

Pacific Elementary School District

Resolution #2018-1

Resolution On Sufficiency Of Instructional Materials

Whereas, the Governing Board of the Pacific Elementary School District in order to comply with the requirements of Education Code 60119, held a public hearing on 9/19/17, at four o'clock, 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 Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which sufficient textbooks or instructional materials were provided to all students, including English learners, in the Pacific Elementary School District, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas, textbooks or instructional materials in core curriculum subjects should be aligned with state academic content standards adopted by the State Board of Education pursuant to Education Code 60605 and/or the Common Core State Standards adopted pursuant to Education Code 60605.8;

Finding of Sufficient Textbooks or Instructional Materials

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

* Mathematics: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)

- Eureka Math K-6 Adopted 2014

* Science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)

- Scott Foresman K-6 Adopted 2007
- * History-social science: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
 - History Alive K-6 Adopted 2006
- * English language arts, including the English language development component of an adopted program: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
 - Benchmark K-6 Adopted 2017
- * World/foreign language: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
 - N/A
- * Health: (List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)
 - N/A

Therefore, it is resolved that for the 2017-18 school year, the Pacific Elementary School District has provided each student with sufficient standards-aligned textbooks or instructional materials that are consistent with the cycles and content of the curriculum frameworks.

PASSED AND ADOPTED THIS 19th day of 2017, at a regularly scheduled meeting, by the following vote:

AYES:_____ NOES:_____ ABSENT:_____

Attest:

Secretary

President

Pacific ESD

Administrative Regulation

Child Care And Development

AR 5148
Students

Note: The following administrative regulation is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE) and reflects provisions generally applicable to programs under the Child Care and Development Services Act (Education Code 8200-8499.7). The district may revise this regulation to reflect specific requirements for the program(s) it offers. See BP/AR 5148.2 - Before/After School Programs for requirements pertaining to the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), and BP/AR 5148.3 - Preschool/Early Childhood Education for requirements pertaining to the California State Preschool Program (Education Code 8235-8239).

Note: The following administrative regulation does not reflect all policy language mandated for each specific program. The district should be careful to include the mandates, if any, applicable to the program(s) it offers. For example, for the Alternative Payment Program (Education Code 8220-8227.3; 5 CCR 18220-18231), 5 CCR 18221 mandates a written policy statement that includes specified components, including, but not limited to, program purpose, enrollment priorities, reimbursement of providers, and family fee collection. For the Resource and Referral program (Education Code 8210-8216; 5 CCR 18240-18248), 5 CCR 18244 mandates written referral policies and written complaint procedures.

Note: In addition to the program requirements described below, child care and development programs may be subject to other policies in the district's policy manual (e.g., AR 3514.2 - Integrated Pest Management, BP/AR 1240 - Volunteer Assistance, food safety standards and nutrition requirements in BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's child care and development program.

Licensing

***Note: Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services unless exempted by law. Health and Safety Code 1596.792 and 22 CCR 101158 list exemptions from the licensure requirements including, but not limited to, any program that (1) is a "public

recreation program" that meets the criteria specified in Health and Safety Code 1596.792, (2) is operated before and/or after school by qualified teachers employed by the district, (3) is a school parenting program or adult education child care program, (4) operates only one day per week for no more than four hours on that day, (5) offers temporary child care services to parents/guardians who are on the same premises as the child care site, or (6) provides activities that are of an instructional nature in a classroom-like setting when K-12 students are normally not in session and the sessions do not exceed a total of 30 days when only school-age children are enrolled or 15 days when younger children are enrolled. If the district offers only programs that are exempted from licensure, it should modify the following regulation accordingly.***

All district child care and development services shall be licensed by the California Department of Social Services, unless exempted pursuant to Health and Safety Code 1596.792 or 22 CCR 101158.

The license shall be posted in a prominent, publicly accessible location in the facility. (Health and Safety Code 1596.8555)

Licensed child care centers shall be subject to the requirements of Health and Safety Code 1596.70-1597.21, 22 CCR 101151-101239.2, and, when applicable, 22 CCR 101451-101539.

Program Components

Note: Items #1-8 below list components of child care and development programs required for all providers pursuant to 5 CCR 18272-18281. The Governing Board is required, pursuant to 5 CCR 18271, to approve goals and objectives addressing each of these program components; see the accompanying Board policy. The district may add components of other programs offered by the district.

The district's child care and development program shall include the following components:

1. The use of a developmental profile reflecting each child's physical, cognitive, social, and emotional development to plan and conduct developmentally and age appropriate activities (Education Code 8203.5; 5 CCR 18272)

Program staff shall complete the "Desired Results Developmental Profile," available from the California Department of Education (CDE), for each child who is enrolled in the program for at least 10 hours per week and for any child with disabilities regardless of the number of hours enrolled. The profile shall be completed within 60 days of enrollment and at least once every six months thereafter for children of all ages. (Education Code 8203.5; 5 CCR 18270.5, 18272)

2. An educational program that complies with 5 CCR 18273, including the provision of services that are developmentally, linguistically, and culturally appropriate and inclusive of children with special needs

(cf. 5148.2 - Before/After School Programs)
 (cf. 5148.3 - Preschool/Early Childhood Education)
 (cf. 6159 - Individualized Education Program)
 (cf. 6164.4 - Identification of Individuals for Special Education)
 (cf. 6164.6 - Identification and Education Under Section 504)
 (cf. 6174 - Education for English Learners)

3. A staff development program which complies with 5 CCR 18274

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

4. Parent/guardian involvement and education that complies with 5 CCR 18275 and involves parents/guardians through an orientation, at least two individual conferences per year, meetings with program staff, an advisory committee, participation in daily activities, and information regarding their child's progress

(cf. 6020 - Parent Involvement)

5. A health and social services component that complies with 5 CCR 18276 and includes referrals to appropriate community agencies as needed

(cf. 1020 - Youth Services)
 (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
 (cf. 5141 - Health Care and Emergencies)
 (cf. 5141.23 - Asthma Management)
 (cf. 5141.6 - School Health Services)

6. A community involvement component that complies with 5 CCR 18277

Note: Health and Safety Code 1596.808 establishes beverage standards for licensed child care centers. These standards require that children age 2 or older, with specified exceptions, be served only low-fat or nonfat milk, no more than one serving per day of 100 percent juice, and no beverage with added sweetener and that clean and safe drinking water be readily available and accessible throughout the day. In addition, centers that receive funding through the Child and Adult Care Food Program (42 USC 1766) must meet federal guidelines for meals, snacks, fluid milk or nutritionally equivalent milk substitutes, and drinking water.

7. A nutrition component that ensures children in the program are provided nutritious meals, beverages, and snacks that meet state and federal standards and have access to drinking water throughout the day, including meal times

(Health and Safety Code 1596.808; 5 CCR 18278; 42 USC 1766)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Note: 5 CCR 18279-18281 require an annual evaluation using the standardized "Desired Results for Children and Families" system developed by the CDE. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale using forms selected by the CDE. Each contractor is required to submit a summary of the self-evaluation findings to the CDE by June 1 of each year. In addition, every three years, the CDE conducts a Federal Program Monitoring/Contract Monitoring Review (FPM/CMR) process with each contract agency to review compliance with program requirements. The FPM/CMR instrument is available on the CDE's web site.

8. An annual plan for program evaluation which conforms with the state's "Desired Results for Children and Families" system and includes, but is not limited to, a self-evaluation, parent survey, and environment rating scale using forms provided by the CDE (5 CCR 18270.5, 18279, 18280)

(cf. 0500 - Accountability)

Note: Item #9 below is optional and may be revised to reflect district practice. 42 USC 1766 encourages child care centers to provide opportunities for physical activity and to limit the amount of time spent in sedentary activities, such as time spent using electronic media.

9. Programs that promote age-appropriate structured and unstructured opportunities for physical activity and that limit the amount of time spent in sedentary activities to an appropriate level

Staffing

The district's child care and development program shall maintain at least the minimum adult-child and teacher-child ratios specified in 5 CCR 18290-18292 based on the ages of the children served.

***Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exceptions. Health and Safety Code 1597.055, as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes any child care facility other than a family day care home, including infant centers, preschools,

extended day care facilities, and school-age child care centers.***

Any person employed at a district child care center and any volunteer who provides care and supervision to children at such a center shall be immunized against influenza, pertussis, and measles. If a person meets all other requirements for employment or volunteering, as applicable, but needs additional time to obtain and provide his/her immunization records, the person may be employed or volunteer conditionally for a maximum of 30 days upon signing and submitting a written statement attesting that he/she has been immunized as required. In addition, each employee and volunteer shall receive an influenza vaccination between August 1 and December 1 of each year. A person shall be exempt from these requirements only under any of the following circumstances: (Health and Safety Code 1596.7995)

1. The person submits a written statement from a licensed physician declaring either that immunization is not safe because of the person's physical condition or medical circumstances or that the person has evidence of current immunity to influenza, pertussis, and measles.
2. In the case of the influenza vaccine, the person submits a written declaration that he/she has declined the vaccination.
3. In the case of the influenza vaccine required during the first year of employment or volunteering, the vaccine is not timely because the person was hired after December 1 of the previous year and before August 1 of the current year.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.4 - Health Examinations)

Documentation of the required immunizations or exemptions from immunization shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.6 - Personnel Files)

In addition to the above immunization requirements, teachers employed in a child care center shall present evidence of a current tuberculosis clearance and meet other requirements specified in Health and Safety Code 1597.055. (Health and Safety Code 1597.055)

Eligibility and Enrollment

***Note: CDE contracts provide funding only for services to families who meet the criteria for subsidized services as specified in Education Code 8263. The district may also provide services to nonsubsidized families provided the district uses other funding sources or the families pay the full cost of services; see section on

"Fees and Charges" below.***

Note: Pursuant to 5 CCR 18105, districts contracting with the CDE to offer child care services are mandated to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the child care center's program and services and the ages of children who will be accepted.

Note: The following section should be revised to reflect the district's contract(s) with the CDE.

