others                                          |                | 9740         | 0.00                      | 108,855.00     | 108,855.00                | 0.00             | 108,855.00     | 108,855.00                | 0.0%                |
| b) Restricted                                       |                |              |                           |                |                           |                  |                |                           |                     |
| c) Committed                                        |                | 9750         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Stabilization Arrangements                          |                | 9760         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Other Commitments                                   |                |              |                           |                |                           |                  |                |                           |                     |
| d) Assigned                                         |                | 9780         | 0.00                      | 0.00           | 0.00                      | 0.00             | 0.00           | 0.00                      | 0.0%                |
| Other Assignments                                   |                |              |                           |                |                           |                  |                |                           |                     |
| e) Unassigned/Unappropriated                        |                | 9789         | 67,000.00                 | 0.00           | 67,000.00                 | 67,000.00        | 0.00           | 67,000.00                 | 0.0%                |
| Reserve for Economic Uncertainties                  |                | 9790         | 60,007.58                 | 0.00           | 60,007.58                 | 66,511.58        | 0.00           | 66,511.58                 | 10.8%               |
| Unassigned/Unappropriated Amount                    |                |              |                           |                |                           |                  |                |                           |                     |

Resolution #09122018-1  
**FOR ADOPTING THE "GANN" LIMIT**

***(Normal, no increase to Limit pursuant to G.C. 7902.1 (ZERO ON LINE 10))***

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

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

WHEREAS, the District must establish a revised Gann limit for the 2017-18 fiscal year and a projected Gann Limit for the 2018-19 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2017-18 and 2018-19 fiscal years are made in accord with applicable constitutional and statutory law;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2017-18 and 2018-19 fiscal years do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this district.

The foregoing resolution approved and adopted upon the motion of Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, at a regular meeting of the Kashia School District Board of Trustees on the 12<sup>th</sup> day of September 2018 by the following vote:

Trustee Chappell \_\_\_\_\_

Trustee Barboza \_\_\_\_\_

Trustee Pinola \_\_\_\_\_

I hereby certify the foregoing to be a full, true, correct and duly adopted resolution.

