

Liberty Elementary School District

Board Meeting of the Board of Trustees

AGENDA

Liberty Elementary School

Library

1771 East Pacific Avenue. Tulare, CA 93274

Tuesday, November 08, 2022

6:00pm

1.0 Call to Order

2.0 Adopt Agenda (Action Item)

This item is provided as an opportunity for trustees, through consensus, to approve, re-sequence, or table agenda topics. In accordance with the Brown Act Requirements effective July 1, 2008, if documents are distributed to board members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the District Office located at 1771 E. Pacific Ave. Tulare, CA 93274.

In compliance with the Americans with Disabilities Act and the Brown Act, if you need special assistance to participate in this meeting, including receipt of the agenda and documents in the agenda package in an alternate format, please contact the Liberty Elementary School District Office at (559) 686-1675. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting (28CFR35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

3.0 Adjourn to Closed Session

The Board may adjourn to closed session to discuss matters of personnel security, negotiations, student discipline, litigation, or other matters as authorized by the government Code Section 3459.1, 5496.6 and 54967.6 and Ed Code Sections 35136 and 48913.

- a. (Ed Code Section 35146, 48900) Student Discipline & Other Confidential Student Matters
- b. (Gov. Code 54957) Public Employee Discipline/Dismissal/Release/Complaint
- c. (Gov. Code 54957) Superintendent Contract
- d. Gov. Code 54956.9) Significant Exposure to Litigation Pursuant to Government Code section 54956.9, subdivision (d)(2) or (3)
- e. (Gov. Code 54957) Employment, resignations, transfers, etc. of Certificated and Classified Personnel
- f. (Gov. Code, 3549.1) Negotiations

6:30pm

4.0 Reconvene in Open Session

4.1 Flag Salute

4.2	Roll Call:	Robert Gilson	President
		Dr. Jim Guadagni	Clerk
		John Beaver	Member
		Ron Koetsier	Member
		Jonathon Thorpe	Member

Also in attendance for Closed and Open Session: Deanna Cardoza (Superintendent)

- 4.3 Board President** – Opportunity for Board President to comment or report on any matters pertinent or of concern to the Board.
- a. Board President to announce Closed Session Items of Discussion.**
- 4.4 Public Comments:**
Those in the audience desiring to address the Board regarding items not on the agenda may do so at this time. Each speaker is to have (3) three minutes to address the Board and make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the school system. Please understand that the Board does not take action on non-agenda items.
- 5.0 Information Items:**
This item is provided for informational reports and will highlight district and student events and successes.
- 5.1 Staff Reports** - Opportunity for Liberty Elementary School Staff Members to comment or report on any matters pertinent or of concern to the Board.
- 5.2 Administrators' Reports** – Opportunity for Administration to comment or report on any matters pertinent or of concern to the Board.
- a. Superintendent Report**
- b. Principal Report**
- 5.3 First Reading of Updated CSBA Board Policies September 2022**
- 6.0 Action Items:**
These items are provided for Board information, discussion, and/or action.
- 6.1 Approval of Consent Agenda:**
Minutes of the October 11, 2022 Board Meeting and payment of warrants
- 6.3 Setting Date of Annual Organizational Meeting at the regular scheduled Liberty Board of Trustees Meeting – December 13, 2022 at 6:30**
- 6.4 Approval of Updated CSBA Board Policy 5141.21**
- 6.5 After School Sports Program**

Adjournment: _____

CSBA POLICY GUIDE SHEET
September 2022

Note: Descriptions below identify revisions made to CSBA's sample board policies, administrative regulations, board bylaws, and/or exhibits. Editorial changes have also been made. Districts and county offices of education should review the sample materials and modify their own policies accordingly.

Board Policy 3515.3 – District Police/Security Department

Policy updated to clarify that a job description delineating the duties of district police or security officers is required to be approved by the Governing Board and reflect **NEW LAW (SB 906, 2022)** which requires district police and security officers, when notified by a school official of a threat or perceived threat that a student is preparing to commit a homicidal act related to school or school activity, to immediately conduct an investigation and assessment of the threat or perceived threat. Policy also updated to add characteristics for which discrimination by district police or security officers is prohibited, and expand the list of tactics district police or security officers are required to use to minimize the use of force.

Administrative Regulation 3515.3 – District Police/Security Department

Regulation updated to clarify that the district is required to provide each security officer with the latest course of training, as specified, and include the definition of “carotid restraint” and “choke hold”. Regulation also updated to amend the policy requirements that district police departments are required to maintain by (1) rearranging material to keep related content together, (2) adding that officers carry out duties in a manner that reflects cultural competency, (3) providing that there are procedures to prohibit an officer from training other officers for at least three years from the date that an abuse of force complaint against an officer is substantiated, and (4) reflecting **NEW LAW (AB 26, 2021)** which requires the policy maintained by district police departments to include that (a) officers report potential excessive force immediately, (b) an officer may not be retaliated against when reporting a suspected violation of law or regulation of another officer or supervisor, and (c) an officer who fails to intercede be disciplined up to and including in the same manner as the officer who used excessive force. Additionally, regulation updated to reflect **NEW LAW (AB 486, 2021)** which requires full-time district police officers, and public safety dispatchers as specified, to serve in a probationary status for not less than one year from the date of appointment to the full-time position in order to receive permanent classified service status.

Board Policy 4118 – Dismissal/Suspension/Disciplinary Action

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include language formerly in AR that prohibits the disciplining of any employee for protecting a student who is exercising a free speech or press right.

Administrative Regulation 4118 - Dismissal/Suspension/Disciplinary Action

Regulation updated to move, from AR to BP, material which prohibits the disciplining of an employee for acting to protect a student’s right to free speech or press, and to make clarifying changes throughout.

Board Policy 4119.1/4219.1/4319.2 – Civil and Legal Rights

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include types of retaliation prohibited when an employee is acting solely to protect a student engaged in conduct authorized by Education Code 48907 (freedom of speech and press) or 48950 (speech and other communication), and clarify that an employee is prohibited from using official authority status or influence to attempt to intimidate, threaten, coerce, or command another employee for the purpose of interfering with that employee’s right to disclose improper governmental activity.

Board Policy 4140/4240/4340 – Bargaining Units

Policy updated to reflect **NEW LAW (SB 270, 2021)** which allows a district 20 days to cure a violation of the district’s employee information disclosure obligation when the district is notified by an employee organization, and limits district opportunity to cure a violation that involves the provision of an inaccurate or incomplete list to three times in any 12-month period. Policy also updated to reflect **NEW LAW (SB 191, 2022)** which provides additional obligations for a district when an “inperson orientation” cannot be held by the district. Additionally, policy updated to include heading change from “Access to Employee Orientations” to “Access to New Employee Orientations, and to clarify language in this section and in “Formation of Bargaining Unit” section.

Administrative Regulation 4161.2/4261.2/4361.2 – Personal Leaves

Regulation updated to reflect **NEW LAW (SB 294, 2021)** which clarifies that leave of absence granted an employee to serve as an elected officer of an employee organization is in addition to other leaves to which the employee may be entitled by law or agreement and **NEW LAW (AB 1033, 2021)** which defines “parent” to include “parents-in-law.” Regulation also updated to change heading “Legal Duties” to “Leave to Perform Legal Duties” and to make clarifying changes throughout.

Administrative Regulation 4161.5/4261.5/4361.5 – Military Leave

Regulation updated to include explanatory notes for the “Pension Plan Service Credit” and “Employment Status” sections, clarify language throughout, and delete dated and unnecessary material.

Board Policy 4216 – Probationary/Permanent Status

Policy updated to reflect **NEW LAW (AB 486, 2021)** which requires full-time district police officers, and public safety dispatchers as specified, to serve in a probationary status for not less than one year from the date of appointment to the full-time position in order to receive permanent classified service status, and **NEW LAW (SB 874, 2022)** which extends to districts that have adopted the merit system the requirement that a permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position be employed in the classification from which the employee was promoted.

Board Policy 4218 - Dismissal/Suspension/Disciplinary Action

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights. Policy also updated to include language formerly in AR that prohibits the disciplining of any employee for protecting a student who is exercising a free speech or press right, and to clarify language within the “Procedures for Serious Disciplinary Proceedings” section.