The district's subsidized child care and development services may be available to infants and children through 12 years of age and to individuals with disabilities through 21 years of age in accordance with their individualized education program and Education Code 8208. (Education Code 8208, 8263.4; 5 CCR 18089, 18407, 18422)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on the CDE's web site. The family's or child's eligibility must be certified by a person designated by the district.

Eligible families shall be those who document both an eligibility basis and a need for care, as follows: (Education Code 8263)

1. The family is eligible for subsidized services on the basis of being a current aid recipient, income eligible, or homeless and/or the family's children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited.
2. The family has a need for child care based on either of the following:
 - a. The unavailability of the parents/guardians to care for and supervise their children for some portion of the day because they are participating in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated

Note: AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized child care to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child.

- b. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk

of being neglected, abused, or exploited, or as being homeless

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to Education Code 8263 and 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities. As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, upon written referral from a legal, medical, or social services agency. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8263)

Second priority for enrollment shall be given to families who are income eligible, as defined in Education Code 8263.1. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263, 8263.1)

The district shall allow eligible children 11-12 years of age to combine enrollment in a before-school or after-school program with subsidized child care services during the time that the before-school or after-school program does not operate. Children 11-12 years of age, except for children with disabilities, shall be eligible for subsidized child care services only for the portion of care needed that is not available in a before-school or after-school program. (Education Code 8263.4)

Note: The following optional paragraph may be revised to reflect additional enrollment priorities or criteria established by the district, such as priority for district students, children of district students, or children of district employees; see the accompanying Board policy.

After all children eligible for subsidized services have been enrolled, the district may enroll children in accordance with the priorities established by the Governing Board.

***Note: 5 CCR 18094 and 18118 require the district to provide written

notification to the parent/guardian as to whether his/her application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on the CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.***

The district's decision to approve or deny services shall be communicated to the parent/guardian through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on the CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Rights of Parents/Guardians" below.

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the completed and signed application for services, documentation used to determine the child's eligibility and need, and copies of all Notices of Action. (5 CCR 18081, 18095)

Fees and Charges

Note: Education Code 8273 requires the Superintendent of Public Instruction (SPI) to establish a fee schedule for families using child care services through a CDE contract, including families who are eligible for subsidized child care services based on the criteria specified in item #1 in the section "Eligibility and Enrollment" above. See CDE Management Bulletin 14-03a.

Note: Pursuant to 5 CCR 18109 and the CDE's Frequently Asked Questions to Management Bulletin 14-03a, the district may charge a full-time, part-time, or "cost of care" fee calculated pursuant to 5 CCR 18109, whichever is less, depending on the number of hours that a child will receive services.

Note: Education Code 8250 and 5 CCR 18110 prohibit districts from assessing fees for children enrolled in a program for severely disabled children or a federally based migrant program. Districts may revise the following paragraph to reflect any such program(s) offered by the district. Districts that offer only programs prohibited from charging fees may delete the following section.

Except when offering a program that is prohibited by law from charging any fees, the Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8250, 8263, 8273, 8273.1, 8273.2, 8447; 5 CCR 18078, 18108-18110)

However, no fee shall be charged to a family that is receiving CalWORKS cash aid, an income-eligible family whose child is enrolled in a part-day California State Preschool Program, or a family whose income level, in relation to family size, is less than the first entry in the fee schedule. (Education Code 8273.1; 5 CCR 18110)

In addition, any family receiving child care on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving child care on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Note: Pursuant to Education Code 8273 and CDE Management Bulletin 14-03a, family fees must be assessed at initial enrollment and reassessed at recertification or when the family data file is updated due to a change in status.

***Note: Pursuant to 5 CCR 18114, districts contracting with the CDE to offer

child care services are mandated to adopt a policy for the collection of fees in advance of providing services, as provided below. 5 CCR 18114 contains an alternative definition of delinquency for Alternative Payment programs offered pursuant to Education Code 8220-8224.***

Fees shall be assessed at initial enrollment and reassessed when a family is recertified or experiences a change in status. Fees shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within two weeks of such notification. Parents/guardians shall receive a copy of the district's regulations regarding fee collection at the time of initial enrollment into the program. (Education Code 8273; 5 CCR 18082, 18114, 18115)

Note: The following paragraph is for use by districts contracting with the CDE to offer child care services that wish to require parents/guardians to provide diapers and/or to pay the costs of field trips (unless the program is exempt from fees) and may be modified to delete diapers as appropriate for the age of the children served. Education Code 8273.3 mandates that such districts have a written policy which includes parents/guardians in the decision-making process. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

Note: Education Code 8263.3 specifies the order by which families must be disenrolled from child care and development services when funding levels are reduced. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122, but only on the grounds that the factors used to determine the family's disenrollment are incorrect. See section "Rights of Parents/Guardians" below.

When necessary due to a reduction in state reimbursements, families shall be disenrolled from subsidized child care and development services in the following order: (Education Code 8263.3)

1. Families with the highest income in relation to family size shall be disenrolled first.

2. If two or more families have the same income ranking, children without disabilities who have been enrolled in child care services the longest shall be disenrolled first. After all children without disabilities have been disenrolled, children with disabilities shall be disenrolled, with those who have been enrolled in child care services the longest being disenrolled first.
3. Families whose children are receiving child protective services or are at risk of neglect, abuse, or exploitation, regardless of family income, shall be disenrolled last.

Health Examination

***Note: Education Code 8263 provides that the physical examination and evaluation, including immunizations, required of children enrolling in a child care center may be waived if a parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. However, Health and Safety Code 120335, as amended by SB 277 (Ch. 35, Statutes of 2015), eliminated the personal beliefs exemption for immunization requirements unless the parent/guardian files a letter or affidavit prior to January 1, 2016 or a licensed physician indicates that a student should be exempted for medical reasons. An exemption granted for personal beliefs is only effective until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12). See BP/AR 5141.31 - Immunizations. ***

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within 30 days of enrollment. (Education Code 8263)

The requirement for a physical examination and evaluation may be waived if a parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

A child may be exempted from the immunization requirements only if: (Education Code 8263; Health and Safety Code 120335)

1. A licensed physician indicates that immunization is not safe due to the physical condition or medical circumstances of the child.
2. The parent/guardian submitted a letter or affidavit prior to January 1, 2016 stating that such examination is contrary to his/her personal beliefs. An exemption from immunization granted for personal beliefs is effective only until the next grade span (i.e., birth through preschool, grades K-6, and grades 7-12).

(cf. 5141.22 - Infectious Diseases)
 (cf. 5141.3 - Health Examinations)
 (cf. 5141.31 - Immunizations)

Attendance

Sign-in and sign-out sheets shall be used daily for all children for attendance accounting purposes. Attendance records shall include verification of excused absences, including the child's name, date(s) of absence, specific reason for absence, and signature of parent/guardian or district representative. (5 CCR 18065, 18066)

Absences shall be excused for the following reasons:

1. Illness or quarantine of the child or of the parent/guardian (Education Code 8208)
2. Family emergency (Education Code 8208)

Note: Pursuant to 5 CCR 18066, districts contracting with the CDE to offer child care services are mandated to adopt policies delineating circumstances constituting an excused absence for a family emergency. The following paragraph may be revised to reflect district practice.

A family emergency shall be considered to exist when unforeseen circumstances cause the need for immediate action, such as may occur in the event of a natural disaster or when a member of the child's immediate family dies, has an accident, or is required to appear in court.

3. Time spent with a parent/guardian or other relative as required by a court of law (Education Code 8208)
4. Time spent with a parent/guardian or other relative which is clearly in the best interest of the child (Education Code 8208)

Note: 5 CCR 18066 mandates a policy that delineates circumstances constituting an excused absence "in the best interest of the child." The following paragraph may be revised to reflect district practice.

An absence shall be considered to be in the best interest of the child when the time is spent with the child's parent/guardian or other relative for reasons deemed justifiable by the program coordinator or site supervisor.

Except for children who are recipients of child protective services or are at risk of abuse or neglect, excused absences in the best interest of the child shall be limited to 10 days during the contract period. (5 CCR 18066)

Note: 5 CCR 18066 mandates that providers adopt a policy governing unexcused absences which may include reasonable limitations, if any. The following paragraph may be revised to reflect district practice.

Any absence due to a reason other than any of those stated above, or without the required verification, shall be considered an unexcused absence. After three unexcused absences during the year, the program coordinator or site supervisor shall notify the parents/guardians. Children who continue to have excessive unexcused absences may be removed from the program at the discretion of the program coordinator in order to accommodate other families on the waiting list for admission.

Parents/guardians shall be notified of the policies and procedures related to excused and unexcused absences for child care and development services. (5 CCR 18066)

Rights of Parents/Guardians

Note: The following two paragraphs are is for use by districts that operate one or more licensed child care centers (see "Licensing" section above), but may be used by license-exempt providers.

At the time a child is accepted into a licensed child care and development center, the child's parent/guardian or authorized representative shall be notified of his/her rights as specified in 22 CCR 101218.1, including, but not limited to, the right to enter and inspect the child care facility and the right to be informed, upon request, of the name and type of association to the center of any adult who has been granted a criminal record exemption. (Health and Safety Code 1596.857; 22 CCR 101218.1)

The written notice of parent/guardian rights also shall be permanently posted within the facility in a location accessible to parents/guardians. Notwithstanding these rights, access to the facility may be denied to an adult whose behavior presents a risk to children present in the facility or to noncustodial parents/guardians when so requested by the responsible parent/guardian. (Health and Safety Code 1596.857)

Note: The remainder of this section is for use by all districts and applies to licensed and unlicensed child care programs.

In addition, if a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized child care services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5

CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Records

Note: CDE contracts require the district to submit data on both subsidized and nonsubsidized families served by child care centers. In addition, the district is required to provide monthly reports, through the CDE's online management information system, regarding any families receiving subsidized services during that month.

The Superintendent or designee shall maintain records of enrollment, attendance, types of families served, income received from all families participating in the district's child care and development program, and any other records required by the CDE.