\_\_\_\_\_  
Frances Johnson, Superintendent

\_\_\_\_\_  
Paul Chappell, Board President

Dated: \_\_\_\_\_

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|                                                                                                                                                                                             | 2017-18<br>Calculations       |              |                         | 2018-19<br>Calculations       |              |                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|--------------|-------------------------|-------------------------------|--------------|-------------------------|
|                                                                                                                                                                                             | Extracted<br>Data             | Adjustments* | Entered Data/<br>Totals | Extracted<br>Data             | Adjustments* | Entered Data/<br>Totals |
| <b>A. PRIOR YEAR DATA</b><br>(2016-17 Actual Appropriations Limit and Gann ADA<br>are from district's prior year Gann data reported to the CDE)                                             | <b>2016-17 Actual</b>         |              |                         | <b>2017-18 Actual</b>         |              |                         |
| 1. FINAL PRIOR YEAR APPROPRIATIONS LIMIT<br>(Preload/Line D11, PY column)                                                                                                                   | 188,713.94                    |              | 188,713.94              |                               |              | 266,473.60              |
| 2. PRIOR YEAR GANN ADA (Preload/Line B3, PY column)                                                                                                                                         | 6.91                          |              | 6.91                    |                               |              | 9.41                    |
| ADJUSTMENTS TO PRIOR YEAR LIMIT                                                                                                                                                             | <b>Adjustments to 2016-17</b> |              |                         | <b>Adjustments to 2017-18</b> |              |                         |
| 3. District Lapses, Reorganizations and Other Transfers                                                                                                                                     |                               |              |                         |                               |              |                         |
| 4. Temporary Voter Approved Increases                                                                                                                                                       |                               |              |                         |                               |              |                         |
| 5. Less: Lapses of Voter Approved Increases                                                                                                                                                 |                               |              |                         |                               |              |                         |
| 6. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT<br>(Lines A3 plus A4 minus A5)                                                                                                                     |                               | 0.00         |                         |                               |              | 0.00                    |
| 7. ADJUSTMENTS TO PRIOR YEAR ADA<br>(Only for district lapses, reorganizations and<br>other transfers, and only if adjustments to the<br>appropriations limit are entered in Line A3 above) |                               |              |                         |                               |              |                         |
| <b>B. CURRENT YEAR GANN ADA</b><br>(2017-18 data should tie to Principal Apportionment<br>Software Attendance reports and include ADA for charter schools<br>reporting with the district)   | <b>2017-18 P2 Report</b>      |              |                         | <b>2018-19 P2 Estimate</b>    |              |                         |
| 1. Total K-12 ADA (Form A, Line A6)                                                                                                                                                         | 9.41                          |              | 9.41                    | 10.00                         |              | 10.00                   |
| 2. Total Charter Schools ADA (Form A, Line C9)                                                                                                                                              | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 3. TOTAL CURRENT YEAR P2 ADA (Line B1 plus B2)                                                                                                                                              |                               |              | 9.41                    |                               |              | 10.00                   |
| <b>C. LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED</b><br>TAXES AND SUBVENTIONS (Funds 01, 09, and 62)                                                                                        | <b>2017-18 Actual</b>         |              |                         | <b>2018-19 Budget</b>         |              |                         |
| 1. Homeowners' Exemption (Object 8021)                                                                                                                                                      | 676.60                        |              | 676.60                  | 670.00                        |              | 670.00                  |
| 2. Timber Yield Tax (Object 8022)                                                                                                                                                           | 514.08                        |              | 514.08                  | 410.00                        |              | 410.00                  |
| 3. Other Subventions/In-Lieu Taxes (Object 8029)                                                                                                                                            | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 4. Secured Roll Taxes (Object 8041)                                                                                                                                                         | 94,226.11                     |              | 94,226.11               | 91,281.00                     |              | 91,281.00               |
| 5. Unsecured Roll Taxes (Object 8042)                                                                                                                                                       | 2,691.00                      |              | 2,691.00                | 2,830.00                      |              | 2,830.00                |
| 6. Prior Years' Taxes (Object 8043)                                                                                                                                                         | 27.51                         |              | 27.51                   | 0.00                          |              | 0.00                    |
| 7. Supplemental Taxes (Object 8044)                                                                                                                                                         | 1,568.13                      |              | 1,568.13                | 1,400.00                      |              | 1,400.00                |
| 8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)                                                                                                                                          | 780.00                        |              | 780.00                  | 700.00                        |              | 700.00                  |
| 9. Penalties and Int. from Delinquent Taxes (Object 8048)                                                                                                                                   | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 10. Other In-Lieu Taxes (Object 8082)                                                                                                                                                       | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 11. Comm. Redevelopment Funds (objects 8047 & 8625)                                                                                                                                         | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 12. Parcel Taxes (Object 8621)                                                                                                                                                              | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 13. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)                                                                                                                                   | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 14. Penalties and Int. from Delinquent Non-LCFF<br>Taxes (Object 8629) (Only those for the above taxes)                                                                                     | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 15. Transfers to Charter Schools<br>in Lieu of Property Taxes (Object 8096)                                                                                                                 |                               |              |                         |                               |              |                         |
| 16. TOTAL TAXES AND SUBVENTIONS<br>(Lines C1 through C15)                                                                                                                                   | 100,483.43                    | 0.00         | 100,483.43              | 97,291.00                     | 0.00         | 97,291.00               |
| OTHER LOCAL REVENUES (Funds 01, 09, and 62)                                                                                                                                                 |                               |              |                         |                               |              |                         |
| 17. To General Fund from Bond Interest and Redemption<br>Fund (Excess debt service taxes) (Object 8914)                                                                                     | 0.00                          |              | 0.00                    | 0.00                          |              | 0.00                    |
| 18. TOTAL LOCAL PROCEEDS OF TAXES<br>(Lines C16 plus C17)                                                                                                                                   | 100,483.43                    | 0.00         | 100,483.43              | 97,291.00                     | 0.00         | 97,291.00               |