Administrative Regulation 4218 - Dismissal/Suspension/Disciplinary Action

Regulation updated to move, from AR to BP, material which prohibits the disciplining of an employee for acting to protect a student’s right to free speech or press, and to make clarifying changes throughout.

Board Policy 4218.1 - Dismissal/Suspension/Disciplinary Action (Merit System)

Policy updated to reflect **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games violated the employee’s free exercise and free speech rights. Policy also updated to reflect Education Code 48907 and 48950 that prohibit districts from disciplining any employee acting to protect a student who is exercising their free speech or press right.

Board Policy 6146.1 – High School Graduation Requirements

Policy updated to move to the beginning of the policy students’ obligation to complete statewide and Governing Board adopted graduation requirements unless exempted from local requirements, and include eligibility for students exempt from local requirements to participate in any graduation ceremony and school activity related to graduation in which other students are eligible to participate. Policy also updated to reflect **NEW LAW (AB 101, 2021)** which (1) no longer authorizes a course in career technical education to serve as an alternative to the visual or performing arts or world language course requirement for high school

graduation, and (2) requires, beginning with the 2029-30 school year, a student to complete a one-semester course in ethnic studies, as specified, to graduate from high school. Additionally, policy updated to reflect **NEW LAW (AB 181, 2022)** which requires districts to (1) exempt eligible students with disabilities from all coursework and other requirements adopted by the Board that are in addition to the statewide course requirements and award such students a high school diploma, and (2) notify the parents/guardians of eligible students of such exemption, as specified. Policy also updated to delete material applicable only to the 2020-21 school year, and to incorporate material from the accompanying AR, as the AR is being deleted as otherwise unnecessary.

DELETE – Administrative Regulation 6146.1 – High School Graduation Requirements

Regulation deleted as unnecessary with key concepts incorporated into the BP.

Board Policy 6158 – Independent Study

Policy updated to reflect **NEW LAW (AB 181, 2022)** which (1) encourages districts to consider offering more than one independent study model for short- and long-term placements when adopting policy, (2) changes the threshold for when tiered reengagement strategies are required to be implemented, (3) adds that tiered reengagement strategies include local programs intended to address chronic absenteeism, (4) includes that the requirement to develop a plan to transition students whose families wish to return to in-person instruction, as specified, applies to students who participate in independent study for at least 15 school days, (5) creates an exemption from the live interaction and/or synchronous instruction, tiered reengagement strategies, and transition back to in-person instruction requirements for any student who is enrolled in classroom-based instruction and is participating in independent study due to necessary medical treatment or inpatient treatment for mental health or substance abuse under the care of appropriately licensed professionals, (6) specifies that a signed written/learning agreement be obtained before the student begins independent study for students participating in independent study for 15 school days or more, and within ten school days of the first day of the student's enrollment for student participation of less than 15 school days, (for both traditional and course-based independent study), (7) adds that for students with disabilities the certificated employee designated as having responsibility for the special education programming of the student is required to sign the written/learning agreement, (for both traditional and course-based independent study), and (8) includes that a student with disabilities may participate in a course-based independent study program if the student's individualized education program specifically provides for such participation. Policy also updated to (1) move and expand material regarding the requirement for Governing Boards to hold a public hearing when setting policy, as specified, (2) emphasize that no student may be required to participate in independent study, (3) clarify that for course-based independent study procedures tiered reengagement strategies are not required to include notification to parents/guardians of lack of participation within one school day of the absence or lack of participation, and (4) delete material applicable only to the 2021-22 school year.

Administrative Regulation 6158 – Independent Study

Regulation updated to reflect **NEW LAW (AB 181, 2022)** which (1) no longer includes individualized alternative education designed to teach the knowledge and skills of the core curriculum in the list of educational opportunities that may be provided through independent study, (2) includes that a student with disabilities may participate in independent study if the student's individualized education program specifically provides for such participation, (3) specifies that if a parent/guardian of a student with disabilities requests independent study because the student's health would be put at risk by in-person instruction, the student's individualized education program (IEP) team is required to make an individualized determination as to whether the student can receive a free appropriate public education (FAPE) in an independent study placement, (4) provides that a student's inability to work independently, need for adult support, or need for special education or related services does not preclude the IEP team from determining that the student can receive FAPE in an independent study placement, (5) clarifies that, until July 1, 2024, any student who receives services from a nonpublic, nonsectarian school through a virtual program may be permitted to participate in independent study if the student's IEP team determines that FAPE can be provided by means of the virtual program, as specified, and (6) creates an exception to the limitation on the percentage of students enrolled in a continuation high school or opportunity school or program who are eligible for apportionment credit for independent study for students participating in independent study due to an emergency, as specified. Regulation also updated to clarify that if a student transfers to another public school in California, a written

record of findings from any evaluation conducted because a student has failed to make satisfactory educational progress be forwarded to that school. Additionally, regulation updated to delete material pertaining to adult education and that which is applicable only to the 2021-22 school year.

Board Policy 6164.2 – Guidance/Counseling Services

Policy updated to expand the Governing Board’s philosophical statement to include student well-being, and reflect **NEW LAW (AB 2508, 2022)** which (1) urges districts to adopt a comprehensive educational counseling program and, for districts that provide such services, to implement a structured and coherent counseling program within a Multi-Tiered Systems of Support framework, (2) revises the definition of “educational counseling,” (3) amends the legislative intent of the responsibilities of school counselors, (4) requires educational counseling to include specified postsecondary services, and (5) revises the components that educational counseling is required and authorized to include. Policy also updated to reflect **NEW LAW (AB 643, 2021)** which encourages districts to host apprenticeship and/or career technical education fair events, such as college and career fairs and for districts that do hold such events to notify apprenticeship programs in their county, as specified. Additionally, policy updated to move material regarding early identification and intervention plans for students who may be at risk for violence.

Board Policy 6178 – Career Technical Education

Policy updated to move material regarding career technical education program components to be with related content, reflect **NEW LAW (AB 101, 2021)** which no longer authorizes a course in career technical education to serve as an alternative to the visual or performing arts or world language course requirement for high school graduation, and reflect **NEW LAW (AB 643, 2021)** which encourages districts to host apprenticeship and/or career technical education fair events, such as college and career fairs, and for districts that do hold such events to notify apprenticeship programs in their county, as specified.

Administrative Regulations 6178 – Career Technical Education

Regulation updated to reflect **NEW LAW (AB 1923, 2022)** which includes science, technology, engineering, and mathematics courses as required alternative courses that must be offered to students participating in partnership academies.

Board Policy 6200 – Adult Education

Policy updated to reflect **NEW LAW (AB 486, 2021)** which repeals the authorization for districts in sparsely populated areas to participate in the adult education program administered by the county office of education. Policy also updated to (1) expand the Board’s philosophical statement, (2) move material regarding the district’s participation in a consortium to be with newly added material of similar content, (3) include that the Board may authorize an adult education student pursuing a high school diploma or a high school equivalency certificate, upon recommendation of the student’s adult school or noncredit program of attendance, to attend a community college during any session or term as a special part-time student, and (4) provide that a district may, with the approval of the County Superintendent of Schools and the Superintendent of Public Instruction, contract with another district to provide adult education instruction if the district has an adult school or classes but is unable to maintain that school or class(es) because of an inability to secure a teacher(s) or because of a lack of facilities.

Administrative Regulation 6200 – Adult Education

Regulation updated to reorder material related to enrollment, clarify that the exception to the requirement for adult education classes to be located in a facility which is identified as being open to the general public is for programs for adults with disabilities, reflect **NEW LAW (AB 486, 2022)** which (1) changes the classes/courses which are authorized for apportionment purposes from the Adult Education Program funds, (2) includes that programs for immigrants may include immigrant integration, (3) repeals that a course taken through independent study be required to meet state or local high school graduation requirements, and (4) repeals the authorization for materials purchased from the incidental expense account to be sold to adult school students for use in their classes. Regulation also updated to clarify that programs offering pre-apprenticeship training activities be conducted in coordination with apprenticeship programs approved by the Division of Apprenticeship Standards for the occupation and geographic area, provide that approval for courses be submitted to the California Department of Education regularly, emphasize that no student may be required to participate in independent study, delete material regarding continued engagement in K-12

independent study as not being applicable to this AR, include that fees may be required for enrollment in adult education class(es) before listing the exceptions, and amend language to be more closely aligned with law.

