

# ALBANY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

The mission of Albany Unified School District is to provide excellent public education that empowers all to achieve their fullest potential as productive citizens. AUSD is committed to creating comprehensive learning opportunities in a safe, supportive, and collaborative environment, addressing the individual needs of each student.

## REGULAR MEETING

**April 16, 2019**

**Albany City Hall, 1000 San Pablo Ave., Albany, CA 94706**

**Closed Session: 5:30 p.m. - 7:00 p.m.**

**Open Session: 7:00 p.m. - 9:45 p.m.**

The public is encouraged to address the Board on any topic on the agenda. The President will also invite the public to speak during the section titled "Persons to Address the Board on Matters Not on the Agenda". To ensure accurate information is captured in the Board meeting minutes, please complete the "Speaker Slip" provided on the table and hand it to the clerk when speaking.

## AGENDA

|  |  |
|--|--|
| <p style="text-align: center;"><b>Meeting Norms</b></p> <ol style="list-style-type: none"> <li>1. Maintain a focus on what is best for our students.</li> <li>2. Show respect (never dismiss/devalue others).</li> <li>3. Be willing to compromise.</li> <li>4. Disagree (when necessary) agreeably.</li> <li>5. Make a commitment to effective deliberation, each one listening with an open mind while others are allowed to express their points of view.</li> <li>6. Participate by building on the thoughts of a fellow Board member.</li> <li>7. Make a commitment to open communication and honesty; no surprises.</li> <li>8. Commit the time necessary to govern effectively.</li> <li>9. Be collaborative.</li> <li>10. Maintain confidentiality (which leads to the building of trust).</li> <li>11. Look upon history as lessons learned; focus on the present and the future.</li> </ol> <p style="text-align: center;">All Regular Meetings are videotaped.<br/>(To view the videos, visit <a href="http://www.ausdk12.org">www.ausdk12.org</a>)</p> | <div style="display: flex; justify-content: space-between;"> <div> <p><b>I. OPENING BUSINESS</b></p> <p><b>A) Call to Order</b></p> <p><b>B) Roll Call</b></p> <p><b>II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS</b></p> <p><i>General public comment on any Closed Session item will be heard.<br/>The Board may limit comments to no more than three (3) minutes.</i></p> <p><b>III. CLOSED SESSION</b></p> <p><b><i>With Respect to Every Item of Business To Be Discussed In Closed Session:</i></b></p> <p><b>A) Pursuant to Govt. Code Section 54957.6:</b></p> <ol style="list-style-type: none"> <li>1. Conference with Labor Negotiator (Superintendent Valerie Williams, District Representative), Regarding Negotiations as it Pertains to: <ul style="list-style-type: none"> <li>• Albany Teachers Association (ATA)</li> <li>• California School Employees Association (CSEA)</li> <li>• Service Employees International Union (SEIU)</li> </ul> </li> </ol> <p><b>B) Pursuant to Govt. Code Section 54956.9:</b></p> <ol style="list-style-type: none"> <li>1. Conference with Legal Counsel - Existing Litigation: <ul style="list-style-type: none"> <li>• Philip Shen, et al. v Albany Unified School District</li> </ul> </li> </ol> <p><b>C) Pursuant to Govt. Code Section 11126(a)1:</b></p> <ol style="list-style-type: none"> <li>1. Personnel Action: <ul style="list-style-type: none"> <li>• Notice of Release - Classified Employees</li> <li>• Appointment of Director III, Special Education/Student Services</li> </ul> </li> <li>2. Discussion of Employment of a Public Employee: <ul style="list-style-type: none"> <li>• Superintendent</li> </ul> </li> </ol> </div> <div style="text-align: right;"> <p><b>5:30 p.m.</b></p> <p><b>5:35 p.m.</b></p> </div> </div> |
|--|--|

#### **IV. OPEN SESSION**

**7:00 p.m.**

Depending upon completion of Closed Session items, the Board of Education intends to convene to Open Session at 7:00 p.m. to conduct the remainder of its meeting, reserving the right to return to Closed Session at any time.

##### **A) Call To Order (Reconvene to Open Session)**

##### **B) Roll Call**

##### **C) Pledge of Allegiance**

##### **D) Reading of the AUSD Mission & Vision Statement and Board of Education Meeting Norms**

##### **E) Report of Action Taken in Closed Session**

##### **F) Approval of Agenda**

##### **G) Spotlight: Albany Children's Center (15 mins.)**

**7:05 p.m.**

##### **H) Consent Calendar**

**7:20 p.m.**

The Consent Calendar includes routine items that may be handled with one action. Board Members may request any item be removed from the Consent Calendar without formal action.