(cf. 3580 - District Records)
(cf. 5125 - Student Records)

Administrative Regulation: PACIFIC ELEMENTARY SCHOOL DISTRICT

Adopted: October 18th, 2009 Davenport, California

Revised: September 19th, 2017 Davenport, California

Pacific ESD

Administrative Regulation

Preschool/Early Childhood Education

AR 5148.3

Students

Note: The following administrative regulation reflects the major requirements of the California State Preschool Program (CSPP) pursuant to Education Code 8235-8239. The CSPP consolidates state preschool programs (Education Code 8235-8237), family literacy programs (Education Code 8238-8238.4), and general child care and development programs to the extent that they serve children 3-4 years of age (Education Code 8240-8244).

Note: The following administrative regulation does not reflect all requirements for other state and federally funded preschool program(s). The district may revise this administrative regulation to reflect other preschool program(s) it offers, such as the state migrant child care and development program (Education Code 8230-8233), state program for severely disabled children (Education Code 8250-8252), federal Head Start program (42 USC 9831-9852), Title I preschool program (20 USC 6311-6322), or preschool program developed and funded by the district.

Note: In addition to the program requirements described below, preschool programs may be subject to other policies contained throughout the district's policy manual (e.g., BP/AR 5148 - Child Care and Development, AR 3514.2 - Integrated Pest Management, BP/AR 1240 - Volunteer Assistance, and food safety standards and nutrition requirements in BP/AR 3550 - Food Service/Child Nutrition Program). Districts should consult legal counsel if they have questions regarding the applicability of other laws to the district's preschool program.

When approved by the California Department of Education (CDE) under the California State Preschool Program, the district may operate one or more part-day preschool programs in accordance with law and the terms of its contract with the CDE.

(cf. 5148 - Child Care and Development)

Note: 5 CCR 18130 specifies the state regulations for child care and development programs that are applicable to CSPP programs. These requirements include, but are not limited to, the program components listed in 5 CCR 18272-18281. See AR 5148 - Child Care and Development for details regarding these required program components.

The district's preschool program shall include all required program components, as described in 5 CCR 18272-18281 and AR 5148 - Child Care and Development, for the educational program, the creation of a developmental profile for each child, staff

development, parent involvement and education, community involvement, health and social services, nutrition, and program evaluation. (5 CCR 18271-28281)

Minimum Hours/Days of Operation

The district's part-day preschool program shall operate a minimum of three hours per day, excluding time for home-to-school transportation, and for a minimum of 175 days per year unless otherwise specified in the program's contract. (Education Code 8235; 5 CCR 18136)

Staffing

The preschool program shall maintain an adult-child ratio of at least one adult for every eight children and a teacher-child ratio of at least one teacher for every 24 children. If the district cannot recruit a sufficient number of parents/guardians or volunteers to meet the required adult-child ratio, teacher aides shall be hired as necessary. (5 CCR 18135, 18290)

(cf. 1240 - Volunteer Assistance)

(cf. 6020 - Parent Involvement)

Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires employees and volunteers at a day care center to be immunized against influenza, pertussis, and measles, with specified exemptions. Health and Safety Code 1597.055, as amended by SB 792, incorporates the immunization requirements into the qualifications of day care teachers and adds a requirement for such teachers to obtain a tuberculosis clearance. Pursuant to Health and Safety Code 1596.76, a day care center includes a preschool. See AR 5148 - Child Care and Development for further information regarding immunization requirements for staff and volunteers. Districts that do not offer child care and development programs and/or have not adopted AR 5148 - Child Care and Development may revise the following paragraph accordingly and expand it to include the exemptions specified in Health and Safety Code 1596.76.

Any person employed at a district preschool and any volunteer who provides care and supervision to children at a preschool shall, unless exempted by law, be immunized against influenza, pertussis, and measles in accordance with Health and Safety Code 1596.7995 and AR 5148 - Child Care and Development. Documentation of required immunizations, or applicable exemptions, shall be maintained in the employee's personnel file. (Health and Safety Code 1596.7995)

(cf. 4112.4 - Health Examinations)

(cf. 4112.6 - Personnel Files)

In addition, preschool teachers shall present evidence of a current tuberculosis clearance and meet other requirements as specified in Health and Safety Code 1597.055.

Wraparound Child Care Services

***Note: The following section is optional. Because preschool programs operated under

the CSPP are part-day programs only, Education Code 8329 encourages districts to contract with the CDE to offer "wraparound child care services" which combine preschool and general child care services to provide a full day of services for eligible families. Such programs must be consistent with requirements for general child care and development programs offered pursuant to Education Code 8240-8244; see BP/AR 5148 - Child Care and Development.***

In accordance with its contract with the CDE, the district may offer full-day services to meet the needs of eligible families through a combination of part-day preschool and wraparound child care services that are offered for the remaining portion of the day or year following completion of the preschool services. Child care and development services offered through this program shall meet the requirements of general child care and development programs pursuant to Education Code 8240-8244. (Education Code 8239)

Wraparound services shall operate a minimum of 246 days per year unless otherwise specified in the contract. Within this period of time, the part-day preschool program shall operate 175-180 days. After the completion of the preschool program, a part-time general child care and development program may operate a full day for the remainder of the year. (Education Code 8239)

Family Literacy Services

Note: The following section is optional. Contingent upon funding in the state Budget Act, Education Code 8238 and 8238.4 provide for the Superintendent of Public Instruction (SPI) to distribute family literacy supplemental grant funds to qualifying CSPP contractors for the purposes described below.

When any district preschool program receives funding for family literacy services pursuant to Education Code 8238.4, the Superintendent or designee shall coordinate the provision of: (Education Code 8238)

1. Opportunities for parents/guardians to work with their children on interactive literacy activities, including activities in which parents/guardians actively participate in facilitating their children's acquisition of prereading skills through guided activities such as shared reading, learning the alphabet, and basic vocabulary development
2. Parenting education for parents/guardians of participating children to support their child's development of literacy skills, including, but not limited to, parent education in:
 - a. Providing support for the educational growth and success of their children
 - b. Improving parent-school communications and parental understanding of school structures and expectations
 - c. Becoming active partners with teachers in the education of their children
 - d. Improving parental knowledge of local resources for the identification of and

services for developmental disabilities, including, but not limited to, contact information for the district special education referral

3. Referrals to providers of adult education and instruction in English as a second language as necessary to improve parents/guardians' academic skills

(cf. 6200 - Adult Education)

4. Staff development for teachers in participating classrooms that includes, but is not limited to:

a. Development of a pedagogical knowledge, including, but not limited to, improved instructional strategies

b. Knowledge and application of developmentally appropriate assessments of the prereading skills of children in participating classrooms

c. Information on working with families, including the use of on-site coaching, for guided practice in interactive literacy activities

d. Providing targeted interventions for all young children to improve kindergarten readiness upon program completion

(cf. 4131 - Staff Development)

Eligibility and Enrollment

Note: The following section reflects eligibility criteria and enrollment priorities for the CSPP pursuant to state law and regulations. 5 CCR 18105 mandates that a district operating a CSPP program develop written admissions policies and procedures that conform to the requirements of 22 CCR 101218, including criteria designating those children whose needs can be met by the program and services and the ages of children who will be accepted.

Children eligible for the district's preschool program include those who will have their third or fourth birthday on or before September 1 of the fiscal year that they are being served. (Education Code 8208, 8235, 8236)

Note: The following paragraph reflects guidance in CDE's Management Bulletin 14-02. See BP 6170.1 - Transitional Kindergarten for eligibility requirements pertaining to the transitional kindergarten program pursuant to Education Code 48000.

When a child is eligible for both the preschool program and the district's transitional kindergarten program, the family may choose the most appropriate program for the child. In accordance with the enrollment priorities described below, the child may be enrolled in both programs provided that the child is not enrolled in both programs for the same time period on the same day.

(cf. 5111 - Admission)
 (cf. 6170.1 - Transitional Kindergarten)

Note: Pursuant to 5 CCR 18082-18083, the parent/guardian must submit an application for services which contains specified information and documentation. The application form is available on the CDE's web site. Upon receiving an application, a person designated by the district must certify the family's or child's eligibility.

Eligibility for subsidized preschool shall be as follows:

1. Children shall be eligible for subsidized preschool services if their family is a current aid recipient, income eligible, or homeless and/or the children are recipients of protective services or have been identified as being or at risk of being abused, neglected, or exploited. (Education Code 8235, 8263, 8263.1; 5 CCR 18131, 18134)
2. Children shall be eligible for subsidized wraparound preschool and child care services if their family meets at least one of the criteria specified in item #1 above and needs child care services due to either of the following circumstances: (Education Code 8239, 8263)

Note: AB 982 (Ch. 567, Statutes of 2015) amended Education Code 8263 to expand the list of entities that can identify a child in need of subsidized services to include a local educational agency liaison for homeless children and youth, a Head Start program, or a transitional shelter and to expand the list of children to be identified to include a homeless child.

- a. The child is identified by a legal, medical, or social services agency, the district liaison for homeless students, a Head Start program, or an emergency or transitional shelter as being a recipient of protective services, as being or at risk of being neglected, abused, or exploited, or as being homeless.

(cf. 6173 - Education for Homeless Children)

- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent housing for family stability; or are incapacitated.

Note: The following paragraph may be revised to reflect district practice. Unless state funding is allocated to support the "centralized eligibility list" established in each county pursuant to Education Code 8499.5, such lists will be maintained only if locally funded. In situations where there is no locally funded centralized eligibility list or the district elects not to participate in the local list, the district must establish its own waiting list in accordance with admission priorities pursuant to 5 CCR 18106.

The Superintendent or designee shall consult the county's centralized eligibility list, when available, or shall maintain a district waiting list in accordance with admission priorities.

As vacancies occur, applicants shall be contacted in order of their priority. (5 CCR 18106)

First priority for enrollment in a preschool program shall be given to neglected or abused children 3 or 4 years of age who are recipients of child protective services or who, based upon written referral from a legal, medical, or social service agency, are at risk of being neglected, abused, or exploited. If unable to enroll a child in this category, the district shall refer the child's parent/guardian to local resource and referral services so that services for the child can be located. (Education Code 8236; 5 CCR 18131)

(cf. 1020 - Youth Services)

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

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

Note: Pursuant to Education Code 8236, second priority for enrollment must be granted to children 4 years of age who are not enrolled in a TK program, as provided in the following paragraph.