Board Policy 7110 – Facilities Master Plan

Policy updated to recognize the importance of teacher housing needs, and reflect **NEW LAW (AB 306, 2021)** which adds the definition of “residential housing” as it applies to district facilities, excludes from the definition of “school building” any building used or intended to be used by a district as “residential housing,” and specifies that the Department of General Services is not required to approve residential housing for earthquake safety and access by persons with disabilities.

Board Policy 7150 – Site Selection and Development

Policy updated to add material regarding the Governing Board’s obligations when evaluating property prior to acquiring a new school or an addition to an existing school site, and reflect **NEW LAW (AB 819, 2021)** which requires the district to post specified environmental review documents.

Administrative Regulation 7150 – Site Selection and Development

Regulation updated to specify that the request for information to evaluate the safety of a proposed site be in writing, and reflect **NEW LAW (AB 819, 2021)** which requires the district to post specified environmental review documents.

Board Bylaw 9100 – Organization

Bylaw updated to reflect **NEW LAW (AB 486, 2021)** which changes the date requirements for districts to hold their annual organizational meeting.

MINOR REVISION:

Board Policy 4030 – Nondiscrimination in Employment

Policy updated to make a minor revision by adding a note which reflects **NEW COURT DECISION (Kennedy v. Bremerton School District)**, in which the U.S. Supreme Court held that the district’s decision not to rehire a high school coach who refused to follow district direction to refrain from offering prayers openly in the presence of students after football games, violated the employee’s free exercise and free speech rights.

CSBA UPDATE CHECKLIST – September 2022

District Name: Liberty Elementary School District

Contact Name: Deanna Cardoza, Ed.D. Phone: (559) 686-1675 Email: dcardoza@liberty.k12.ca.us

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 3513.3	District Police/Security Department	OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> AND OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/>	
AR 3515.3	District Police/Security Department		
BP 4118	Dismissal/Suspension/Disciplinary Action		
AR 4118	Dismissal/Suspension/Disciplinary Action	OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/>	
BP 4119.1	Civil and Legal Rights		
BP 4219.1	Civil and Legal Rights		
BP 4319.1	Civil and Legal Rights		
BP 4140	Bargaining Units		
BP 4240	Bargaining Units		
BP 4340	Bargaining Units		
AR 4161.2	Personal Leaves		
AR 4261.2	Personal Leaves		
AR 4361.2	Personal Leaves		
AR 4161.5	Military Leave		
AR 4261.5	Military Leave		
AR 4361.5	Military Leave		
BP 4216	Probationary/Permanent Status		

CSBA UPDATE CHECKLIST – September 2022

District Name: Liberty Elementary School District

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BP 4218	Dismissal/Suspension/Disciplinary Action		
AR 4218	Dismissal/Suspension/Disciplinary Action		
BP 4218.1	Dismissal/Suspension/Disciplinary Action (Merit System)		
BP 6146.1	High School Graduation Requirements	Fill in Blanks _____ _____ _____	Delete
AR 6146.1	High School Graduation Requirements	Delete AR <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Delete
BP 6158	Independent Study		
AR 6158	Independent Study		
BP 6164.2	Guidance/Counseling Services	OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/>	
BP 6178	Career Technical Education		
AR 6178	Career Technical Education		
BP 6200	Adult Education		
AR 6200	Adult Education		
BP 7110	Facilities Master Plan		
BP 7150	Site Selection and Development		
AR 7150	Site Selection and Development		

CSBA UPDATE CHECKLIST – September 2022

District Name: Liberty Elementary School District

POLICY	TITLE	OPTIONS/BLANKS	ADOPT DATE
BB 9100	Organization	OPTION 1: <input type="checkbox"/> OPTION 2: <input type="checkbox"/> Fill in Blanks _____	

Policy 3515.3: District Police/Security Department

Status: ADOPTED

Original Adopted Date: 10/01/1998 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: Education Code 38000 authorizes the Governing Board to establish a district police or security department and to employ personnel to ensure the safety of district students and staff and the security of district real and personal property. However, Education Code 38000 expresses legislative intent to encourage districts to redirect resources currently allocated to district police departments or to contracts with local law enforcement into student support services (e.g., mental health services) and professional development on cultural competency and restorative justice, if found to be a more appropriate use of resources based on student and school needs.

This policy and accompanying administrative regulation are for use by districts that choose to establish a district police or security department and may be revised to reflect district practice, including appropriate modifications to indicate whether the district has a "police" or "security" department. Pursuant to Government Code 7286, district police departments are required to establish policy on the use of force. See the section "Conduct of Officers" below and the accompanying administrative regulation.

Districts that elect not to establish a police or security department, but instead contract with local law enforcement, should consider additional training requirements for any contracted peace officers to include, but not be limited to, professional development focused on cultural competency, restorative justice, and adolescent development as applied in public schools.

To help protect the safety of district students and staff and the security of district property, the Governing Board shall maintain a district police or security department. The Board is committed to providing a positive school climate, mental health services, other student support services, and restorative justice practices to resolve conflicts and reduce law enforcement interactions with students.

The Superintendent or designee shall provide training to staff regarding the role of district police or security officers and the appropriate circumstances for contacting such officers.

CSBA NOTE: Pursuant to Penal Code 13651, entities that employ peace officers are required to review the job description that is used in recruitment and hiring and make changes that emphasize community-based policing, familiarization between law enforcement and community residents, and collaborative problem solving while de-emphasizing the paramilitary aspects of the job.

Duties of district police or security officers shall be delineated in a job description approved by the Board. Such duties shall focus on collaborative problem solving and, when circumstances warrant intervention with students, the use of positive and restorative approaches in accordance with Penal Code 13651. Police or security officer job duties shall not include the handling of routine student disciplinary matters.

CSBA NOTE: The district may select either or both options below depending on whether it has a "security" and/or "police" department.

OPTION 1: (Security Department)

Persons employed or assigned as school security officers shall serve as watchpersons, security guards, or patrolpersons on or about district premises to protect persons or property, prevent the theft or unlawful taking of district property, or report unlawful activity to the district and local law enforcement agencies. (Education Code 38001.5)

When district security officers are unable to perform their duties because of an emergency, including, but not be limited to, war, epidemic, fire, flood, or work stoppage, or when the emergency necessitates additional security services, the Board may contract with a private licensed security agency. In such cases, the Board shall make a specific finding that an emergency exists and shall include this finding in the Board minutes. (Education Code 38005)

OPTION 2: (Police Department)

Persons employed as members of the district police department, when appointed and duly sworn, are peace officers for the purposes of carrying out their duties pursuant to Penal Code 830.32. (Education Code 38001)

CSBA NOTE: The following optional paragraph is for use by districts that have a police department and choose to establish a reserve officer corps, and may be revised to reflect district practice. Education Code 35021.5 expresses legislative intent that districts be allowed to use volunteer reserve officers to the extent necessary to provide a safe

and secure school environment.

The district's police department may be supplemented by a school police reserve officer corps, which may include unpaid volunteer reserve police officers. For the duration of their specific assignment, school police reserve officers shall have the same powers and duties as other school police officers. (Education Code 35021.5; Penal Code 830.6)

CSBA NOTE: The following paragraph is for use by districts that have either district police or security officers and should be modified accordingly.

Education Code 49394, as added by SB 906 (Ch. 144, Statutes of 2022), requires district police and security officers, with the support of the district, to immediately conduct an investigation and assessment of any threat or perceived threat, as defined, that a student is preparing to commit a homicidal act related to school or school activity when notified of such by district staff or a Board member. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web site.

When notified by a school official of a threat or perceived threat that a student is preparing to commit a homicidal act related to a school or school activity, district police and security officers shall, with the support of the district, immediately conduct an investigation and assessment of the threat or perceived threat. Such investigation and assessment shall include a search of the school site only if there is reasonable suspicion that the search would produce evidence related to the threat or perceived threat. (Education Code 49390, 49393, 49394)

Conduct of Officers

The Board expects district police or security officers to cooperate and regularly communicate with local law enforcement agencies, and to work collaboratively with other district staff and community members to develop long-term, proactive approaches that address the conditions affecting school safety.