##### **1) Human Resources**

- a) Certificated Personnel Assignment Order & Classified Personnel Assignment Order------(pg.5)
- b) Memorandum of Understanding (MOU) for the Contra Costa County Office of Education (CCCOE) Teacher Induction Program------(pg.6)

##### **2) Curriculum, Instruction, and Assessment**

- a) Overnight Field Trip: Marin Elementary School to Gillespie Youth Camp in Tilden Regional Park------(pg.12)

##### **3) Student Services**

- a) Quarterly Report on Williams Uniform Complaints------(pg.14)

##### **I) Board and Superintendent Reports (5 mins.)**

**7:25 p.m.**

##### **J) Student Board Members' Report (5 mins.)**

**7:30 p.m.**

**K) Persons To Address the Board on Matters Not on the Agenda (5 mins.)****7:35 p.m.**

Board practice limits each speaker to no more than three (3) minutes. The Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore, such items may be referred to staff for comment or for consideration on a future agenda.

**L) Review And Action****7:40 p.m.****1) Curriculum, Instruction, and Assessment**

- a) Board Policy 5144: Discipline (10 mins.)----- (pg.16)
- b) Overnight Field Trip: Albany High School Environmental Design Science Engineering And Technology Program (EDSET) To Mt. Tamalpais State Park, Alice Eastwood Group Campsite (5 mins.)----- (pg.26)

**2) Student Services****7:55 p.m.**

- a) Memorandum of Understanding Between Alameda County Office of Education and Albany Unified School District for the Tobacco Use and Prevention Education (TUPE) Grant (5 mins.)----- (pg.28)
- b) Board Policy 5117 (Interdistrict Attendance) (30 mins.)----- (pg.36)

**3) Board of Education****8:30 p.m.**

- a) Stakeholder Input Report for Superintendent Search (20 mins.)----- (pg.48)
- b) Determine Stakeholder Panel for Superintendent Finalist Interviews (10 mins.)----- (pg.50)

**M) Review And Discussion****9:00 p.m.****1) Business Services**

- a) Food Service Program Overview and Elementary Breakfast Program (20 mins.)----- (pg.52)

**2) Superintendent**

- a) Hold for Equity Goals and Measures Survey for Board of Education (20 mins.)----- (pg.54)

**V. AGENDA ITEMS/MATTERS INTRODUCED BY THE BOARD (5 mins.)****9:40 p.m.****VI. ADJOURNMENT****9:45 p.m.**

The Board believes that late night meetings deter public participation, can affect the Boards decision-making ability, and can be a burden to staff. Regular Board Meetings shall be adjourned by 9:30 p.m. unless extended to a specific time determined by a majority of the Board.

## FUTURE BOARD MEETINGS

| Date   | Time              | Location           |
|--|-------------------|--------------------|
| *April 29, 2019: *SPECIAL MEETING:<br>Closed Session for Superintendent Search | 7:00 - 10:00 p.m. | Cornell Elementary |
| April 30, 2019   | 7:00 - 9:30 p.m.  | Albany City Hall   |

The Board of Education meeting packet is available for public inspection at: Albany Unified School District, 1200 Solano Avenue, and is available on the Albany Unified School District website: [www.ausdk12.org](http://www.ausdk12.org). If you provide your name and/or address when speaking before the Board of Education, it may become a part of the official public record and the official minutes will be published on the Internet. In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Superintendent's Office at 510-558-3766. Notification must be given forty-eight (48) hours prior to the meeting to make reasonable arrangements for accessibility (28 CFR 35.102.104 ADA Title II).

## **Personnel Assignment Order: Pending Approval**

**BOE Meeting: 4/16/2019**

### **Class: Certificated**

#### **Category: New Hire**

| <b>Position</b>                                  | <b>Name</b>       | <b>Site</b> | <b>FTE/Amt</b> | <b>Effec Date</b> | <b>End Date</b> | <b>Action</b> | <b>Funding</b> |
|--|-------------------|-------------|----------------|-------------------|-----------------|---------------|----------------|
| Director III, Special Education/Student Services | Michael, Veronica | DO          | 1.00           | 7/1/2019          |                 | Approve       | GF             |

#### **Category: Leave**

| <b>Position</b>     | <b>Name</b>            | <b>Site</b> | <b>FTE/Amt</b> | <b>Effec Date</b> | <b>End Date</b> | <b>Action</b> | <b>Funding</b> |
|---------------------|------------------------|-------------|----------------|-------------------|-----------------|---------------|----------------|
| Resource Specialist | Harris, Joanna         | CO          | 1.00           | 5/20/2019         | 6/14/2019       | Approve       | GF             |
| Teacher             | Buck-Bauer, Marguerite | AHS         | 0.20           | 8/27/2019         | 6/12/2020       | Approve       | GF             |

#### **Category: Separation of Service**

| <b>Position</b> | <b>Name</b>     | <b>Site</b> | <b>FTE/Amt</b> | <b>Effec Date</b> | <b>End Date</b> | <b>Action</b> | <b>Funding</b> |
|-----------------|-----------------|-------------|----------------|-------------------|-----------------|---------------|----------------|
| Teacher         | Brandley, James | CO          | 1.00           | 6/14/2019         |                 | Approve       |                |