Note: In any CSPP program operating with funding that was initially allocated in a prior fiscal year, at least one-half of the children enrolled at a preschool site must be children who are 4 years of age unless an exception is granted by the SPI.

After all children with first priority are enrolled, the district shall give second priority to eligible children 4 years of age who are not enrolled in a transitional kindergarten program prior to enrolling eligible children 3 years of age. (Education Code 8236)

After enrolling all eligible children who meet the criteria for subsidized services, up to 10 percent of the program's enrollment, calculated throughout the entire contract, may be filled with children who exceed the age limitations and children whose family income is no more than 15 percent above the income eligibility threshold. (Education Code 8235; 5 CCR 18133)

The district may certify eligibility and enrollment up to 120 calendar days prior to the first day of the beginning of the preschool year. After establishing eligibility at the time of initial enrollment, a child shall remain eligible for the remainder of the program year. (Education Code 8237; 5 CCR 18082)

Note: Pursuant to 5 CCR 18130, CSPP programs are subject to 5 CCR 18094 and 18118, which require the district to provide written notification to parents/guardians as to whether their application for subsidized services has been approved or denied. For this purpose, the district should use the Notice of Action form available on the CDE's web site. If the services are denied, the parent/guardian may appeal the decision in accordance with 5 CCR 18120-18122; see section "Parent Hearing" below.

The district's decision to approve or deny a child's enrollment shall be communicated to the family through a written Notice of Action mailed or delivered within 30 days from the date the application is signed by the parent/guardian. (5 CCR 18094, 18095, 18118)

(cf. 5145.6 - Parental Notifications)

Note: 5 CCR 18095 and 18119 require the district to notify a parent/guardian of any change in services or fees as described below. For such notification, the district should use the Notice of Action form available on the CDE's web site. Parents/guardians may appeal such actions pursuant to 5 CCR 18120-18122; see section "Parent Hearing" below.

Subsequently, the Superintendent or designee shall mail or deliver a Notice of Action to a parent/guardian at least 14 calendar days before any intended change in services, including, but not limited to, an increase or decrease in fees, an increase or decrease in the amount of services, or termination of services, due to any of the following circumstances: (5 CCR 18095, 18119)

1. A determination during recertification or update of the application that the need or eligibility requirements are no longer being met or the fee or amount of service needs to be modified
2. Failure of the parent/guardian to document the family's need or eligibility after the district requested such documentation in writing
3. An indication by the parent/guardian that he/she no longer wants the service
4. The death of a parent/guardian or child
5. The conclusion of a limited-term agreement, provided that the parent/guardian has been informed in writing of the date that the services would terminate

For each child enrolled in the district's preschool program, the Superintendent or designee shall maintain a family data file containing a completed and signed application for services, documentation of income eligibility, and a copy of all Notices of Action. For each child not receiving subsidized services, the family data file shall also include records of the specific reason(s) for enrolling each child, the child's family income, and evidence that the district has made a diligent search for children eligible for subsidized services. (5 CCR 18130, 18133, 18081, 18084)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 5125 - Student Records)

Fees and Charges

Fees for participation in the district's preschool program shall be assessed and collected in accordance with the fee schedule established by the Superintendent of Public Instruction. (Education Code 8273, 8273.2; 5 CCR 18078)

(cf. 3260 - Fees and Charges)

However, no fee shall be charged to an income-eligible family whose child is enrolled in a part-day preschool program, a family that is receiving CalWORKs cash aid, or a family that is otherwise exempted pursuant to Education Code 8273.1. (Education Code 8273.1; 5 CCR 18110)

In addition, any family qualifying for subsidized preschool on the basis of having a child who is a recipient of child protective services, or having a certification by a county child welfare agency that services continue to be necessary, may be exempt from these fees for up to 12 months. Any family whose child is receiving subsidized preschool on the basis of being at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months, unless the family becomes eligible based on receipt of child protective services or certification of need by a county child welfare agency. The cumulative period of exemption for these purposes shall not exceed 12 months. (Education Code 8273.1)

Note: Education Code 8273.3 authorizes a district offering a CSPP program to charge a fee for field trips and/or to require parents/guardians to provide diapers, but mandates that the district adopt policy to include parents/guardians in the decision-making about such fees, as provided below. Pursuant to Education Code 8273.3, the fees cannot exceed \$25 per child in the contract year. The following paragraph may be modified to delete diapers as appropriate for the age of the children served.

The Superintendent or designee shall establish a process that involves parents/guardians in determining whether to require parents/guardians to provide diapers. This process shall also be used to determine whether and how much to charge parents/guardians for field trip expenses, within the limit specified in law. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8273.3)

Disenrollment

***Note: Education Code 8263.3 specifies the order by which families will be disenrolled from child care and development services when funding levels are reduced. The following list applies that order of disenrollment to CSPP programs but takes into account the priority specified in Education Code 8236 to enroll children 4 years of age before enrolling children 3 years of age. ***

When necessary due to a reduction in state reimbursements, families shall be disenrolled in the following order: (Education Code 8236, 8263.3)

1. Children 3 years of age whose families have the highest income in relation to family size shall be disenrolled first, followed by children 4 years of age whose families have the highest income in relation to family size.

At each age level, if two or more families have the same income ranking, the child with disabilities shall be disenrolled last. If there are no families that have a child with disabilities, the child who has received services the longest shall be disenrolled first.

2. Families of children 3 or 4 years of age who are receiving child protective services or who have been documented to be at risk of being neglected, abused, or exploited, regardless of income, shall be disenrolled last.

Parent Hearing

Note: Pursuant to 5 CCR 18130, districts are subject to the requirements of 5 CCR 18120-18122 to provide due process to parents/guardians who disagree with certain district actions, such as when services are denied, there is a change in services or fees, or their child is disenrolled.

If a parent/guardian disagrees with any district action to deny his/her child's eligibility for subsidized preschool services, disenroll the child due to a funding shortage, increase or decrease fees, increase or decrease the amount of services, terminate services, or otherwise change the level of services, he/she may file a request for a hearing with the Superintendent or designee within 14 calendar days of the date the Notice of Action was received. Within 10 calendar days of receiving the request for a hearing, the Superintendent or designee shall notify the parent/guardian of the time and place of the hearing, which, to the extent possible, shall be convenient for the parent/guardian. (5 CCR 18120)

The hearing shall be conducted in accordance with the procedures specified in 5 CCR 18120 by a district administrator who is at a staff level higher in authority than the staff person who made the contested decision. Within 10 calendar days after the hearing, the district administrator shall mail or deliver a written decision to the parent/guardian. If the parent/guardian disagrees with the written decision, he/she may, within 14 calendar days, appeal the decision to the CDE. (5 CCR 18120-18122)

Administrative Regulation: PACIFIC ELEMENTARY SCHOOL DISTRICT

Adopted: October 18th, 2009 Davenport, California

Revised: September 19th, 2017 Davenport, California

Pacific Elementary School District

Board of Trustees Meeting
Tuesday, September 19th, 2017 @ 4:00 PM
Pacific Elementary School, Davenport, CA

Pacific School Mission Statement

Pacific School's mission is to prepare children for life through experiential learning that addresses the needs of the whole child. We create a safe and secure school environment that promotes social and academic growth and develops an enthusiasm for learning, a positive self-image, and cross-cultural understanding.

All persons are encouraged to attend and, where appropriate, to participate in, meetings of the Pacific School Board of Trustees. Persons wishing to address the Board are asked to state their names for the record. Consideration of all matters is conducted in open session except for those relating to litigation, personnel, and employee negotiations, which, by law, may be considered in executive (closed) session.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please provide a written request to: Eric Gross, Superintendent/Principal at the Pacific School District Office at least three working days prior to any public meeting.

Board Meeting Agenda

1. OPENING PROCEDURES FOR OPEN SESSION

- 1.1. Call to Order
- 1.2. Roll Call & Establishment of Quorum
 - 1.2.1. Gwyan Rhabyt, Board President
 - 1.2.2. Don Croll, Board Trustee
 - 1.2.3. Cari Napoles, Board Trustee
- 1.3. Oath of Office – President Rhabyt will administer the Oath of Office to incoming Trustee, Ms. Napoles.
- 1.4. Approval of the agenda for September 19th, 2017
 - 1.4.1. Agenda deletions, additions, or changes of sequence

2. PUBLIC COMMENTS

- 2.1. For items not on the agenda, this is an opportunity for the public to address the board directly related to school business. The Board President may allot time to those wishing to speak, but no action will be taken on matters presented (EC §35145.5).
- 2.2. For items on the agenda, the public will have the opportunity to speak at the time the agenda item is discussed. Please address the Board President.