District police or security officers shall conduct themselves in ways that promote goodwill and cooperation on the part of students, district staff, and the general public. District police or security officers shall not discriminate against or treat any person differently on the basis of race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, genetic information, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

District police or security officers shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and/or federal law. (Education Code 234.7)

CSBA NOTE: Pursuant to Government Code 7286, district police departments are required to have a policy that provides a minimum standard on the use of force. See the accompanying administrative regulation for information about the required components of such policy.

Whenever possible, district police or security officers shall use tactics such as de-escalation techniques, crisis intervention tactics, or other alternatives to force to minimize the use of force. The district police department shall maintain and make accessible to the public a policy on the use of force in accordance with Government Code 7286 and consistent with district policy and administrative regulation. Officers shall periodically receive training regarding applicable district policies and the guidelines from the Commission on Peace Officer Standards and Training.

Equipment

CSBA NOTE: Penal Code 626.9 exempts peace officers from the Gun Free Schools Act, which prohibits the possession of a firearm on school grounds. Pursuant to Penal Code 830.32, the Board may determine if its police officers will carry firearms. Additionally, Education Code 38001.5 implies that the Board may determine if its security officers will be required to carry firearms.

OPTION 1: The Board authorizes district police or security officers to carry firearms in accordance with law, Board policy, and administrative regulations.

OPTION 2: District police or security officers shall not carry firearms.

CSBA NOTE: The following paragraph may be used by all districts that maintain a police department.

The district police department shall be eligible to receive surplus military equipment pursuant to 10 USC 2576a only

if, at a regularly scheduled public Board meeting, the Board approves the acquisition of such equipment after providing parents/guardians and members of the public an opportunity to comment on the proposed acquisition. The Board shall provide a detailed description of the function and purpose of the surplus military equipment, identify safe and secure storage for the equipment, and ensure that district police officers have adequate training in the safe use and handling of the equipment to be received. (Education Code 38004.5)

Records

District police or security officers shall not have access to student records, nor release student information to another person, agency, or organization, without written permission from the parent/guardian or adult student, unless specifically allowed or required by state or federal law. (Education Code 49076; 34 CFR 99.1)

Records created and maintained by the district police or security department for a law enforcement purpose are not considered disclosable student records under the Family Educational Rights and Privacy Act. (34 CFR 99.3)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Bus. and Prof. Code 7583-7583.447	Private patrol operators - https://simbli.eboardsolutions.com/SU/kBDCgRBUWNgP7GLr6TxJHw==
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 35021.5	School police reserve corps
Ed. Code 38000-38005	Security departments
Ed. Code 45113	Probationary period and permanent status; non-merit system districts
Ed. Code 45122.1	Classified employees; conviction of a violent or serious felony
Ed. Code 45133.5	School police department; work schedule
Ed. Code 45301	Probationary period and permanent status; merit system districts
Ed. Code 49076	Access to student records
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats
Fam. Code 6240-6275	Emergency protective orders
Gov. Code 11135	Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKALOEtfQ==
Gov. Code 12525.2	Reports of incidents involving peace officers
Gov. Code 3300-3312	Public safety officers; rights and protections
Gov. Code 7286-7286.5	Law enforcement use of force policies
Gov. Code 8597-8598	Emergencies; peace officers
Pen. Code 13510-13519.15	Standards for recruitment and training
Pen. Code 13651	Peace officers; job descriptions
Pen. Code 13700-13702	Response to domestic violence
Pen. Code 290.45	Sex offenders; authority of peace officers to provide information
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 646.91	Emergency protective order for stalking
Pen. Code 830-832.19	Peace officers
Pen. Code 830.32	School district and community college police
Pen. Code 830.6	Reserve police officers; powers and duties

Policy 6164.2: Guidance/Counseling Services

Status: ADOPTED

Original Adopted Date: 11/01/2007 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: The following optional Board policy should be revised to reflect district practice. Education Code 49600, as amended by AB 2508 (Ch. 153, Statutes of 2022) urges districts to offer students a comprehensive educational counseling program that is implemented in a structured and coherent manner within a Multi-Tiered Systems of Support framework. Pursuant to Education Code 49600, as amended by AB 2508, specialized services offered under such a program must be provided by appropriately credentialed school counselors.

The Governing Board recognizes that a structured, coherent, and comprehensive counseling program promotes academic achievement and growth, and serves the diverse needs of district students. The district shall provide an educational counseling program that offers students services and supports within a Multi-Tiered Systems of Support (MTSS) framework, in accordance with law. Counseling staff shall be available to provide students with individualized reviews of their educational progress toward academic and/or career and vocational goals and, as appropriate, may discuss social, personal, or other issues that may impact student learning and well-being.

CSBA NOTE: Pursuant to Education Code 44266 and 5 CCR 80049-80049.1, persons authorized to provide services in school counseling, school psychology, or school social work must possess a Pupil Personnel Services credential, with the appropriate specialization, issued by the Commission on Teacher Credentialing.

The Superintendent or designee shall ensure that all persons employed to provide direct school counseling, school psychology, school social work services to students, and/or implement equitable school programs and services that support students' academic and social emotional development and college and career readiness shall possess the appropriate credential from the Commission on Teacher Credentialing authorizing their employment in such positions. Responsibilities of such positions shall be clearly defined in a job description.

CSBA NOTE: The following optional list may be revised to reflect district practice. Education Code 49600, as amended by AB 2508, expresses the Legislature's intent that school counselors fulfill the following responsibilities. Responsibilities of school counselors include, but are not limited to:

1. Engaging with, advocating for, and providing all students with direct services, such as individual counseling, group counseling, risk assessment, crisis response, and instructional services, including mental health and behavioral, academic, and postsecondary educational services and indirect services, including but not limited to, positive school climate strategies, teacher and parent consultations, and referrals to public and private community services
2. Planning, implementing, and evaluating school counseling programs
3. Working within a MTSS that uses multiple data sources to monitor and improve student behavior, attendance, engagement, and achievement
4. Developing, coordinating, and supervising comprehensive student support systems in collaboration with teachers, administrators, other pupil personnel services professionals, families, community partners, and community agencies, including county mental health agencies
5. Promoting and maintaining a safe learning environment for all students by providing restorative practices, positive behavior interventions, and support services, and by developing a variety of intervention strategies, and using those strategies, to meet individual, group, and school community needs before, during, and after a crisis
6. Intervening to ameliorate school-related problems, including problems related to chronic absences and retention
7. Using research-based strategies to promote mental wellness, reduce mental health stigma, and to identify characteristics, risk factors, and warning signs of students who develop, or are at risk of developing, mental health and behavioral disorders and who experience, or are at risk of experiencing, mistreatment, including mistreatment related to any form of conflict or bullying
8. Improving school climate and student well-being by addressing the mental and behavioral health needs of students during a period of transition, separation, heightened stress, and critical changes, accessing community programs and services to meet those needs, and providing other appropriate services

9. Enhancing students' social and emotional competence, character, health, civic engagement, cultural literacy, and commitment to lifelong learning and the pursuit of high-quality educational programs

CSBA NOTE: Item #10 below may be revised to specify only English learners, students eligible for free and reduced-price meals, and foster youth, as provided in Education Code 49600. However, a district is permitted to provide such services to other categories of students who may be in need, such as students experiencing homelessness

10. Providing counseling services for unduplicated students who are classified as English learners, or foster youth, homeless children, and students eligible for free and reduced-priced meals, including interventions and support services that enhance equity and access to appropriate education systems and public and private services
11. Engaging in continued development as a professional school counselor

Educational And Career Counseling

CSBA NOTE: The following optional section is for use by districts that maintain any of grades 7-12 and may be revised to reflect district practice and the grade levels offered by the district.

Beginning in grade 7, parents/guardians shall receive a general notice at least once before career counseling and course selection so that they may participate in the counseling sessions and decisions. (Education Code 221.5)

CSBA NOTE: Items #1-5 below reflect required components of educational counseling programs specified in Education Code 49600, as amended by AB 2508.