### **Class: Classified**

#### **Category: New Hire**

| <b>Position</b>                   | <b>Name</b>         | <b>Site</b> | <b>FTE/Amt</b> | <b>Effec Date</b> | <b>End Date</b> | <b>Action</b> | <b>Funding</b> |
|-----------------------------------|---------------------|-------------|----------------|-------------------|-----------------|---------------|----------------|
| Coach, Varsity Assistant Softball | McCracken, Russ     | AHS         | \$1,000.00     | 18-19 Season      |                 | Approve       | GF             |
| Coach, Assistant Swim             | Benjamin, Miriam    | AHS         | \$2,946.06     | 18-19 Season      |                 | Approve       | GF             |
| Coach, Head Varsity Baseball      | Adams, Brad         | AHS         | \$1,694.00     | 18-19 Season      |                 | Approve       | GF             |
| Substitute Para-educator          | Foong, Kin Yin      | ACC         | \$13.30/hr     | 3/25/2019         |                 | Approve       | ACC            |
| Life Guard                        | Rosen-Bloom, Eliana | Pool        | \$15.00/hr     | 3/27/2019         |                 | Approve       | Pool           |
| Swim Instructor                   | Rosen-Bloom, Eliana | Pool        | \$17.00/hr     | 3/27/2019         |                 | Approve       | Pool           |
| Life Guard                        | Woo, Jade           | Pool        | \$15.00/hr     | 3/8/2019          |                 | Approve       | Pool           |
| Swim Instructor                   | Woo, Jade           | Pool        | \$17.00/hr     | 3/8/2019          |                 | Approve       | Pool           |
| Life Guard                        | Loizeaux, Peter     | Pool        | \$15.00/hr     | 3/8/2019          |                 | Approve       | Pool           |
| Swim Instructor                   | Loizeaux, Peter     | Pool        | \$17.00/hr     | 3/8/2019          |                 | Approve       | Pool           |
| Cafe Assistant I                  | Grubbs, Phylina     | CK          | 0.50           | 3/27/2019         |                 | Approve       | CK             |

### **Class: Uncompensated Service**

#### **Category: Volunteer**

| <b>Position</b> | <b>Name</b>             | <b>Site</b> | <b>FTE/Amt</b> | <b>Effec Date</b> | <b>End Date</b> | <b>Action</b> | <b>Funding</b> |
|-----------------|-------------------------|-------------|----------------|-------------------|-----------------|---------------|----------------|
|                 | Emanuel-Shoham, Mikelle |             |                | 3/29/2019         |                 |               |                |
|                 | Du, Evelina             |             |                | 3/29/2019         |                 |               |                |

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM:** **MEMORANDUM OF UNDERSTANDING (MOU) FOR THE CONTRA COSTA COUNTY OFFICE OF EDUCATION (CCCOE) TEACHER INDUCTION PROGRAM**

**PREPARED BY:** **CHERYL COTTON**

**TYPE OF ITEM:** **CONSENT**

---

**PURPOSE:** The purpose of this item is to approve the MOU for the CCCOE Teacher Induction Program for the 2019-2020 school year.

**BACKGROUND INFORMATION:** The CCCOE Induction Program is a consortium with school districts from Contra Costa and Alameda Counties and private schools working in partnership to implement the Beginning Teacher Support and Assessment (BTSA) Program and state induction guidelines as outlined in Senate Bill 2042. The goal of this partnership is to increase student achievement through the implementation of a quality teacher induction program, while nurturing the growth and development of participating General Education teachers and Education Specialist teachers in Albany Unified School District in a sustained and systematic manner.

**DETAILS:** Albany Unified currently has nine 1<sup>st</sup> year Participating Teachers and six 2<sup>nd</sup> year Participating Teachers. We have nine different Mentor Teachers.

**KEY QUESTIONS/ANSWERS:**

**Q:** Who is eligible to participate in the Teacher Induction Program?

Candidates who are eligible for BTSA include individuals who are in their first or second year of teaching with a preliminary single subject, multiple subject, or education specialist credential.

**Q:** What happens in the program?

Participating teachers engage in reflective conversations with experienced colleagues about the delivery of effective practice. They chart their progress on the California Standards for the Teaching Profession, complete a case study on a student, attend professional development workshops, and set goals for themselves to improve their teaching practice.

**Q:** Do the mentors get any training or compensation?

New mentors get extensive training and the beginning of the year and returning mentors get follow-up training yearly. Mentors earn a stipend of \$1,500.00/year per Participating Teacher.

**FINANCIAL INFORMATION:** \$60,000-80,000/year depending on the number of Participating Teachers. This amount includes the CCCOE fee, mentor stipends, release time, professional development and meeting costs.