3. REPORTS

- 3.1. Superintendent Report
- 3.2. Board Member Reports
- 3.3. School Site Council Report:

- 3.4. Parents Club Report:
- 4. **CONSENT AGENDA:** These matters may be passed by one roll call motion. Board Members may remove items from the agenda for a separate discussion and vote.
 - 4.1. Approval of Minutes of the Board Meeting on: August 15th, 2017
 - 4.2. Approval of Warrant Registers
 - 4.3. Preschool's outside evaluation on the ECERS tool
 - 4.4. Santa Cruz County College Commitment Memorandum Of Understanding for Sharing Data
 - 4.5. Phi Delta Kappan Poll 2017
 - 4.6. Approval of Section 125 Plan
 - 4.7. Integrated Pest Management (IPM) Plan
 - 4.8. GASB 68
 - 4.9. County Office of Education Approval of 2017-18 Budget & LCAP
- 5. **PUBLIC HEARINGS**
 - 5.1. Sufficiency of Instructional Materials
- 6. **BOARD RESOLUTIONS**
 - 6.1. Sufficiency of Instructional Materials
- 7. **ITEMS TO BE TRANSACTED AND/OR DISCUSSED**
 - 7.1. Approval of Board Policies, Administrative Regulations, Board Bylaws, & Exhibits
 - 7.1.1. BP 1325 Advertising & Promotion
 - 7.1.2. BP & AR 5148 Child Care And Development
 - 7.1.3. BP 5111.3 Protection of Undocumented
 - 7.1.4. AR 5148.3 Preschool/Early Childhood Education
 - 7.2. Withdrawal of Board Policies, Administrative Regulations, Board Bylaws, & Exhibits
 - 7.2.1. BP & AR 3111 Deferred Maintenance Funds
 - 7.3. Enrollment – Staff will share updated enrollment numbers for the start of the 2017-18 school year
 - 7.4. Budget – Board will approve the Unaudited Actuals
 - 7.5. Facilities -- Staff will provide an update on facilities projects
 - 7.5.1. Proposition 39:
 - 7.5.1.1. Furnaces
 - 7.5.1.2. Photovoltaic Solar Panels
 - 7.5.2. Roof Repair: FEMA or Insurance
 - 7.5.3. County (Green Schools): hydration station
 - 7.5.4. Electrical repair in room 3
 - 7.5.5. Bond funded projects
 - 7.6. CAASPP Results from Spring 2017
 - 7.7. Superintendent's Evaluation Goals
- 8. **SCHEDULE OF COMING EVENTS**
 - 8.1. Next Regular Board Meeting: October 17th, 2017
- 9. **CLOSED SESSION**
 - 9.1. Public Employee Appointment (Section 54957)
 - 9.1.1. Instructional Assistant
- 10. **REPORT OF ACTIONS TAKEN IN CLOSED SESSION**

11. ADJOURNMENT

If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by section 202 of the Americans with Disabilities Act (42 U.S.C. section 12132) and the federal rules and regulations implementing the Act. Individuals requesting a disability-related modification or accommodation may contact the District Office.

The board book for this meeting, including this agenda and any back-up materials, may be viewed or downloaded online: <http://www.pacificesd.org/governance.html> or may be viewed at the school: 50 Ocean St. Davenport CA 95017.

Translation Requests: Spanish language translation is available on an as-needed basis.

Solicitudes de Traducción: *Traducciones del inglés al español y del español al inglés están disponibles en las sesiones de la mesa directiva.*

Pacific Elementary School District

Board of Trustees Meeting
Tuesday, August 15th, 2017 @ 4:00 PM
Pacific Elementary School, Davenport, CA

Pacific School Mission Statement

Pacific School's mission is to prepare children for life through experiential learning that addresses the needs of the whole child. We create a safe and secure school environment that promotes social and academic growth and develops an enthusiasm for learning, a positive self-image, and cross-cultural understanding.

All persons are encouraged to attend and, where appropriate, to participate in, meetings of the Pacific School Board of Trustees. Persons wishing to address the Board are asked to state their names for the record. Consideration of all matters is conducted in open session except for those relating to litigation, personnel, and employee negotiations, which, by law, may be considered in executive (closed) session.

Meeting facilities are accessible to persons with disabilities. By request, alternative agenda document formats are available to persons with disabilities. To arrange an alternative agenda document format or to arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, please provide a written request to: Eric Gross, Superintendent/Principal at the Pacific School District Office at least three working days prior to any public meeting.

Board Meeting Agenda

1. OPENING PROCEDURES FOR OPEN SESSION

- 1.1. Call to Order – 4:05 p.m.
- 1.2. Roll Call & Establishment of Quorum
 - 1.2.1. Gwyan Rhabyt, Board President - Present
 - 1.2.2. Don Croll, Board Trustee – Arrived 4:10 p.m.
 - 1.2.3. Cari Napoles, Board Trustee - Present
- 1.3. Oath of Office – President Rhabyt will administer the Oath of Office to incoming Trustee, Ms. Napoles. - Administered
- 1.4. Approval of the agenda for June 28th, 2017
 - 1.4.1. Agenda deletions, additions, or changes of sequence – no changes

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 2 in favor, 0 opposed, 0 abstentions, 1 absence.

2. PUBLIC COMMENTS

- 2.1. For items not on the agenda, this is an opportunity for the public to address the board directly related to school business. The Board President may allot time to those wishing to speak, but no action will be taken on matters presented (EC §35145.5).
- 2.2. For items on the agenda, the public will have the opportunity to speak at the time the agenda item is discussed. Please address the Board President.

None.

3. REPORTS

3.1. Superintendent Report

Michael Watkins, county superintendent of schools, is resigning. Faris Sabah is running for the position.

Districts are being required to develop threat assessment plans. The county is providing support for this.

Mr. Gross is interested in pursuing staff housing.

25 backpacks including school supplies were donated to the school and will distributed to students receiving free or reduced price lunch.

There was an inquiring regarding aide staffing which Mr. Gross declined to address, as it involved confidential student information.

3.2. Board Member Reports

Ms. Napoles is working with Parents' Club and Friends of Food Lab to coordinate fundraising efforts.

The Board reviewed the tax base of various districts.

3.3. School Site Council Report: None

3.4. Parents Club Report: None

4. CONSENT AGENDA: These matters may be passed by one roll call motion. Board Members may remove items from the agenda for a separate discussion and vote.

4.1. Approval of Minutes of the Board Meeting on: June 28th, 2017

4.2. Approval of Warrant Register

4.3. Williams Report

4.4. State budget

4.5. Annual Determination for Individuals with Disabilities in Education Act (IDEA)

4.6. Principal Tax Apportionment Data

Approved all items with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

5. PUBLIC HEARINGS

5.1. None

6. BOARD RESOLUTIONS

6.1. None

7. ITEMS TO BE TRANSACTED AND/OR DISCUSSED

7.1. Board Orientation

7.1.1. Brown Act

Mr. Gross summarized the Brown Act and its impact on our 3-member Board. He also reviewed what gets discussed in closed session.

7.1.2. Terms of Office for Trustees

Mr. Croll and Ms. Napoles are up for election in 2018. Mr. Rhabyt is up for election in 2020.

7.1.3. Gamut: <http://www.pacificesd.org/board-policies.html>

The Board practiced logging into Gamut to locate Board policies.

7.1.4. CSBA Tools:

<https://www.csba.org/GovernanceAndPolicyResources/EffectiveGovernance.aspx>

The Board discussed ways to utilize this resource.

7.2. Approval of Board Policies, Administrative Regulations, Board Bylaws, & Exhibits

7.2.1. BP 0000 Vision

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.2. BP 0100 Philosophy

Mr. Rhabyt is interested in revisiting this policy at a future date. Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.3. BP 2140 Evaluation of the Superintendent

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.4. AR 4112.2 Certification

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.5. AR 4112.61, AR 4212.61, AR 4312.61 Employment References

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.6. AR 5148.3 Preschool

In the paragraph starting “The superintendent or designee shall consult...,” the words “when available” will be changed to “as appropriate”. Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.7. BP 6161.1, E 6161.1, Selection and Evaluation of Instructional Materials

Approved both with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.8. BB 9121 President

Approved with option 2. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.9. BB 9220 Governing Board Elections

First question regarding at-large elections, the Board selected option 2. Question 2, candidate statement, the Board selected option 1. Question 3, campaign materials, the Board selected option 2. Question 4, tie votes, the Board selected option 1. Approved as described. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.2.10. BB 9230 Orientation

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0

opposed, 0 abstentions, 0 absences.

7.2.11. BB 9400 Board Self-Evaluation

Approved with no changes. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.3. Withdrawal of Board Policies, Administrative Regulations, Board Bylaws, & Exhibits

7.3.1. AR 0000 Vision

7.3.2. BP 4112.61, BP 4212.61, BP 4312.61 Employment References

Approved all withdrawals listed above. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

7.4. Facilities -- Staff will provide an update on facilities projects

7.4.1. Proposition 39:

7.4.1.1. Measurement & Verification Report

7.4.1.2. Window film

7.4.1.3. Furnaces

7.4.1.4. Photovoltaic Solar Panels

Soffit lights have been replaced with energy efficient fixtures. Window films placed on the two Independent Study classroom windows. Furnaces in the main building will be replaced during the school year on a weekend. Photovoltaic panels will be placed on just the two new buildings. Both energy use and cost are down since previous projects were installed.

7.4.2. Insurance: hallway

The hallway near the kindergarten classroom has had sheetrock replaced and new paint to repair damage from leak. This work was paid for by our insurance.

7.4.3. FEMA: roof

FEMA may pay for part of the roof repairs. Otherwise they will be paid for by fund 14 – deferred maintenance.

7.4.4. County (Green Schools): hydration station

The county green schools program may give us a drinking fountain with water bottle filling feature.

7.5. CAASPP Results from Spring 2017

Mr. Gross discussed CAASPP results coming soon. Because of our small student body size, it is hard to draw meaningful conclusions. Parents will get results in September.

7.6. Board Self-evaluation

7.6.1. CSBA Tool

7.6.2. Local Tool

The Board informally agreed to continue using the local tool.

7.7. Salary Schedules

7.7.1. Bilingual Stipends

7.7.2. Psychologist

The Board declined the bilingual stipends and accepted the addition of the salary scale for a school psychologist. Approved as described. Mr. Rhabyt moved, Ms. Napoles seconded. 3 in favor, 0 opposed, 0 abstentions, 0 absences.

8. SCHEDULE OF COMING EVENTS

8.1. Next Regular Board Meeting: September 19th, 2017

9. CLOSED SESSION

9.1. Public Employee Discipline/Dismissal/Release (Section 54957.6)

- 9.1.1.** Instructional Assistant
- 9.1.2.** Instructional Assistant
- 9.1.3.** Instructional Assistant
- 9.1.4.** Music Instructor
- 9.1.5.** Psychologist

9.2. Public Employee Appointment (Section 54957)

- 9.2.1.** Special Circumstances Instructional Assistant
- 9.2.2.** Special Circumstances Instructional Assistant
- 9.2.3.** Special Circumstances Instructional Assistant
- 9.2.4.** Special Circumstances Instructional Assistant
- 9.2.5.** Instructional Assistant
- 9.2.6.** Instructional Assistant
- 9.2.7.** Music Instructor
- 9.2.8.** Psychologist

10. REPORT OF ACTIONS TAKEN IN CLOSED SESSION

Accepted resignations, approved appointments.