|                                                                                                                                          | 2017-18<br>Calculations |              |                         | 2018-19<br>Calculations |              |                         |
|------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------------|-------------------------|-------------------------|--------------|-------------------------|
|                                                                                                                                          | Extracted<br>Data       | Adjustments* | Entered Data/<br>Totals | Extracted<br>Data       | Adjustments* | Entered Data/<br>Totals |
| <b>EXCLUDED APPROPRIATIONS</b>                                                                                                           |                         |              |                         |                         |              |                         |
| 19. Medicare (Enter federally mandated amounts only from objs. 3301 & 3302; do not include negotiated amounts)                           |                         |              | 1,222.19                |                         |              | 1,626.00                |
| <b>OTHER EXCLUSIONS</b>                                                                                                                  |                         |              |                         |                         |              |                         |
| 20. Americans with Disabilities Act                                                                                                      |                         |              |                         |                         |              |                         |
| 21. Unreimbursed Court Mandated Desegregation Costs                                                                                      |                         |              |                         |                         |              |                         |
| 22. Other Unfunded Court-ordered or Federal Mandates                                                                                     |                         |              |                         |                         |              |                         |
| 23. TOTAL EXCLUSIONS (Lines C19 through C22)                                                                                             |                         |              | 1,222.19                |                         |              | 1,626.00                |
| <b>STATE AID RECEIVED (Funds 01, 09, and 62)</b>                                                                                         |                         |              |                         |                         |              |                         |
| 24. LCFF - CY (objects 8011 and 8012)                                                                                                    | 76,307.00               |              | 76,307.00               | 94,300.00               |              | 94,300.00               |
| 25. LCFF/Revenue Limit State Aid - Prior Years (Object 8019)                                                                             | 4,756.00                |              | 4,756.00                | 0.00                    |              | 0.00                    |
| 26. TOTAL STATE AID RECEIVED (Lines C24 plus C25)                                                                                        | 81,063.00               | 0.00         | 81,063.00               | 94,300.00               | 0.00         | 94,300.00               |
| <b>DATA FOR INTEREST CALCULATION</b>                                                                                                     |                         |              |                         |                         |              |                         |
| 27. Total Revenues (Funds 01, 09 & 62; objects 8000-8799)                                                                                | 311,731.22              |              | 311,731.22              | 391,321.00              |              | 391,321.00              |
| 28. Total Interest and Return on Investments (Funds 01, 09, and 62; objects 8660 and 8662)                                               | 3,978.08                |              | 3,978.08                | 3,000.00                |              | 3,000.00                |
| <b>APPROPRIATIONS LIMIT CALCULATIONS</b>                                                                                                 |                         |              |                         |                         |              |                         |
| <b>D. PRELIMINARY APPROPRIATIONS LIMIT</b>                                                                                               |                         |              |                         |                         |              |                         |
| 1. Revised Prior Year Program Limit (Lines A1 plus A6)                                                                                   |                         |              | 188,713.94              |                         |              | 266,473.60              |
| 2. Inflation Adjustment                                                                                                                  |                         |              | 1.0369                  |                         |              | 1.0367                  |
| 3. Program Population Adjustment (Lines B3 divided by [A2 plus A7]) (Round to four decimal places)                                       |                         |              | 1.3618                  |                         |              | 1.0627                  |
| 4. PRELIMINARY APPROPRIATIONS LIMIT (Lines D1 times D2 times D3)                                                                         |                         |              | 266,473.60              |                         |              | 293,574.26              |
| <b>APPROPRIATIONS SUBJECT TO THE LIMIT</b>                                                                                               |                         |              |                         |                         |              |                         |
| 5. Local Revenues Excluding Interest (Line C18)                                                                                          |                         |              | 100,483.43              |                         |              | 97,291.00               |
| 6. Preliminary State Aid Calculation                                                                                                     |                         |              |                         |                         |              |                         |
| a. Minimum State Aid in Local Limit (Greater of \$120 times Line B3 or \$2,400; but not greater than Line C26 or less than zero)         |                         |              | 2,400.00                |                         |              | 2,400.00                |
| b. Maximum State Aid in Local Limit (Lesser of Line C26 or Lines D4 minus D5 plus C23; but not less than zero)                           |                         |              | 81,063.00               |                         |              | 94,300.00               |
| c. Preliminary State Aid in Local Limit (Greater of Lines D6a or D6b)                                                                    |                         |              | 81,063.00               |                         |              | 94,300.00               |
| 7. Local Revenues in Proceeds of Taxes                                                                                                   |                         |              |                         |                         |              |                         |
| a. Interest Counting in Local Limit (Line C28 divided by [Lines C27 minus C28] times [Lines D5 plus D6c])                                |                         |              | 2,346.71                |                         |              | 1,480.15                |
| b. Total Local Proceeds of Taxes (Lines D5 plus D7a)                                                                                     |                         |              | 102,830.14              |                         |              | 98,771.15               |
| 8. State Aid in Proceeds of Taxes (Greater of Line D6a, or Lines D4 minus D7b plus C23; but not greater than Line C26 or less than zero) |                         |              | 81,063.00               |                         |              | 94,300.00               |
| 9. Total Appropriations Subject to the Limit                                                                                             |                         |              |                         |                         |              |                         |
| a. Local Revenues (Line D7b)                                                                                                             |                         |              | 102,830.14              |                         |              |                         |
| b. State Subventions (Line D8)                                                                                                           |                         |              | 81,063.00               |                         |              |                         |
| c. Less: Excluded Appropriations (Line C23)                                                                                              |                         |              | 1,222.19                |                         |              |                         |
| d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D9a plus D9b minus D9c)                                                              |                         |              | 182,670.95              |                         |              |                         |