**STRATEGIC GOALS ADDRESSED:**

**Objective #3:** *Communicate and Lead Together.*

**Goal:** *All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

**RECOMMENDATION: APPROVE MEMORANDUM OF UNDERSTANDING (MOU) FOR THE CONTRA COSTA COUNTY OFFICE OF EDUCATION (CCCOE) TEACHER INDUCTION PROGRAM**



**Contra Costa County Office of Education  
Teacher Induction Program and  
Albany Unified School District**

**MEMORANDUM OF UNDERSTANDING (MOU)  
for the CCCOE Teacher Induction Program**

**July 1, 2019 – June 30, 2020**

This is a Memorandum of Understanding (MOU) between the Contra Costa County Office of Education (CCCOE) Teacher Induction Program and Albany Unified School District in partnership to carry out the CCCOE Teacher Induction Program and guidelines of SB 2042. The purpose of this MOU is to establish a formal working relationship between the CCCOE and Albany Unified School District and to set forth the operative conditions that will govern this partnership.

The goal of this partnership is to increase student achievement through the implementation of a quality teacher induction program, while nurturing the growth and development of participating General Education teachers and Education Specialist teachers in Albany Unified School District in a sustained and systemic manner.

The partnership will assess itself biannually, based on the agreed-upon outcomes. It is expected that measurable progress will be demonstrated in order to continue the partnership. Assuming that the partnership demonstrates measurable progress, and receives continued funding, the partnership will be maintained.

**ANTICIPATED OUTCOMES OF THIS AGREEMENT:**

- The CCCOE will partner with Albany Unified School District in conducting an induction program to support first and second year new teachers that meets all state requirements for Induction programs and will integrate the program design as outlined in this MOU.
- Albany Unified School District will, when possible, create a cadre of experienced new teacher support mentors. These support mentors will possess a high level of training and leadership ability and will contribute to Albany Unified School District as instructional leaders.
- Albany Unified School District's teacher evaluation and professional development programs will reflect the *California Standards for the Teaching Profession (CSTP)*.
- Albany Unified School District will fully implement the program design incorporating all the necessary support and resources to ensure that participating teachers have every opportunity to successfully complete the induction program to receive their Professional Clear Credential.



## THE CCCOE TEACHER INDUCTION PROGRAM AGREES TO:

1. Provide a Teacher Induction Program Coordinator who fulfills the roles and responsibilities outlined in the Induction Program Handbook.
2. Consult with Albany Unified School District (including administration, teacher representatives and other stakeholders) in reviewing the school's needs and resources in relation to new teacher induction.
3. Consult with Albany Unified School District in *developing* and/or revising program design and interfacing with the CA Commission on Teacher Credentialing to support participating teachers to receive a Professional Clear Credential.
4. Assist Albany Unified School District in the recruitment and selection of new teacher mentors according to the California Induction Program Preconditions and Induction Standards and hiring guidelines.
5. Work with Albany Unified School District to insure that its efforts are coordinated with and complementary to other school improvement initiatives.
6. Design and deliver seminars for participating teachers insuring that those seminars are aligned with the CSTP, rigorous, research-based and offer grade-level specific approaches to instruction in academic content areas. CCCOE staff developers offer seminars designed to assist teachers in the use of technology to support student learning, support equity, diversity and access to core curriculum, create a supportive and healthy environment, and meet the needs of all learners. Contra Costa Special Education Local Planning Area (SELPA) Coordinators and Program Specialists offer seminars specially designed to assist teachers in working with special education students.
7. Consult with Albany Unified School District in the design of teacher recruitment and professional development programs related to teacher induction.
8. Make available and advise participating teachers of an Early Completion Option for "experienced and exceptional" candidates who meet the program's established criteria.
9. Participate in an Induction Program Director network in support of teacher induction programs.
10. Provide new teachers with networking and professional development opportunities within the Contra Costa County region.
11. Provide training programs, materials and publications to support the above.
12. Facilitate research and evaluation activities in order to inform the partnership.
13. Provide a linkage for state and local Induction Programs and fulfill state requirements for an Induction Program.

## **ALBANY UNIFIED SCHOOL DISTRICT AGREES TO:**

1. Designate a coordinator (who holds an administrative position). The coordinator will represent the district on the Leadership Team and support Orientation, Mid-Year Review, and end of the year Colloquium activities for their participating teachers.
2. Support each qualified CCCOE Teacher Induction new teacher with a trained mentor, assigned within the first 30 days of the teacher's enrollment in the program.
3. Support each qualified CCCOE Teacher Induction California trained Level I Education Specialist with a mentor who holds the same credential as the participating teacher.
4. Submit a final list of participating teachers and mentors to CCCOE by October 1, 2019.
5. Pay a service fee to CCCOE for Teacher Induction services: Provide \$2,000 per participating teacher (if Albany Unified School District is providing the mentor) OR provide \$4,000 per participating teacher (if CCCOE is providing the mentor) for each year of the teacher's participation.
6. Pay half of the amount by February 15, 2020. Pay the balance of the amount by May 30, 2020. A late fee of 1% per month will be applied to accounts 30 days past due.
7. Insure that the Albany Unified School District's new teacher support program includes the following elements or the equivalent:
  - At least one hour per week of individualized support/mentoring coordinated and/or planned by the mentor
  - Coaching activities deliberately designed to provide teachers multiple opportunities to demonstrate growth in the *California Standards for the Teaching Profession*
  - A focus on grade-level and content-specific approaches to raising student achievement
  - An Individualized Learning Plan, including an Inquiry Action Plan, designed and implemented solely for the teacher's professional growth and not for evaluation for employment purposes.
  - Individualized Learning Plan goals collaboratively developed by the teacher and mentor, in consultation with the site administrator, within the first 60 days of enrollment
  - Ongoing formative assessment of participating teacher development
  - The use of multiple data sources, such as formative assessment and professional development tools.
8. Insure full cooperation and participation in program activities to include as appropriate:
  - Trainings for mentors
  - Mentor attendance at mentor seminars during the year
  - Individual coaching of mentors and other program-related personnel
  - Trainings and meetings for office administrators and site administrators
  - Professional development for participating teachers
  - On-line communication and coordination
9. Insure that all participating teachers and all leaders in the following roles sign the appropriate program commitment form: coordinator, site administrator, and mentor.