The educational counseling program shall include academic counseling and postsecondary services, in the following areas (Education Code 49600):

1. Development and implementation, with parent/guardian involvement, of the student's immediate and long-range educational plans
2. Optimizing progress towards achievement of proficiency standards and competencies
3. Completion of the required curriculum in accordance with the student's needs, abilities, interests, and aptitudes
4. Academic planning for access and success in higher education programs, including advisement on courses needed for admission to colleges and universities, standardized admissions tests, and financial aid

CSBA NOTE: Pursuant to Education Code 49600, educational counseling must include career and vocational counseling as described in Item #5 below. As amended by AB 2508, Education Code 49600 requires that professional development related to career and vocational counseling include strategies for counseling students pursuing postsecondary education, career technical education, multiple pathways, college, and global career opportunities.

5. High-quality career programs at all grade levels in which students are assisted in doing all of the following:
 - a. Planning for the future, including, but not limited to, identifying personal interests, skills, and abilities, career planning, course selection, and career transition
 - b. Becoming aware of personal preferences and interests that influence educational and occupational exploration, career choice, and career success
 - c. Developing work self-efficacy for the ever-changing work environment, the changing needs of the workforce, and the effects of work on quality of life
 - d. Understanding the relationship between academic achievement and career success, and the importance of maximizing career options
 - e. Understanding the value of participating in career technical education pathways, programs, and certifications, including, but not limited to, those related to regional occupational programs and centers, the federal program administered by the United States Department of Labor offering free education and vocational training to students, known as "Job Corps," the California Conservation Corps, work-based

learning, industry certifications, college preparation and credit, and employment opportunities

- f. Understanding the need to develop essential employable skills and work habits

CSBA NOTE: Education Code 49600, as amended by AB 2508, adds the following component to educational counseling programs, reflected below.

- g. Understanding entrance requirements to the Armed Forces of the United States, including the benefits of the Armed Services Vocational Aptitude Battery (ASVAB) test

CSBA NOTE: In addition to the required components listed above, Education Code 49600, as amended by AB 2508, includes a list of optional components which a district may, at its discretion, offer as part of the educational counseling program.

The district's educational counseling program also may include, but not be limited to, identification of students who are at risk of not graduating with their peers, development of a list of coursework and experience necessary to assist students to satisfy the curricular requirements for college admission and successfully transition to postsecondary education or employment, and counseling regarding available options for students who fail to meet graduation requirements to continue with their education.

The Superintendent or designee shall establish and maintain a program of guidance, placement, and follow-up for all high school students subject to compulsory continuation education. (Education Code 48431)

CSBA NOTE: As amended by AB 2508, Education Code 49600 also permits districts to offer mental and behavioral health services as provided in the following paragraph.

As part of the district's educational counseling program, students may be offered mental and behavioral health services under which a student may receive prevention, intervention, short-term counseling services, and mental health related classroom instruction to reduce stigma and increase awareness of counseling support services.

CSBA NOTE: Education Code 221.5 prohibits school counselors from offering vocational or school program guidance to a student of one sex that is different from that offered to a student of the opposite sex. In addition, 5 CCR 4930 prohibits discrimination in counseling programs to the same extent that discrimination is prohibited in all other district programs and activities. Prohibited bases for discrimination in district programs are specified in BP 0410 - Nondiscrimination in District Programs and Activities.

No counselor shall unlawfully discriminate against any student. Guidance counseling regarding school programs and career, vocational, or higher education opportunities shall not be differentiated on the basis of any protected category specified in BP 0410 - Nondiscrimination in District Programs and Activities.

In addition, counselors shall affirmatively explore with a student the possibility of careers, or courses leading to careers, that are nontraditional for that student's sex. (Education Code 221.5)

For assessing or counseling students, the district shall not use testing or other materials that permit or require impermissible or unlawful differential treatment of students. (5 CCR 4931)

CSBA NOTE: 20 USC 7908 requires districts receiving funds under the Elementary and Secondary Education Act (ESEA) to provide military recruiters with the same access to students as is provided to colleges and prospective employers. Districts that do not grant similar access may lose those funds and may be subject to specific interventions, such as notification to the Governor and Congress, so that public officials can work with the district. Districts that do not receive ESEA funds and that choose to grant access to college and employment recruiters should do so on a nondiscriminatory basis. Education Code 49603 provides that military service recruiters may not be denied on-campus access to students in grades 9-12 if the district provides such access to other employers. For information regarding military recruiter access to student directory information, see BP/AR 5125.1 - Release of Directory Information.

Option 1 below is for use by districts that choose to adopt a policy that permits college and employment recruiters, including military recruiters, access to students. Option 2 is for districts that choose to adopt a policy that does not permit such access.

OPTION 1: Colleges and prospective employers, including military recruiters, shall have the same access to students for recruiting purposes. (Education Code 49603; 10 USC 503; 20 USC 7908)

OPTION 1 ENDS HERE

OPTION 2: Colleges and prospective employers, including military recruiters, shall not have access to students for recruiting purposes. (Education Code 49603; 10 USC 503)

OPTION 2 ENDS HERE

CSBA NOTE: Pursuant to Labor Code 3074.2, as added by AB 643 (Ch. 324, Statutes of 2021), districts are encouraged to provide students with opportunities to explore, make career choices, and seek appropriate instruction and training to support those choices, by hosting locally focused apprenticeship and/or career and technical education fair events, such as college and career fairs.

The Superintendent or designee shall collaborate with businesses, government agencies, postsecondary institutions including universities and career technical schools, community organizations, and/or other employers to provide students with actual or simulated work-based learning opportunities through college and/or career fairs.

CSBA NOTE: Labor Code 3074.2, as added by AB 643, requires any district planning to hold a college or career fair to identify approved apprenticeship programs in the county and notify such programs that they are hosting a college or career fair. To identify approved programs the district is required to rely on the Division of Apprenticeship Standards' database of approved apprenticeship programs, published by the Division of Apprenticeship Standards located on its internet web site.

When planning to hold a college or career fair, the Superintendent or designee shall notify each apprenticeship program in the county. The notification shall include the planned date, time and location of the college or career fair. (Labor Code 3074.2)

Personal or Mental Health Counseling

CSBA NOTE: The following optional section may be revised to reflect district practice. A school counselor, school psychologist, or school social worker may offer personal or family counseling in accordance with the authorizations on their credentials. In addition, districts may provide mental health services through school-based health centers (see BP 5141.6 - School Health Services) and/or may collaborate with community agencies, organizations, and health care providers to ensure that services are available.

A school counselor, school psychologist, or school social worker may provide individualized personal, mental health, or family counseling to students in accordance with the specialization(s) authorized by their credential. Such services may include, but are not limited to, support related to the student's social and emotional development, behavior, substance abuse, mental health assessment, depression, or mental illness. As appropriate, students and their parents/guardians shall be informed about community agencies, organizations, or health care providers that offer qualified professional assistance.

CSBA NOTE: If a minor is 11 years old or younger, consent by a parent/guardian is required before providing the minor with outpatient mental health counseling or treatment services. Family Code 6920-6929 and Health and Safety Code 124260 allow a minor age 12 or older to consent to outpatient mental health counseling or treatment services without parent/guardian consent if, in the opinion of a school psychologist or other professional person, as defined, the minor is mature enough to participate intelligently in the services. However, the child's parent/guardian must still be involved unless the professional person determines it would be inappropriate.

Written parent/guardian consent shall be obtained before mental health counseling or treatment services are provided to a student, except when the student is authorized to consent to the service pursuant to Family Code 6920-6929, Health and Safety Code 124260, or other applicable law.

Any information of a personal nature disclosed to a school counselor by a student age 12 years or older or by the student's parent/guardian is confidential and shall not become part of the student record without the written consent of the person who disclosed the confidential information. The information shall not be revealed, released, discussed, or referred to except under the limited circumstances specified in Education Code 49602. (Education Code 49602)

A counselor shall consult with the Superintendent or designee and, as appropriate, with the district's legal counsel whenever unsure of how to respond to a student's personal problem or when questions arise regarding the possible release of confidential information regarding a student.