Printed: 9/4/2018 7:40 AM

# Kashia School District

31510 Skaggs Spring Road  
P.O. Box 129 Stewarts Point, CA 95480  
707-785-9682 phone 707-785-2802 fax

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## Resolution # 09132018-2 RESOLUTION REGARDING SUFFICIENCY OR INSUFFICIENCY OF INSTRUCTIONAL MATERIALS

Whereas, the governing board of Kashia School District, in order to comply with the requirements of *Education Code* Section 60119 held a public hearing on September 12, 2018, at 4:00 o'clock pm, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

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

Whereas, the governing board encouraged participation by parents, teachers, members of the community, and bargaining unit leaders (if the district or county office has a bargaining unit) in the public hearing, and;

Whereas, information provided at the public hearing and to the governing board at the public meeting detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the district, and;

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

Whereas, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics – (list of adopted textbooks or instructional materials for this subject for each grade level or school)
- Science - (list of adopted textbooks or instructional materials for this subject for each grade level or school)
- History-social science - (list of adopted textbooks or instructional materials for this subject for each grade level or school)
- English/language arts, including the English language development component of an adopted program - (list of adopted textbooks or instructional materials for this subject for each grade level or school)

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

Therefore, it is resolved that for the 2018-19 school year, the Kashia School District has provided each pupil with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

And be it further resolved, that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this District.

The foregoing resolution approved and adopted up the motion of Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_, at a regular meeting of the Kashia School District Board of Trustees on the 12<sup>th</sup> day of September 2018, by the following vote:

Trustee Chappell \_\_\_\_\_  
Trustee Barboza \_\_\_\_\_  
Trustee Pinola \_\_\_\_\_

I hereby certify the foregoing to be a full, true, correct and duly adopted resolution.

\_\_\_\_\_  
Frances Johnson, Superintendent

\_\_\_\_\_  
Paul Chappell, Board President

Dated: \_\_\_\_\_

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# **NOTICE OF PUBLIC HEARING**

## **Sufficiency of Instructional Materials**

Notice is hereby given that the Kashia Elementary School District Board of Trustees will conduct a public hearing:

Date: Wednesday, September 12, 2018

Time: 4:00 p.m.

Place: Kashia School District  
31510 Skaggs Spring Road  
Stewarts Point, CA 95480

Purpose: To obtain input from the community as to whether each pupil in the Kashia Elementary School District, including English learners, has sufficient textbooks and instructional materials that are aligned to the content standards and are consistent with the cycles and content of the curriculum frameworks in the following subject areas: mathematics, science, history-social science, English/language arts, including the English language development component of an adopted program.

Posted: Tuesday, August 28, 2018

Posted At: Kashia Elementary School District  
Kashia Community Center  
Stewarts Point Post Office

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# **Kashia ESD**

## **Board Policy**

### **Complaints Concerning Instructional Materials**

BP 1312.2

#### **Community Relations**

The Board of Trustees uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of parents/guardians and community members. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

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

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the Superintendent. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in the district school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of teachers of the subject and of other competent authorities, reviews of the materials by reputable bodies, the teacher's stated objectives in using the materials, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

(cf. 9322 - Agenda/Meeting Materials)

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

(cf. 6144 - Controversial Issues)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

When any challenged instructional material is reviewed by the district, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

#### Legal Reference:

##### EDUCATION CODE

18111 Exclusion of books by governing board

35010 Control of district; prescription and enforcement of rules

35186 Williams Uniform Complaint Procedures

44805 Enforcement of course of studies; use of textbooks, rules and regulations

51501 Subject matter reflecting on race, color, etc.

60000-60005 Instructional materials, legislative intent

60040-60048 Instructional requirements and materials

60119 Public hearing on sufficiency of materials

60200-60206 Elementary school materials

60226 Requirements for publishers and manufacturers

60400-60411 High school textbooks

60510-60511 Donation of sale of obsolete instructional materials

#### Management Resources:

##### CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1002.90 Selection of Instructional Materials, CIL: 90/91-02

##### CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001

##### WEB SITES

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

California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>

Policy KASHIA ELEMENTARY SCHOOL DISTRICT

adopted: June 14, 2017      Stewarts Point, California