10. Conduct and participate in program evaluation and research activities, to include a Program Mid-Year and End of the Year Survey.
  11. Provide professional resources required for program implementation beyond those provided by the Induction Program.
  12. Take organizational action to insure that the program of new teacher support is sustained.
- **Hold harmless:** Both parties agree to indemnify, defend, and save harmless the other from any and all claims and losses resulting from the action of either organization's employees for any activity undertaken in this contract.
  - **Termination:**
    - ❑ In the event that either party does not fulfill the terms of this agreement in a timely manner, the other party may terminate this agreement with a 30-day written notice to the breaching party.
    - ❑ In the event that either party determines this agreement is no longer to be bound by the terms, termination may be made with a 30-day prior notice to the date of termination.

#### **SIGNATURES OF AGREEMENT:**

\_\_\_\_\_  
Albany Unified School District, Superintendent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Albany Unified School District, Teacher Induction District  
Coordinator

\_\_\_\_\_  
Date

\_\_\_\_\_  
Albany Unified School District, Human Resources  
Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Bill Clark, Deputy Superintendent, CCCOE

\_\_\_\_\_  
Date

\_\_\_\_\_  
Charise DeCoito  
Program Coordinator, CCCOE Teacher Induction Program

\_\_\_\_\_  
Date

#### ***Return all signed copies by May 1, 2019 to:***

*Charise DeCoito, Coordinator, CCCOE Teacher Induction Program  
77 Santa Barbara Road  
Pleasant Hill, CA 94523*

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM:** **APPROVE OVERNIGHT FIELD TRIP:  
MARIN ELEMENTARY SCHOOL  
TO GILLESPIE YOUTH CAMP IN TILDEN REGIONAL PARK**

**PREPARED BY:** **MARIE WILLIAMS  
ASSISTANT SUPERINTENDENT, EDUCATIONAL SERVICES**

**TYPE OF ITEM:** **CONSENT**

**PURPOSE:** All field trips and excursions that occur overnight require prior approval from the Board of Education. Requests shall be presented to the Board of Education at least one month in advance of departure unless the timing of the event and the Board meeting schedule do not provide sufficient time for prior approval or make prior approval impractical.

**BACKGROUND INFORMATION/DETAILS:**

Marin Elementary School has previously attended Gillespie Youth Camp in Tilden Regional Park. Camping in Tilden Regional Park provides a great opportunity for students to experience nature first hand and reinforce what they have been learning in the classroom.

Students in grade three (3) will travel with their parents/guardians to Gillespie Youth Camp in Tilden Regional Park and camp out in tents for one (1) night. Students will learn about setting up camp (tents, cooking), explore nature and the environment, play games and do art projects that incorporate outdoor surroundings. Students will learn to describe the physical and human geography and identify geographical features in their local region (mountains, valleys, hills coastal areas, etc.). Transportation to and from the destination will be in cars with parent volunteer drivers. The ratio of students to chaperones on this trip is 1:1.

**DATES OF TRIP:** May 16-17, 2019

**STRATEGIC GOALS ADDRESSED:**



**Objective #1:** *Assess and Increase Academic Success. Goal: We will provide a comprehensive educational experience with expanded opportunities for engagement, assessment, and academic growth so that all students will achieve their fullest potential.*



**Objective #2:** *Support the Whole Child. Goal: We will foster the social and emotional growth of all students, implement an array of strategies to increase student engagement, identify*

*individual socio-emotional and behavioral needs, and apply collaborative appropriate interventions.*

**FINANCIAL INFORMATION:**

The total field trip fee per student is \$20.00. Funding will come from fees from families. No student will be denied the opportunity to participate.

|  |
|--|
| <p><b>RECOMMENDATION: APPROVE OVERNIGHT FIELD TRIP: MARIN<br/>ELEMENTARY SCHOOL TO GILLESPIE YOUTH CAMP IN TILDEN REGIONAL<br/>PARK.</b></p> |
|--|

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: QUARTERLY REPORT ON WILLIAMS UNIFORM COMPLAINTS**

**PREPARED BY: CARRIE NERHEIM, DIRECTOR I --  
STUDENT SERVICES**

**TYPE OF ITEM: CONSENT**

---

**PURPOSE:**

The purpose of this item is to meet the requirements of California Education Code Section 35186 that states the Superintendent of Schools is to provide a quarterly report to the local Board of Education and to the County Superintendent of Schools summarizing the nature and resolution of complaints filed under the Williams Uniform Complaint Procedures. The report must include the number of complaints by general subject area, the number of resolved and unresolved complaints, and must be publicly presented at a regularly scheduled meeting of the Board of Education.