Crisis Counseling

The Board recognizes the need for a prompt and effective response when students are confronted with a traumatic incident. School counselors shall assist in the development of the comprehensive school safety plan, emergency and

disaster preparedness plan, and other prevention and intervention practices designed to assist students and parents/guardians before, during, and after a crisis.

Early identification and intervention plans shall be developed to help identify those students who may be at risk for violence so that support may be provided before they engage in violent or disruptive behavior.

In addition, the Superintendent or designee shall identify crisis counseling resources to train district staff in effective threat assessment, appropriate response techniques, and/or methods to directly help students cope with a crisis if it occurs.

Teacher-Based Advisory Program

CSBA NOTE: The following optional section is for use by districts that choose to provide a teacher-based advisory program as authorized by Education Code 49600. The following section may be revised to reflect district practice, including the grade levels at which the program will operate. It should be deleted by districts in which all student counseling is provided by credentialed school counselors.

The Board recognizes that a supportive, ongoing relationship with a caring adult can provide a student with valuable advice, enhance student-teacher relationships, and build the student's feelings of connectedness with the school. The Board authorizes the development of a teacher-based advisory program in which teachers advise students in such areas as academic planning, character development, conflict resolution, and self-esteem. Any teacher participating in this program shall be under the supervision of a credentialed school counselor as appropriate, receive related information and training, and be subject to this Board policy and law, including requirements pertaining to student confidentiality and nondiscrimination.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

State References	Description
5 CCR 4930-4931	Counseling
5 CCR 80049-80049.1	Pupil Personnel Services credential
5 CCR 80632-80632.5	Preparation programs for Pupil Personnel Services
Ed. Code 221.5	Equal opportunity
Ed. Code 44266	Pupil Personnel Services credential
Ed. Code 48431	Establishing and maintaining high school guidance and placement program
Ed. Code 49600-49604	Educational counseling
Ed. Code 51250-51251	Assistance to military dependents
Ed. Code 51513	Personal beliefs
Fam. Code 6920-6930	Consent by minor for medical treatment
Gov. Code 6254	Exemption for personnel records if invasion of personal privacy
H&S Code 124260	Mental health services; consent by minors age 12 and older
Lab. Code 3074.2	College and career fairs; notice to apprenticeship programs
Pen. Code 11166-11170	Reporting known or suspected cases of child abuse
W&I Code 5850-5883	Mental Health Services Act

Federal References

Federal References	Description
10 USC 503	Military recruiter access to directory information
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 7908	Armed forces recruiter access to students and student recruiting information
34 CFR 99.1-99.67	Family Educational Rights and Privacy

Bylaw 9100: Organization

Status: ADOPTED

Original Adopted Date: 09/01/1992 | Last Revised Date: 09/01/2022 | Last Reviewed Date: 09/01/2022

CSBA NOTE: Pursuant to Education Code 35143, as amended by AB 486 (Ch. 666, Statutes of 2021), the Governing Board is required to set and hold an annual organizational meeting, in the manner described below, prior to the end of each calendar year. If the Board fails to select a day and time for the meeting, the County Superintendent of Schools must designate and notify all Board members and members-elect of the day and time of the meeting. A city board of education whose members are elected in accordance with a city charter may, by a rule of its board, establish a different timeline for setting the annual meeting and revise the following paragraph accordingly.

Each year, the Governing Board shall hold an annual organizational meeting. In any year in which a regular election of district Board members is conducted, the organizational meeting shall be held within 15 days following the second Friday in December after the regular election. During all other years, the meeting may be held on any date in December, but no later than December 20th. (Education Code 35143)

CSBA NOTE: Unless otherwise provided by rule of the Board, the following paragraph is required pursuant to Education Code 35143, as amended by AB 486.

During any year in which a regular election is conducted, the Board, at the regular meeting held immediately prior to the second Friday in December, shall select the day and time of the organizational meeting. For any other year, the day and time of the organizational meeting shall be selected at the last regular meeting held immediately before the annual meeting. On behalf of the Board, the Superintendent shall notify the County Superintendent of Schools of the day and time selected. Within 15 days prior to the date of the annual meeting, the Superintendent shall notify in writing all Board members and members-elect of the date and time selected for the meeting. (Education Code 35143)

CSBA NOTE: The following items should be modified to reflect district practice. Education Code 35022 requires all boards with five or more members to elect a president. Education Code 35143 requires the election of a clerk and a president for high school, union high school, and joint union high school districts. City boards of education are required to elect only a president or a president and vice president, and all other types of districts are required to elect a clerk. For more information about election of officers, see the section "Election of Officers" below.

At this meeting the Board shall:

1. Elect a president and a clerk and/or vice president from its members
2. Appoint the Superintendent as secretary to the Board
3. Authorize signatures

CSBA NOTE: Item #4 below promotes the adoption of a Board calendar to ensure the scheduling of important governance matters such as evaluation of the Superintendent, Board self-evaluation, budget meetings, goal setting, and policy and program reviews.

4. Approve a schedule of regular meetings for the year and a Board governance calendar stating the time when the Board will address important governance matters
5. Designate Board representatives to serve on committees or commissions of the district, other public agencies, or organizations with which the district partners or collaborates

CSBA NOTE: Item #6 below is recommended by CSBA through its governance trainings, including the Masters in Governance program.

6. Review and/or consider resources that define and clarify the Board's governance and leadership roles and responsibilities including, but not limited to, governance standards, meeting protocols, Board rules and bylaws, and other Board development materials

Election of Officers

CSBA NOTE: Option 1 below is for districts that rotate offices so that each Board member has the opportunity to become president, while Option 2 is for districts that each year elect their entire slate of officers. The following options should be revised to reflect the sequence of offices used in the district.

OPTION 1: The Board shall each year elect one of its members to be (clerk)/(vice president). This member shall be

one who previously has not served in office, unless all the Board's members have previously served in office. After serving one year as (clerk)/(vice president), the elected member shall serve one year as president of the Board.

OPTION 1 ENDS HERE

OPTION 2: The Board shall each year elect its entire slate of officers.

OPTION 2 ENDS HERE

CSBA NOTE: The following optional sentence may be used with Option 2.
No Board member shall serve more than _____ consecutive year(s) in the same office.

CSBA NOTE: The following sentence may be used by all districts regardless of the option selected above. The California Attorney General has disapproved secret ballot voting in open meetings, as well as the casting of mail ballots (68 Ops.Cal.Atty.Gen. 65, 1985). As long as they do not use secret ballots, boards may elect their officers in any way they choose.

The election of Board officers shall be conducted during an open session of the annual organizational meeting.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 35143	Annual organizational meetings; date and notice
Ed. Code 35145	Public meetings
Ed. Code 5017	Term of office
Gov. Code 54953	Meetings to be open and public; attendance

Management Resources References

	Description
Attorney General Opinion	59 Ops.Cal.Atty.Gen. 619 (1976)
Attorney General Opinion	68 Ops.Cal.Atty.Gen. 65 (1985)
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==

Cross References

	Description
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/8aBslshkYpCeLkOOfduR9FE4g==
9005	Governance Standards - https://simbli.eboardsolutions.com/SU/b4OmvGoyuJpAPG4LxplusvkHQ==
9121	President - https://simbli.eboardsolutions.com/SU/9DePeFAaWu91NRZNdGXD0Q==
9123	Clerk - https://simbli.eboardsolutions.com/SU/qd29h4vh2vvJmtN56yncKQ==
9140	Board Representatives - https://simbli.eboardsolutions.com/SU/yjmslshNKV8wpR65FwNX38SKg==
9223	Filling Vacancies - https://simbli.eboardsolutions.com/SU/aCSlfcwxIXrZUQNe1slsheSZA==
9224	Oath Or Affirmation - https://simbli.eboardsolutions.com/SU/tKaJJ9mLslsh1HTqv3M3Bmlbw==
9230	Orientation - https://simbli.eboardsolutions.com/SU/zPgBfoLQTIvGXFVmx3IPVA==
9240	Board Training - https://simbli.eboardsolutions.com/SU/xVjnBLTBhzybPslshMDYIWDZg==

Liberty Elementary School District

Board Meeting of the Board of Trustees

Minutes

Liberty Elementary School

Library

1771 East Pacific Avenue, Tulare, CA 93274

Tuesday, October 11, 2022

6:00pm 1.0 Call to Order 6:04 p.m.