11. ADJOURNMENT – 6:35 p.m.

If requested, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by section 202 of the Americans with Disabilities Act (42 U.S.C. section 12132) and the federal rules and regulations implementing the Act. Individuals requesting a disability-related modification or accommodation may contact the District Office.

The board book for this meeting, including this agenda and any back-up materials, may be viewed or downloaded online: <http://www.pacificesd.org/governance.html> or may be viewed at the school: 50 Ocean St. Davenport CA 95017.

Translation Requests: Spanish language translation is available on an as-needed basis.

Solicitudes de Traducción: *Traducciones del inglés al español y del español al inglés están disponibles en las sesiones de la mesa directiva.*

Pacific ESD

Board Policy

Advertising And Promotion

BP 1325

Community Relations

Note: The following optional policy addresses the distribution of commercial and noncommercial materials as well as advertising in school-sponsored publications and on school facilities by outside/nonschool groups. Student speech, including the distribution of printed materials by students, is addressed in BP/AR 5145.2 - Freedom of Speech/Expression.

The Governing Board establishes this policy to ensure effective and consistent implementation of its directions related to advertisements and promotions by nonschool groups in school-sponsored publications, web sites, and social media and on school facilities. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

(cf. 1113 - District and School Web Sites)
 (cf. 1114 - District-Sponsored Social Media)
 (cf. 1330 - Use of School Facilities)
 (cf. 5145.2 - Freedom of Speech/Expression)
 (cf. 6145.5 - Student Organizations and Equal Access)

Note: School facilities and school-sponsored publications are public property and are subject to freedom of expression rights granted by the First Amendment to the United States Constitution and Article 1, Section 2 of the California State Constitution. However, because school facilities and school-sponsored publications are generally for school purposes, they are regarded as "nonpublic fora" and the Governing Board has extensive authority to regulate them. In exercising this authority, the Board may decide not to accept any form of advertising or distribution of materials (nonpublic forum), as stated in Option 1 below, or to accept some advertising and/or distribution of materials, but only from certain groups or on certain topics (limited public forum), as provided in Option 2. In addition, the Board may maintain a "nonpublic forum" for advertising in school publications or on school facilities while designating a "limited public forum" for distribution of materials at district schools, or a "nonpublic forum" at its elementary schools and a "limited public forum" at its high schools.

***Note: Whichever option the district chooses, school officials should ensure that they enforce the policy in a consistent manner, as courts look beyond the district's intent as stated in its policy and look to the actual practice of school officials in determining whether a district facility or publication is a "nonpublic" or "limited public" forum (Board of Education of the Westside Community Schools v. Mergens). Because this area of law is complex, it is strongly recommended that legal counsel be consulted prior to the

adoption of policy in this area.***

OPTION 1: Nonpublic Forum

The Board believes that in order to maintain focus on academic achievement in district schools, students' exposure to the persuasive influence of marketing should be minimized. The Superintendent or designee shall not allow any advertisement from any nonschool group to be included in any district- or school-sponsored publication, web site, or social media, or to be posted on any school property such as scoreboards and billboards. In addition, no nonschool group's announcement, flyer, or other promotional material shall be disseminated by the district or distributed at any school facility or grounds.

Note: Districts that have created a "nonpublic forum" must delete the remainder of this policy in order to ensure that their "nonpublic forum" status is maintained.

OPTION 2: Limited Public Forum

Note: When the Board chooses Option 2, it may adopt any rules that are reasonable to achieve its intended purpose for the forum, as long as the rules do not discriminate against members of the public based on their viewpoints. In *Hills v. Scottsdale Unified School District 48*, the Ninth Circuit Court of Appeals held that the district discriminated against the plaintiff on the basis of his religious viewpoint and violated his First Amendment right when the district refused to distribute the plaintiff's brochure for summer camps because it included some religious classes, though it permitted the distribution of similar literature by secular groups.

The Board desires to promote positive relationships between district schools and the community in order to enhance community support and involvement in the schools. The Superintendent or designee may approve:

Note: The Board may select any or all of optional items #1-5 below to reflect the types of materials and/or advertising that it will allow.

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 6162.8 - Research)

2. Distribution of promotional materials of a commercial nature to students or parents/guardians

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

3. Paid advertisements on school property, including, but not limited to, advertisements on billboards and scoreboards

4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 6161.11 - Supplementary Instructional Materials)

Note: Generally, courts have upheld procedures that place reasonable "time, place, and manner" restrictions on materials to be distributed, as long as the same restrictions were placed on all materials (*Hemry v. School Board of Colorado Springs*). The district might want to consider developing procedures that limit the "time, place, and manner" of distributions, such as limiting distribution to before or after school hours or creating a central location for the distribution of all materials. Legal counsel should be consulted as appropriate.

Prior to the distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

Note: The district might also consider requiring sponsoring entities to include a disclaimer on all materials to be distributed. For example, a disclaimer might state that "this event is not school-sponsored or approved" or that "opinions are not necessarily those of the school district or school personnel." The district should consult legal counsel as appropriate.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any nonschool group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

Criteria for Approval

Note: The following optional section is for use by districts that select Option 2 (limited public forum) above and may be revised to reflect criteria established by the Board.

The Superintendent, principal, or designee shall not accept for distribution any materials or advertisements that:

1. Are lewd, obscene, libelous, or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools

Note: Optional item #3 below prohibits the distribution of political materials or political advertising except under certain circumstances. Pursuant to Education Code 7058, the Board may conduct a political forum if it is made available to all sides on an equitable basis.

3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

(cf. 1160 - Political Processes)

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

Note: In DiLoreto v. Downey Unified School District, the Ninth Circuit Court of Appeals held that a district's refusal to post a paid religious advertisement featuring the Ten Commandments on an athletic field fence reserved for commercial advertising was a reasonable way for the district to avoid being placed on one side of a controversial issue. The court concluded that, as a nonpublic forum, the district had the right to regulate content since it did not open the forum (the fence) to all expressive activities but, in fact, had reserved it for commercial speech. Districts wishing to establish policy dealing with the distribution of religious materials should consult legal counsel.

4. Proselytize or position the district on any side of a controversial issue

(cf. 6144 - Controversial Issues)

5. Discriminate against, attack, or denigrate any group on account of any unlawful consideration

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

6. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, non-nutritious foods and beverages, and movies or products unsuitable for children

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.62 - Tobacco)

7. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

(cf. 1321 - Solicitation of Funds from and by Students)

8. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee also may consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

(cf. 0000 - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks, as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

Legal Reference:

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38138 Civic Center Act

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

COURT CASES

Hills v. Scottsdale Unified School District 48, (2003) 329 F.3d 1044

DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958

Yeo v. Town of Lexington, (1997) U.S. First Circuit Court of Appeals, No. 96-1623

Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856

Bright v. Los Angeles Unified School District, (1976) 134 Cal. Rptr. 639, 556 P.2d 1090, 18 Cal. 3d 350

Lehman v. Shaker Heights, (1974) 418 U.S. 298

Management Resources:

CSBA PUBLICATIONS

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

WEB SITES

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

Policy: PACIFIC ELEMENTARY SCHOOL DISTRICT
Adopted: October 18th, 2009 Davenport, California
Revised: September 19th, 2017 Davenport, California

PROTECTION OF UNDOCUMENTED STUDENTS

All students have the right to attend public school and enjoy access to equitable educational and programmatic services regardless of the immigration status of the student or of the student's family members.

For the purposes of this policy, "District personnel" includes all District employees, counsel for the District, and any agencies contracting with the District.

District personnel shall not take any steps that would deny students access to education based on their immigration status or any steps that would impede the rights of any students to public education under the U.S. Supreme Court's 1982 ruling in *Plyler v. Doe*, the Family Educational Rights and Privacy Act (FERPA), the California Education Code, and any other applicable state and federal law.

Absent any applicable federal, state, local law or regulation or local ordinance or court decision, District personnel shall abide by the following conduct:

District personnel shall not treat students disparately for PESD residency determination purposes on the basis of their immigration status.

All District students who meet the relevant programmatic criteria are entitled to receive all school services, including free lunch, free breakfast, transportation, and educational services, regardless of the immigration status of the student or of the student's family members. This entitlement exists whether or not the student or the student's family members have social security numbers.

District personnel shall not inquire about, or record in any way, a student's immigration status, nor shall District personnel require documentation of any student's legal status, such as asking for a "green card" or citizenship papers, at initial registration or at any other time, for any purpose.

District personnel shall not require students to apply for Social Security numbers nor shall the District require students to supply a Social Security number for any purpose.

If any member of the PESD community (including students, families, or staff) has questions about their immigration status, District personnel shall not refer them to the Immigration and Customs Enforcement Office ("ICE") or any other government agency. Instead, District personnel shall refer them to local non-profit immigration law organizations. A list of such organizations shall be compiled by the Superintendent or designee and widely disseminated at school sites and on the District's website. The Superintendent is also encouraged to increase and enhance partnerships with community-based organizations, legal services organizations, and other educational institutions (such as community colleges and universities) to provide resources for families of students or District employees who are facing deportation or other adverse immigration consequences.

PROTECTION OF UNDOCUMENTED STUDENTS (continued)

It is the general policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit. Because the Governing Board believes that ICE activities in and around schools, early education centers, and adult school facilities would constitute a severe disruption to the learning environment and educational setting for students, any request by ICE to any District personnel to visit a school site shall be immediately forwarded to the Superintendent for review and consultation with legal counsel, to ensure the safety of all students, as well as compliance with Plyler v. Doe and other applicable state and federal laws.

All requests for documents by ICE to the District or any District personnel shall be immediately forwarded to the Superintendent for review and consultation with legal counsel and the Governing Board (in closed session if necessary), to ensure the safety of all students, as well as compliance with Plyler v. Doe and other applicable state and federal laws.