**BACKGROUND INFORMATION:**

All districts are required to send a quarterly report to the County Office of Education.

**STRATEGIC OBJECTIVES ADDRESSED:**



***Objective #1:** Assess and Increase Academic Success. **Goal:** We will provide a comprehensive educational experience with expanded opportunities for engagement, assessment, and academic growth so that all students will achieve their fullest potential.*

**RECOMMENDATION: RECEIVE THE QUARTERLY REPORT ON WILLIAMS UNIFORM COMPLAINTS**



# ALAMEDA COUNTY OFFICE OF EDUCATION

Leadership and Service...For Every Child, In Every School, Every Day!

## Quarterly Report on *Williams* Uniform Complaints

[Education Code § 35186]

District: Albany Unified School District

Person completing this form: Carrie Nerheim \_\_\_\_\_ Title: Director, Student Services

Quarterly Report Submission Date: \_\_\_\_\_ X April (for Jan-Mar)  
 (*check one and include year*) ☐ July (for Apr-June)  
☐ October (for July-Sept)  
☐ January (for Oct-Dec)

Date for information to be reported publicly at governing board meeting: April 16, 2019

Please check the box that applies:

☒ No complaints were filed with any school in the district during the quarter indicated above.

☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

| General Subject Area                  | Total # of Complaints | # Resolved | # Unresolved |
|---------------------------------------|-----------------------|------------|--------------|
| Textbooks and Instructional Materials | 0                     |            |              |
| Teacher Vacancy or Misassignment      | 0                     |            |              |
| Facilities Conditions                 | 0                     |            |              |
| <b>TOTALS</b>                         | 0                     |            |              |

Valerie Williams

\_\_\_\_\_  
Print Name of District Superintendent

\_\_\_\_\_  
Signature of District Superintendent

April 17, 2019

\_\_\_\_\_  
Date

Please return completed form to Kelly Wylie, Program Director  
 ACOE – 313 W. Winton Ave., Hayward, CA 94544-1136  
 FAX: (510) 670-3273 E-MAIL: kwylie@acoe.org

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: BOARD POLICY 5144 (Discipline)**

**PREPARED BY: MARIE WILLIAMS,  
ASSISTANT SUPERINTENDENT, EDUCATIONAL SERVICES**

**TYPE OF ITEM: REVIEW AND ACTION**

---

**PURPOSE:** The purpose of this item is for the Board to review and approve Board Policy 5144 (Discipline).

**BACKGROUND INFORMATION:**

The following is a summary of changes made to AUSD's current Board Policy and Administrative Regulation 5144 (Discipline) with the rationale for said changes:

- Language regarding recess restriction was added to the Board Policy as recess restriction language currently exists in the Administrative Regulation yet was not referenced in the Board Policy. The Committee agreed that any language in the Administrative Regulations should first be referenced in the accompanying Board Policy. However, language appearing in the Board Policy does not also need to be referenced in the Administrative Regulation (if no specific procedures or regulations require explanation or description).
- Language regarding corporal punishment does not appear in the California School Boards Association sample; however, this language was recommended for continued inclusion in the Board Policy to clarify that the District does not support the use of corporal punishment as a means of corrective action. Language regarding corporal punishment was removed from the Administrative Regulation as no additional procedures or regulations require explanation.
- The disciplinary strategies identified in Administrative Regulation 5144 were reviewed by site and district administration and were revised to more accurately reflect current District practice. While not currently implemented, Saturday School was retained as a feasible strategy for possible implementation in the future.
- "Reassignment to an alternative educational environment" was removed as a disciplinary strategy in the Administrative Regulation as the District does not maintain an alternative education program. MacGregor High School is classified as a continuation high school and students are not involuntarily transferred to MacGregor High School as a disciplinary strategy.
- Gender specific pronouns were replaced with non-gender specific language.



Language that appears struck out is recommended for removal from the current AUSD board policy and/or administrative regulation; language that is underlined is recommended for inclusion in the current board policy and/or administrative regulation.

#### **DETAILS:**

Board Policy and Administrative Regulation 5144 (Discipline) was presented for review and discussion at the March 26, 2019 AUSD Governing Board Meeting, and the following additional revisions were made (the additional changes are underlined and highlighted in yellow in the attached Board Policy and Administrative Regulation):

- Replace the opening sentence of the Board Policy to read: “The goal of the Board of Education is to prepare students for responsible citizenship by fostering self-discipline and personal responsibility.”
- Replace pronouns himself/herself with self and/or themselves.
- Replace “comprised of” with “composed of” when referring to site-level disciplinary rules panel membership.
- Re-insert the sentence “Students shall remain under the supervision of a certificated employee during the period of detention” and revise it to read: “Students shall remain under the supervision of a certificated or classified employee during the period of detention.”