2.0 Adopt Agenda (Action Item)

This item is provided as an opportunity for trustees, through consensus, to approve, re-sequence, or table agenda topics. In accordance with the Brown Act Requirements effective July 1, 2008, if documents are distributed to board members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the District Office located at 1771 E. Pacific Ave. Tulare, CA 93274.

In compliance with the Americans with Disabilities Act and the Brown Act, if you need special assistance to participate in this meeting, including receipt of the agenda and documents in the agenda package in an alternate format, please contact the Liberty Elementary School District Office at (559) 686-1675. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting (28CFR35.102-35, 104 ADA Title II), and allow for the preparation of documents in the appropriate alternate format.

3.0 Adjourn to Closed Session 6:04 p.m.

The Board may adjourn to closed session to discuss matters of personnel security, negotiations, student discipline, litigation, conference with legal counsel – anticipated litigation, or other matters as authorized by the government Codes 3459.1, 54956.6, 54956.9 and 54967.6 and Ed Code Sections 35136 and 48913.

- a. (Ed Code Section 35146, 48900) Student Discipline & Other Confidential Student Matters.
- b. (Gov. Code 54957) Public Employee Discipline/Dismissal/Release
- c. (Gov. Code 54957) Superintendent Contract
- d. (Gov. Code 54957) Employment, resignations, transfers, etc. of Certificated and Classified Personnel
- e. (Gov. Code, 3549.1) Negotiations

6:30pm 4.0 Open Session 6:35 p.m., No Action Taken

4.1 Flag Salute

4.2 Roll Call:	Robert Gilson	President	<i>Present</i>
	Dr. Jim Guadagni	Clerk	<i>Present</i>
	John Beaver	Member	<i>Present</i>
	Ron Koetsier	Member	<i>Present</i>
	Jonathon Thorpe	Member	<i>Present</i>

Also in attendance for Closed and Open Session: Deanna Cardoza, Ed.D.
(Superintendent)

- 4.3 Board President** – Opportunity for Board President to comment or report on any matters pertinent or of concern to the Board.
- a. Board President to announce Closed Session Items of Discussion.**
- 4.4 Public Comments:**
Those in the audience desiring to address the Board regarding items not on the agenda may do so at this time. Each speaker is to have **(3) three minutes** and individual topics to **(15) fifteen minutes** to address the Board and make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the school system. Please understand that the Board does not take action on non-agenda items. **No Public Comments.**
- 5.0 Information Items:**
This item is provided for informational reports and will highlight district and student events and successes.
- 5.1 Staff Reports** - Opportunity for Liberty Elementary School Staff Members to comment or report on any matters pertinent or of concern to the Board. *Mrs. Sanders shared with the Board and audience that the school annual Fall Carnival was one of Liberty's most successful thus far.*
- 5.2 Administrators' Reports** – Opportunity for Administration to comment or report on any matters pertinent or of concern to the Board.
- a. Superintendent's Report** – Dr. Cardoza shared that after the COE's review of the District's 2022/23 Local Control and Accountability Plan (LCAP), approval was provided in September. The 2022/23 Budget was also approved by the COE. The Office of Public School Construction (OPSC) provisionally approved the Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program funding of new construction for the District.
- b. Principal Report** – Mrs. Newkirk reported that the Fall Carnival attendance was at an all-time high. Our students and families had an enjoyable time. Student data teacher professional development with PARSEC Education was held during our early release Wednesday in October.
- 5.3 First Reading on CSBA updated Board Policy (BP) 5141.21**
The Board asked the length of the CDPH Naloxone Distribution Grant term agreement. The shelf life for most Naloxone nasal spray is 36-months. The Board understood the District must update Board Policy to include making naloxone hydrochloride or another opioid antagonist available for emergency medical aide at school. The Board further discussed Option 2 and would make a determination at the next board meeting.
- 6.0 Action Items:**
These items are provided for Board information, discussion, and/or action.

- 6.1 Approval of Consent Agenda:**
Minutes of Special Board Meeting September 14, 2021 and payment of warrants
Dr. Jim Guadagni made a motion to approve and 2nd was made by Ron Koetsier Ayes: Robert Gilson, Ron Koetsier, John Beaver, Jonathon Thorpe and Dr. Jim Guadagni. Noes: 0 Abstain: 0 Absent: 0 Motion Carried
- 6.2 Approval of updated CSBA June 2022 Board Policies**
John Beaver made a motion to approve item 6.2 2nd made by Jonathon Thorpe. Ayes: John Beaver, Jonathon Thorpe, Robert Gilson, Ron Koetsier and Dr. Jim Guadagni. Noes: 0 Abstain: 0 Absent: 0 Motion Carried

Meeting Adjourned: 7:13 p.m.

Accounts Payable Final Prelist - 10/27/2022 5:09:36PM

*** FINAL ***

Batch No 294

Audit

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
000898	Adam Espinoza	PV-230172	10/27/2022				010-00000-0-11100-10000-43000-0	\$260.56		H Sports Supp.
							Total Check Amount:	\$260.56		
000418	AT&T	PV-230174	10/27/2022				010-00000-0-00000-82000-59000-0	\$3,988.91		Hot Spots
							Total Check Amount:	\$3,988.91		
000585	AT&T	PV-230173	10/27/2022				010-00000-0-00000-82000-59000-0	\$752.32		Monthly Billing
							Total Check Amount:	\$752.32		
000912	Aubrey Philpot	PV-230175	10/27/2022				010-00000-0-11100-10000-43000-0	\$497.50		Inst. Supp.
							Total Check Amount:	\$497.50		
000932	Brenda Allender	PV-230176	10/27/2022				010-00000-0-00000-71000-52000-0	\$14.04		Mileage
							Total Check Amount:	\$14.04		
000687	BSK Associates	PV-230177	10/27/2022				010-00000-0-00000-82000-56000-0	\$540.00		Monthly Billing
							Total Check Amount:	\$540.00		
000515	California Dept. of Education	PV-230178	10/27/2022				010-00000-0-00000-71000-58000-0	\$1,177.40		Final Plan Approval
							Total Check Amount:	\$1,177.40		
000823	CDWG Government	PV-230179	10/27/2022				010-00000-0-11100-10000-43000-0	\$142.89		Inst. Supp.
							Total Check Amount:	\$142.89		
000422	Central Tulare County Schools	PV-230180	10/27/2022				010-00000-0-00000-71000-58000-0	\$11,079.00		SR Contribution
							Total Check Amount:	\$11,079.00		
000617	City of Tulare	PV-230181	10/27/2022				010-00000-0-00000-82000-55000-0	\$842.89		Monthly Billing
							Total Check Amount:	\$842.89		
000797	CVN	PV-230182	10/27/2022				010-00000-0-00000-82000-55000-0	\$195.00		Monthly Billing
							Total Check Amount:	\$195.00		
000857	De Lage Laden Financial Serv	PV-230187	10/27/2022				010-00000-0-00000-82000-56000-0	\$1,774.35		Monthly Billing
							Total Check Amount:	\$1,774.35		