The Superintendent or designee shall ensure all teachers and other staff are trained on how to implement this policy and shall ensure that notification with required translation be distributed to families to fully inform them of their rights in the District.

The Superintendent shall forward a copy of this policy to the office of the U.S. Representative for California's 20th congressional district, as well as the office of each of California's representatives in the United States Senate.

Pacific ESD

Board Policy

Child Care And Development

BP 5148
Students

Note: The following policy is for use by districts that operate child care and development services through a contract with the California Department of Education (CDE). The Child Care and Development Services Act (Education Code 8200-8499.10) establishes a variety of child care programs that may be offered by districts or other local providers. These include, but are not limited to, General Child Care and Development, Resource and Referral, Alternative Payment, Migrant Child Care and Development, and Severely Handicapped programs. The district may revise the following policy to reflect the specific program(s) offered by the district and to ensure its compliance with the terms of its contract(s) with the CDE. Compliance with major requirements for early education and support programs is reviewed during the CDE's Federal Program Monitoring/Contract Monitoring Review process.

For requirements pertaining to before-school and after-school programs, including the After-School Education and Safety program (Education Code 8482-8484.65) and 21st Century Community Learning Centers (Education Code 8484.7-8484.8), see BP/AR 5148.2 - Before/After School Programs. The California State Preschool Program (Education Code 8235-8239) for children ages 3-4 is addressed in BP/AR 5148.3 - Preschool/Early Childhood Education.

The Governing Board desires to provide child care and development services which meet the developmental needs of children and offer a convenient child care alternative for parents/guardians in the community.

(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6175 - Migrant Education Program)

The Board shall enter into a contract with the California Department of Education (CDE) for the provision of child care and development services by the district.

(cf. 3312 - Contracts)

***Note: The following optional paragraph may be revised to reflect district practice. Education Code 8499-8499.7 establish county-level child care and development planning councils, with members selected by the County Board of

Supervisors and County Superintendent of Schools, to identify local priorities for child care and to develop policies to meet identified needs.***

The district shall work cooperatively with the local child care and development planning council, public and private agencies, parents/guardians, and other community members to assess child care needs in the community, establish program priorities, obtain ongoing feedback on program quality, and supply information about child care options.

(cf. 1020 - Youth Services)

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

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

Note: Pursuant to 5 CCR 18271, the district must have a written philosophical statement, goals, and objectives, approved by the Governing Board, which address each program component specified in 5 CCR 18272-18281. See the accompanying administrative regulation for required program components.

The Board shall approve for the district's child care and development program a written philosophical statement, goals, and objectives that reflect the cultural and linguistic characteristics of the families to be served and address the program components specified in 5 CCR 18272-18281 and the accompanying administrative regulation. (5 CCR 18271)

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

Eligibility and Enrollment

Note: Pursuant to 5 CCR 18105, districts contracting with CDE to offer child care services are mandated to develop written admissions policies and procedures that conform to requirements of 22 CCR 101218, as provided below. See the accompanying administrative regulation for additional language that fulfills this mandate.

Child care admissions policies and procedures shall be in writing and available to the public. Such policies and procedures shall include criteria designating those children whose needs can be met by the child care center's program and services, the ages of children who will be accepted, program activities, any supplementary services provided, any field trip provisions, any transportation arrangements, food service provisions, and health examination requirements. (5 CCR 18105; 22 CCR 101218)

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

(cf. 3540 - Transportation)

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Note: Education Code 8263 and 5 CCR 18106 establish eligibility criteria and priorities for subsidized child care services, as provided below and in the accompanying administrative regulation.

Eligibility is generally limited to children who reside within district boundaries. However, Education Code 8322 and 5 CCR 18107 authorize the Board to enter into an agreement with the boards of other districts to serve children who reside within those districts. The district may revise the following paragraph to reflect any such agreement approved by the Board.

The Superintendent or designee shall ensure that subsidized child care is provided to eligible families to the extent that state and/or federal funding is available and shall establish enrollment priorities in accordance with Education Code 8263 and 5 CCR 18106.

Note: The following paragraph is optional and may be revised to reflect any district-established priorities for nonsubsidized services.

To the extent that space is available after the enrollment of children who are eligible for subsidized services, priority for admissions shall be given to district students, children of district students, and children of district employees.

(cf. 5111.1 - District Residency)

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

Staffing

Note: The Commission on Teacher Credentialing issues permits for child development program directors, site supervisors, master teachers, teachers, associate teachers, and assistants pursuant to criteria established in Education Code 8360-8370 and 5 CCR 80105-80125. The district may request from the CDE a waiver of the qualification requirements for a site supervisor upon demonstration of a compelling need, in accordance with Education Code 8208(aa) and 5 CCR 18295.

Note: Health and Safety Code 1596.7995, as added by SB 792 (Ch. 807, Statutes of 2015), requires that employees and volunteers at a day care center be immunized against influenza, pertussis, and measles, with specified exemptions. In addition, Health and Safety Code 1597.055, as amended by SB 792, requires that teachers in a day care center obtain a tuberculosis clearance. See the accompanying administrative regulation.

The Superintendent or designee shall ensure that individuals working in child care and development programs have the necessary qualifications and have satisfied all legal requirements.

(cf. 1240 - Volunteer Assistance)
(cf. 4112.2 - Certification)
(cf. 4112.4/4212.4/4312.4 - Health Examinations)
(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Facilities

Note: Optional items #1-5 below present examples of methods that may be used to provide facilities for child care services and may be revised to reflect district practice.

Pursuant to Education Code 8278.3, districts providing subsidized child care services that have a current need for facilities are eligible to apply for loans under the Child Care Facilities Revolving Fund. For further information, see the CDE's web site.

Upon recommendation of the Superintendent or designee, the Board may approve any of the following for the provision of child care and development services:

1. The use of existing district facilities that have capacity
2. Renovation or improvement of district facilities to make them suitable for such services
3. Purchase of relocatable child care facilities
4. Inclusion of child care facilities in any new construction
5. Agreement with a public agency or community organization for the use of community facilities

(cf. 1330.1 - Joint Use Agreements)
(cf. 7110 - Facilities Master Plan)

The Superintendent or designee shall ensure that facilities used for child care services meet all applicable health and safety standards. (5 CCR 18020; 22 CCR 101238-101239.2)

Complaints

***Note: Pursuant to 5 CCR 4610, the district's uniform complaint procedures should be used to resolve any complaint alleging violation of state or federal laws governing educational programs, including child care and development

programs; see BP/AR 1312.3 - Uniform Complaint Procedures. However, as clarified in the CDE's brochure Uniform Complaint Procedures, health and safety complaints regarding child care and development programs should be referred to other agencies as described in the following paragraph and BP 1312.3.***

Pursuant to 22 CCR 101156, all child care centers must be licensed by the California Department of Social Services unless exempted by law. See the accompanying administrative regulation for information about child care programs that are exempted from licensure requirements. If all of the district's child care services are either licensed or license-exempt, the district may revise the following paragraph to reflect the types of facilities maintained by the district.

For a licensed child care center, any complaint alleging health and safety violations shall be referred to the California Department of Social Services. For a license-exempt facility, such complaints shall be referred to the appropriate Child Development regional administrator. Any other alleged violation of state or federal laws governing child care and development programs shall be investigated and resolved using the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Program Evaluation

Note: 5 CCR 18279-18281 require child care and development programs to be evaluated through the CDE's standardized "Desired Results for Children and Families" system. The system requires a program self-evaluation that includes, but is not limited to, a staff assessment, a parent survey, and an environment rating scale using instruments selected by the CDE; see the accompanying administrative regulation. The annual report submitted to the CDE also must include an action plan presented on the appropriate CDE form.

The Superintendent or designee shall annually conduct an evaluation of the district's child care and development services in accordance with state requirements. The evaluation report shall be submitted to the Board and the CDE along with an action plan which establishes program goals and objectives for the coming year and addresses any areas identified as needing improvement. (5 CCR 18279-18281)

(cf. 0500 - Accountability)

Legal Reference:

EDUCATION CODE

8200-8499.10 Child Care and Development Services Act, especially:
8200-8209 General provisions for child care and development services

8210-8216 Resource and referral program
 8220-8226 Alternative payment program
 8230-8233 Migrant child care and development program
 8235-8239 California state preschool program
 8240-8244 General child care programs
 8250-8252 Programs for children with special needs
 8263 Eligibility and priorities for subsidized child development services
 8263.3 Disenrollment of families due to reduced funding levels
 8263.4 Enrollment of students ages 11-12 years
 8273-8273.3 Fees
 8278.3 Child Care Facilities Revolving Fund
 8360-8370 Personnel qualifications
 8400-8409 Contracts
 8482-8484.65 After-school education and safety program
 8484.7-8484.8 21st Century community learning centers
 8493-8498 Facilities
 8499-8499.7 Local planning councils
 49540-49546 Child care food program
 49570 National School Lunch program
 56244 Staff development funding
HEALTH AND SAFETY CODE
 1596.70-1596.895 California Child Day Care Act
 1596.90-1597.21 Day care centers
 120325-120380 Immunization requirements
CODE OF REGULATIONS, TITLE 5
 4610-4687 Uniform complaint procedures
 18000-18434 Child care and development programs, especially:
 18012-18122 General requirements
 18180-18192 Federal and state migrant programs
 18210-18213 Severely handicapped program
 18220-18231 Alternative payment program
 18240-18248 Resource and referral program
 18270-18281 Program quality, accountability
 18290-18292 Staffing ratios
 18295 Waiver of qualifications for site supervisor
 18300-18308 Appeals and dispute resolution
 80105-80125 Commission on Teacher Credentialing, child care and development permits
CODE OF REGULATIONS, TITLE 22
 101151-101239.2 General requirements, licensed child care centers, especially:
 101151-101163 Licensing and application procedures
 101212-101231 Continuing requirements
 101237-101239.2 Facilities and equipment
UNITED STATES CODE, TITLE 42
 1751-1769 School lunch programs
 9831-9852 Head Start programs
 9858-9858q Child care and development block grant
CODE OF FEDERAL REGULATIONS, TITLE 7
 210.1-210.31 National School Lunch program
CODE OF FEDERAL REGULATIONS, TITLE 45
 98.2-98.93 Child care and development fund
COURT DECISIONS
 CBS Inc. v. The Superior Court of Los Angeles County, State Department of Social Services,
 (2001) 91 Cal.App.4th 892