#### **STRATEGIC OBJECTIVES ADDRESSED:**



***Objective #3: Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.***

|  |
|--|
| <b>RECOMMENDATION: REVIEW AND APPROVE BOARD POLICY 5144 (DISCIPLINE)</b> |
|--|

# Albany USD

## Board Policy

### Discipline

BP 5144

#### Students

The Board of Education desires The goal of the Board of Education is to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible. In addition, discipline shall be used in a manner that corrects student behavior without intentionally creating an adverse effect on student learning or health.

- (cf. 5020 - Parent Rights and Responsibilities)
- (cf. 5137 - Positive School Climate)
- (cf. 5138 - Conflict Resolution/Peer Mediation)
- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.9 - Hate-Motivated Behavior)
- (cf. 6020 - Parent Involvement)

Each school shall develop disciplinary rules to meet the school's particular needs. The rules shall be consistent with law, Board policy, and district regulations.

- (cf. 5131 - Conduct)

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. When misconduct occurs, staff shall attempt to identify the causes of the student's behavior and implement appropriate discipline. When choosing between different disciplinary strategies, staff shall consider the effect of each option on the student's health and opportunity to learn. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy, and administrative regulation.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515 - Campus Security)
- (cf. 4158/4258/4358 - Employee Security)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)
- (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
- (cf. 6159.4 - Behavioral Interventions for Special Education Students)
- (cf. 6164.5 - Student Success Teams)

(cf. 6184 - Continuation Education)

Staff shall enforce disciplinary rules fairly, consistently and in accordance with the district's nondiscrimination policies.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills, implementing effective disciplinary techniques and establishing cooperative relationships with parents/guardians.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

#### Recess Restriction

A teacher may restrict recess when the teacher believes that recess restriction is the most effective way to bring about improved behavior. (Education Code 44807.5)

#### Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

However, corporal punishment does not include any pain or discomfort suffered by a student as a result of ~~his/her~~ their voluntary participation in an athletic or other recreational competition or activity. In addition, an employee's use of force that is reasonable and necessary to protect ~~himself/herself themselves~~ themselves themselves, students, staff, or other persons, to prevent damage to property, or to obtain possession of weapons or other dangerous objects within the control of the student is not corporal punishment. (Education Code 49001)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 6145.2 - Athletic Competition)

#### Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48900-48926 Suspension and expulsion

48980-48985 Notification of parent/guardian

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

#### CIVIL CODE

1714.1 Parental liability for child's misconduct

#### CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

#### Management Resources:

##### CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, October 2011

Maximizing Opportunities for Physical Activity during the School Day, Fact Sheet, 2009

##### CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

Classroom Management: A California Resource Guide for Teachers and Administrators of Elementary and Secondary Schools, 2000

##### STATE BOARD OF EDUCATION POLICIES

01-02 School Safety, Discipline, and Attendance, March 2001

##### WEB SITES

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

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

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

#### Policy ALBANY UNIFIED SCHOOL DISTRICT

adopted: October 6, 2009 Albany, California

revised: October 9, 2012

revised: March 28, 2013

# Albany USD

## Administrative Regulation

### Discipline

AR 5144  
Students

#### Site-Level Rules

In developing site-level disciplinary rules, the school shall solicit the participation, views and advice of one representative selected by each of the following groups: (Education Code 35291.5)

1. Parents/guardians
2. Teachers
3. School administrators
4. School security personnel, if any

(cf. 3515.3 - District Police/Security Department)

5. For junior high and high schools, students enrolled in the school

The final version of the rules shall be adopted by a panel ~~comprised~~ **composed** of the principal or designee and a representative selected by classroom teachers employed at the school. Each school shall file a copy of its rules with the Superintendent or designee.

The rules shall be consistent with law, Board policy and district regulations. The Board may review, at an open meeting, the approved school discipline rules for consistency with Board policy and state law. (Education Code 35291.5)

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

To the extent possible, staff shall use disciplinary strategies that emphasize a positive behavior approach and keep students in school and participating in the instructional program. Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student to the school counselor or other school support service personnel for case management, ~~advice~~, and counseling

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6164.2 - Guidance/Counseling Services)

2. Discussion or conference between school staff, the student, and ~~his/her~~ the student's parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

3. Convening of a ~~study, guidance, resource panel, or other intervention-related team~~ a student success team to assess the behavior and develop and implement an individual plan to address the behavior in partnership with the student and ~~his/her~~ the student's parents/guardians

(cf. 6164.5 - Student Success Teams)

4. ~~Enrollment~~ Participation in a program for teaching prosocial behavior or anger management

5. Participation in a restorative justice program including education, reflection and making amends as appropriate

6. ~~A positive behavior support approach with~~ Tiered interventions that occur during the school day on campus