Accounts Payable Final Prelist - 10/27/2022 5:09:36PM

*** FINAL ***

Batch No 294

Audit Amount Flag EFT

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Total Check Amount:	Amount
00093	EMPLOYMENT DEVELOPMENT DEPARTM	PV-230183	10/27/2022		Statement	*	010-00000-0-00000-95025-0	\$1,774.35	\$3,303.00
									<i>G Quarterly Billing</i>
000768	Ewing	PV-230184	10/27/2022		809,810,720		010-00000-0-00000-82000-43000-0	\$3,303.00	\$2,333.12
									<i>Maint. Supp.</i>
000950	Gigakom	PV-230185	10/27/2022		2026AAS		010-00000-0-00000-71000-58000-0	\$2,333.12	\$1,176.37
									<i>New Server</i>
000165	Houghton Mifflin Co.	PV-230186	10/27/2022		Statement	*	010-00000-0-11100-10000-41000-0	\$1,176.37	\$387.75
									<i>INST. Supp.</i>
000615	Infinity	PV-230188	10/27/2022		14545		010-00000-0-00000-71000-58000-0	\$387.75	\$2,125.00
									<i>EDATE Consultant</i>
000786	Ingram Band Supply LLC	PV-230189	10/27/2022		8355		010-00000-0-11100-10000-43000-0	\$2,125.00	\$3,077.46
									<i>Yearly cleaning & repair</i>
000831	IXL Learning	PV-230190	10/27/2022		448992		010-00000-0-11100-10000-43000-0	\$3,077.46	\$1,100.00
									<i>Inst. Supp.</i>
000954	Jessica Dileo	PV-230191	10/27/2022		Statement		010-00000-0-11100-10000-43000-0	\$1,100.00	\$21.21
									<i>Inst. Supp.</i>
000100	Linders	PV-230192	10/27/2022		Statement	*	010-07230-0-00000-36000-56000-0	\$21.21	\$5,186.21
									<i>A BUS repair & inspection</i>
000719	Lowes	PV-230193	10/27/2022		Statement		010-00000-0-00000-82000-43000-0	\$5,186.21	\$5,969.46
									<i>Maint. Supp.</i>
000158	Lozano Smith,LLP	PV-230194	10/27/2022		2173648		* 010-00000-0-00000-71000-58000-0	\$5,969.46	\$409.50
									<i>Legal Advice</i>

Accounts Payable Final Prelist - 10/27/2022 5:09:36PM

*** FINAL ***

Batch No 294

Audit Amount Flag EFT

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Total Check Amount:	Amount	Flag	EFT
000311	Mcgraw Hill LLC	PV-230195	10/27/2022		8001,4001		010-63000-0-11100-10000-43000-0	\$409.50	\$4,188.98		
											Textbooks
000501	Mobile Modular Management Corp	PV-230196	10/27/2022		2331533,2333960		010-00000-0-00000-82000-56000-0	\$4,188.98	\$6,460.00		
											Monthly Billing
00060	Office Depot	PV-230197	10/27/2022			*	010-63000-0-11100-10000-43000-0	\$6,460.00	\$1,073.15		
											Inst. Supp
000622	Palm Occupational Medicine	PV-230198	10/27/2022				010-00000-0-00000-71000-58000-0	\$1,073.15	\$100.00		
											Bus Driver Physical
000918	Perfect Care Landscape	PV-230199	10/27/2022		16933,16841		010-00000-0-00000-82000-56000-0	\$100.00	\$2,387.37		
											Monthly Billing
000629	Pitney Bowes	PV-230200	10/27/2022		10584877		010-00000-0-00000-82000-56000-0	\$2,387.37	\$169.23		
											Quarterly Billing
000812	Purchase Power	PV-230201	10/27/2022				010-00000-0-00000-82000-59000-0	\$169.23	\$568.31		
											Postage
000960	Ray Navarro	PV-230202	10/27/2022				010-00000-0-00000-82000-56000-0	\$568.31	\$125.00		
											Instrument Repair
000297	RES-COM	PV-230203	10/27/2022		2066965		010-00000-0-00000-82000-56000-0	\$125.00	\$130.00		
											Monthly Billing
000771	Roche Oil Inc. Roche Oil Inc.	PV-230205	10/27/2022				010-00000-0-00000-82000-43000-0 010-07230-0-00000-36000-43000-0	\$130.00	\$20.86		
											Monthly Fuel
000961	Royale Management Group	PV-230204	10/27/2022				010-32130-0-11100-10000-43000-0	\$20.86	\$1,282.51		
											Anti-Prog + Daily Assembly

Accounts Payable Final Prelist - 10/27/2022 5:09:36PM

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Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Audit Flag	EFT
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Total District Payment Amount: \$112,429.11

Accounts Payable Final Prelist - 10/27/2022 5:09:36PM


*** FINAL ***

Batch No 294

Vendor No	Vendor Name	Reference Number	Invoice Date	PO #	Invoice No	Separate Check	Account Code	Amount	Flag	EFT
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Batch No 294							Total Accounts Payable:	\$112,429.11		
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The School District hereby orders that payment be made to each of the above vendors in the amounts indicated on the preceding Accounts Payable Final totaling 112,429.11 and the County Office of Education transfer the amounts from the indicated funds of the district to the Check Clearing Fund in order that checks may be drawn from a single revolving fund (Education Code 42631 & 42634).



 Authorizing Signature _____ Date 10/31/2022

Fund Summary	Total
010	\$112,429.11
Total	\$112,429.11

NOTIFICATION OF ANNUAL ORGANIZATIONAL MEETING

To: (1) Tulare County Superintendent of Schools, Attention: Shelly DiCenzo
(2) Governing Board Members and Members-Elect of this District

Subject: **NOTIFICATION OF DATE AND TIME OF THE ANNUAL ORGANIZATIONAL MEETING** [Education Code §35143]

At a regular meeting of the governing board held on November 08, 2022, this board determined that the annual organizational meeting will take place as follows:

Annual Organizational Meeting of the Liberty Elementary School District

Date: December 13, 2022

Time: 6:30 p.m.

Location

Liberty Elementary School District Library

1771 E. Pacific Ave.

Tulare, Ca. 93274

**LIBERTY ELEMENTARY SCHOOL DISTRICT
BOARD OF TRUSTEES**

Meeting Date: November 8, 2022

Agenda Item

Subject: Second Reading of Revised Board Policy (BP 5141.21) Administering Medical and Monitoring Health Conditions

- For Board Approval

Division: Student Support & Health Services

Recommendation: Approve revision to Board Policy 5121.21 with select Option #2

Background/Rationale:

LESD is in the process of adding another life-saving rescue medication to our list, with the provision of Naloxone (NARCAN) nasal spray. The school nurse has a number of emergency and rescue measures, including an automated external defibrillator machine (AED) to restart heart rhythms, epinephrine auto-injectors in the case of a severe allergic reaction, and now Naloxone nasal spray in the event of a suspected opioid overdose. The California Department of Public Health (CDPH) issued a Health Alert related to Rainbow Fentanyl. The opioid epidemic that has potential to negatively impact the health and wellbeing of our students, families, and community.

The Tulare County Office of Education (TCOE) have partnered with the CDPH Naloxone Distribution Grant and are offering emergency Narcan (Naloxone) to school districts interested in having emergency Narcan on campus in the event a student may be suffering a potential opioid overdose. Liberty would like to participate in this life-saving grant program. An updated Board Policy making naloxone hydrochloride or another opioid antagonist available for emergency medical aide approved by the Board of Trustees is required.

Naloxone - a medication that can reverse an overdose caused by an opioid drug. As a narcotic antagonist, Naloxone displaces opiates from receptor sites in the brain and reverses respiratory depression that usually is the cause of overdose deaths.

Policy 5141.21: Administering Medication And Monitoring Health Conditions

Status: ADOPTED

Original Adopted Date: 11/01/2011 | **Last Revised Date:** 12/01/2019 | **Last Reviewed Date:** 11/08/2022

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request the district's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

OPTION 1: The parent/guardian of a student who is a qualified patient pursuant to Health and Safety Code 11362.7-11362.85 may administer medicinal cannabis, excluding medicinal cannabis or cannabis products in a smokeable or vapeable form, to the student at a school site. School personnel are not authorized to administer medicinal cannabis to a student. (Education Code 49414.1)

The decision to allow administration of medical cannabis must be made by either a 504 Team or IEP team, in consultation with the District's Health Services Department. In addition, the student's parent/guardian must sign a waiver stating they are aware of and voluntarily assume all risks associated with the administration of medical cannabis.

Before administering medicinal cannabis at a school site, the parent/guardian shall provide to the principal or designee a valid written medical recommendation for the student to be given medicinal cannabis, which shall be kept on file at the school. The parent/guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other students. After the parent/guardian administers the medication, the parent/guardian shall remove any remaining medicinal cannabis from the school site. (Education Code 49414.1)

Student who ingest medicinal cannabis at a school site in compliance with this Board Policy shall not be suspended or recommended for expulsion for being under the influence of medicinal cannabis. (Education Code 48900)

OPTION 2: Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

END OF OPTION 2

The Superintendent or designee shall collaborate with city and county emergency responders, including local

Administration of Medication by School Personnel

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.