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

14-03a Revised Child Care and Development Fee Schedule, Management Bulletin, September 2014

Uniform Complaint Procedures, 2014

12-07 Disenrollment due to Maximum Reimbursable Amount Reduction, Management Bulletin, July 2012

Keeping Children Healthy in California's Child Care Environments: Recommendations to Improve Nutrition and Increase Physical Activity, 2010

WEB SITES

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

California Association for the Education of Young Children: <http://www.caeyc.org>

California Child Development Administrators Association: <http://www.ccdaa.org>

California Department of Education, Early Education and Support Division:

<http://www.cde.ca.gov/sp/cd>

California Department of Education, Early Education Management Bulletins:

<http://www.cde.ca.gov/sp/cd/ci/allmbs.asp>

California Department of Social Services, Licensing Information: <http://ccld.ca.gov/PG492.htm>

California Head Start Association: <http://caheadstart.org>

California School-Age Consortium: <http://calsac.org>

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

National Association for the Education of Young Children: <http://www.naeyc.org>

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

(3/09 7/11) 7/15

Payables Prelist

8/18/2017 ()

PSD

Check		
294 - Bay Quality Roofing		
PO 18-00021-FEMA Repairs	14-0825-0-0000-8100-5620-200-0000	\$3,200.00
PO 18-00022-FEMA Project	14-0825-0-0000-8100-5620-200-0000	\$4,600.00
		<hr/>
		\$7,800.00
218 - B		
PO 18-00029-Final reimbursement	01-6500-0-5770-1190-5808-200-1304	\$3,064.31
		<hr/>
		\$3,064.31
13 - BONNY DOON SCHOOL DIST		
PO 18-00025-reimbursement of Edjoin fee	01-4035-0-0000-7100-5300-200-4035	\$450.00
		<hr/>
		\$450.00
189 - Lopez, Teodoro		
PO 18-00027-Reembursement	01-0000-0-0000-8100-4370-200-2801	\$121.51
		<hr/>
		\$121.51
240 - Mynt Systems Inc.		
PO 18-00028-lighting soffits	01-6230-0-0000-8500-6200-200-6230	\$1,050.00
		<hr/>
		\$1,050.00
10 - SANTA CRUZ FIRE EQUIPMENT CO.		
PO 18-00026-Annual Service	01-0000-0-0000-8100-5563-200-2801	\$437.38
		<hr/>
		\$437.38
		<hr/>
	Payment Type Check Total	\$12,923.20

Payables Prelist

8/18/2017 ()

PSD

Grand Total :

\$12,923.20

Amount

Fund 01

\$5,123.20

Fund 14

\$7,800.00

Grand Total :

\$12,923.20

PRESIDENT

SECRETARY

PREPARED BY:

C. Tanner

DATE:

8/18/2017

REVIEWED BY:

DATE:

Payables Prelist

8.29.2017 ()

PSD

Check

69 - CIT TECHNOLOGY FIN SERV INC

PO 18-00034-August and September

01-0000-0-0000-7200-5650-200-2801

\$407.96

\$407.96

3 - Samira Hartje

PO 18-00032-reimbursement

01-1400-0-1110-1000-4300-200-2801

\$50.00

\$50.00

189 - Lopez, Teodoro

PO 18-00037-floors

01-0000-0-0000-8100-5524-200-2801

\$3,045.70

\$3,045.70

66 - Emelia Miguel

PO 18-00030-reimbursement

13-5310-0-0000-3700-4390-200-3101

\$98.67

PO 18-00030-reimbursement

01-0000-0-0000-2700-4350-200-2801

\$29.85

\$128.52

240 - Mynt Systems Inc.

PO 18-00033-Planning Fees

01-6230-0-0000-8100-5800-200-6230

\$37,934.00

\$37,934.00

64 - Stacey Reynolds

PO 18-00035-reimbursement

12-9010-0-8500-1000-4300-200-3020

\$57.58

\$57.58

293 - Smile Business Products, Inc

PO 18-00038-01-Annual fee and service charge

01-0000-0-0000-7200-5650-200-2801

\$1,025.58

\$1,025.58

2 - Candace Tanner

PO 18-00036-reimbursement

01-0000-0-0000-8100-4370-200-2801

\$13.08

\$13.08

54 - Mary Tierney

PO 18-00031-reimbursement

13-5310-0-0000-3700-4390-200-3101

\$46.98

\$46.98

Payment Type Check Total**\$42,709.40**

Payables Prelist**8.29.2017 ()****PSD****Grand Total :****\$42,709.40****Amount**

Fund 01

\$42,506.17

Fund 12

\$57.58

Fund 13

\$145.65

Grand Total :**\$42,709.40**-----
PRESIDENT-----
SECRETARY

PREPARED BY: -----

DATE: -----

REVIEWED BY: -----

DATE: -----

Payables Prelist**9.8.2017 ()****PSD****Check****38 - Jennifer Cross**

PO 18-00048-reimbursement	01-0000-0-1113-1000-4300-206-1103	\$124.53
		\$124.53

58 - FALCON TRADING CO. INC

PO 18-00041-Statement date 8/31/2017	13-5310-0-0000-3700-4700-200-3101	\$643.06
PO 18-00041-Statement date 8/31/2017	13-5310-0-0000-3700-4390-200-3101	\$220.13
		\$863.19

79 - Lerner, Joan

PO 18-00043-August service	01-6500-0-5770-3140-5808-200-1304	\$920.00
		\$920.00

116 - MISSION LINEN SERVICE

PO 18-00044-Statement 8.31.2017	13-5310-0-0000-3700-4390-200-3101	\$38.52
		\$38.52

164 - PACIFIC GAS & ELECTRIC COMPANY

PO 18-00039-Bill due 9/11	01-0000-0-0000-8100-5511-200-2801	\$357.56
PO 18-00039-Bill due 9/11	12-9010-0-8500-8100-5511-200-3020	\$21.25
		\$378.81

166 - PALACE ART & STATIONERY

PO 18-00045-Statement 8/25/2017	01-1400-0-1110-1000-4300-200-2801	\$693.75
		\$693.75

22 - PERFORMANCE FOOD SERVICE

PO 18-00040-Statement 9/1/2017	13-5310-0-0000-3700-4700-200-3101	\$1,423.84
PO 18-00040-Statement 9/1/2017	01-0000-0-0000-8100-4370-200-2801	\$243.00
PO 18-00040-Statement 9/1/2017	13-5310-0-0000-3700-4390-200-3101	\$61.76
		\$1,728.60

297 - R. C. Carter Electric

PO 18-00052-electric install	01-6230-0-0000-8100-5620-200-6230	\$180.00
		\$180.00

7 - San Lorenzo Lumber

PO 18-00042-statement 8/31/2017	01-0000-0-0000-8100-4370-200-2801	\$20.45
		\$20.45

285 - Santa Cruz Community Credit Union

PO 18-00050-period ending 8.31.2017	01-6300-0-1110-1000-4100-200-3000	\$2,106.00
PO 18-00050-period ending 8.31.2017	01-9010-0-1110-1000-4100-204-3057	\$49.95
PO 18-00050-period ending 8.31.2017	13-5310-0-0000-3700-4700-200-3101	\$97.68
PO 18-00050-period ending 8.31.2017	01-1100-0-1110-1000-4300-204-3000	\$81.01
PO 18-00050-period ending 8.31.2017	01-1100-0-1110-1000-4300-202-3000	\$137.60
PO 18-00050-period ending 8.31.2017	01-1400-0-1110-1000-4300-200-2801	\$410.63
PO 18-00050-period ending 8.31.2017	01-0000-0-1113-1000-4300-206-1103	\$38.70
PO 18-00050-period ending 8.31.2017	01-0000-0-0000-8100-4370-200-2801	\$38.10
PO 18-00050-period ending 8.31.2017	01-0000-0-0000-2700-4350-200-2801	\$525.42
PO 18-00050-period ending 8.31.2017	01-0000-0-0000-2700-5915-200-2801	\$62.92
PO 18-00050-period ending 8.31.2017	12-9010-0-8500-1000-4300-200-3020	\$220.19
		\$3,768.20

268 - Seabright Speech Therapy

PO 18-00046-Aug 15-31	01-3310-0-5770-1190-5808-200-1320	\$1,732.50
-----------------------	-----------------------------------	------------

Payables Prelist**9.8.2017 ()****PSD**

		\$1,732.50
<hr/>		
82 - SISC - SELF-INSURED SCHOOLS		
PO 18-00054-September	12-0000-0-0000-0000-9514-000-0000	\$1,850.00
PO 18-00054-September	01-0000-0-0000-0000-9514-000-0000	\$9,402.50
PO 18-00054-September	13-0000-0-0000-0000-9514-000-0000	\$462.50
		<hr/>
		\$11,715.00
<hr/>		
273 - Terra X Pest Services		
PO 18-00047-8/31/2017	01-0000-0-0000-8100-5524-200-2801	\$162.00
		<hr/>
		\$162.00
<hr/>		
54 - Mary Tierney		
PO 18-00049-reimbursement	01-0000-0-0000-2700-4350-200-2801	\$21.79
		<hr/>
		\$21.79
<hr/>		
296 - Transparent Glass Coatings, inc.		
PO 18-00051-7/12/2017	01-6230-0-0000-8100-5620-200-6230	\$1,461.00
		<hr/>
		\$1,461.00
		<hr/>
Payment Type Check Total		\$23,808.34

Payables Prelist**9.8.2017 ()****PSD**

Grand Total : **\$23,808.34****Amount**

Fund 01 \$18,769.41

Fund 12 \$2,091.44

Fund 13 \$2,947.49

Grand Total : **\$23,808.34**-----
PRESIDENT-----
SECRETARY

PREPARED BY: _____ DATE: _____

REVIEWED BY: _____ DATE: _____