7. ~~After-school programs~~ Participation in programs that address specific behavioral issues or expose students to positive activities and behaviors, including, but not limited to, those operated in collaboration with local parent and community groups

(cf. 5148.2 - Before/After School Programs)

8. Detention during lunch and after school hours provided the student is given adequate time to use the restroom and get a drink or eat lunch, as appropriate

9. Community service

10. In accordance with Board policy and administrative regulation, restriction or disqualification from participation in extracurricular activities and school events as appropriate

(cf. 6145 - Extracurricular/Cocurricular Activities)

#### ~~11. Reassignment to an alternative educational environment~~

~~12.11. Suspension and expulsion in accordance with law, Board policy, and administrative regulation; however, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the student's presence causes a continuing danger to himself/herself~~ **themselves** ~~or others~~

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

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

#### ~~Corporal Punishment~~

~~Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)~~

~~For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to obtain possession of weapons or other dangerous objects within the control of the student. (Education Code 49001)~~

(cf. 4158/4258/4358 - Employee Security)

(cf. 5131.7 - Weapons and Dangerous Instruments)

#### ~~Recess Restriction~~

~~A teacher may restrict a student's recess time when he/she believes it is believed that this action is the most effective way to bring about improved behavior. When recess restriction may involve the withholding of physical activity from a student, the teacher shall try other disciplinary measures before imposing the restriction. Recess restriction shall be subject to the following conditions:~~

- ~~1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.~~
- ~~2. The student shall remain under a certificated employee's supervision during the period of restriction.~~
- ~~3. Teachers may inform the principal of any recess restrictions they impose.~~

(cf. 5030 - Student Wellness)

(cf. 6142.7 - Physical Education and Activity)

## Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353).

Students shall remain under the supervision of a certificated or **classified** employee during the period of detention. ~~Notification to parents/guardian or after-school care provider shall occur prior to detention (grades K-5).~~

If a student is going to be detained after school, the principal or designee shall notify parents/guardians of the detention at least one day in advance. The student shall not be detained unless the principal or designee notifies the parent/guardian.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

## Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal, or principal's designee may, at ~~his/her~~ their discretion, require a student to perform community service during nonschool hours on school grounds, or, with written permission of the student's parent/guardian, off school grounds. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer, or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension. (Education Code 48900.6)

## Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)



Regulation     ALBANY UNIFIED SCHOOL DISTRICT  
approved: October 6, 2009     Albany, California  
revised:     October 9, 2012  
revised:     March 28, 2013  
revised:

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM:** **OVERNIGHT FIELD TRIP: ALBANY HIGH SCHOOL ENVIRONMENTAL DESIGN SCIENCE ENGINEERING AND TECHNOLOGY PROGRAM (EDSET) TO MT. TAMALPAIS STATE PARK, ALICE EASTWOOD GROUP CAMPSITE**

**PREPARED BY:** **MARIE WILLIAMS  
ASSISTANT SUPERINTENDENT, EDUCATIONAL SERVICES**

**TYPE OF ITEM:** **REVIEW AND ACTION**

---

**PURPOSE:**

All field trips and excursions that occur overnight require prior approval from the Board of Education. Requests shall be presented to the Board of Education at least one month in advance of departure unless the timing of the event and the Board meeting schedule do not provide sufficient time for prior approval or make prior approval impractical.

**BACKGROUND INFORMATION/DETAILS:**

Thirty-two (32) students in the Albany High School Environmental Design, Society, English, and Technology (EDSET) program, along with four (4) teachers, and two (2) parent volunteers, will participate in a two-night camping trip at Mt. Tamalpais State Park.

Students will be learn mapping techniques and hiking. These activities require logical thinking in planning the route, collaboration in agreeing on the route, and clear communication skills to ensure everyone reaches the destination safely. Students will learn animal and plant identification skills through the use of field guide packets; this requires analyzing living organisms according to identification criteria. Students will learn how to set-up and break-down camp and cook with portable camping equipment which requires collaboration and communication skills, builds leadership in those who wish to take charge of certain activities, and builds confidence in all students.

**DATES OF TRIP:** April 28-30, 2019

**FINANCIAL INFORMATION:**

The total field trip fee per student is \$65.00 Funding will come from fees from families and EDSET funds. No EDSET student will be denied the opportunity to participate.

## STRATEGIC GOALS ADDRESSED:



**Objective #1:** *Assess and Increase Academic Success. Goal: We will provide a comprehensive educational experience with expanded opportunities for engagement, assessment, and academic growth so that all students will achieve their fullest potential.*



**Objective #2:** *Support the Whole Child. Goal: We will foster the social and emotional growth of all students, implement an array of strategies to increase student engagement, identify individual socio-emotional and behavioral needs, and apply collaborative appropriate interventions.*

**RECOMMENDATION: OVERNIGHT FIELD TRIP: ALBANY HIGH SCHOOL ENVIRONMENTAL DESIGN SCIENCE ENGINEERING AND TECHNOLOGY PROGRAM (EDSET) TO MT. TAMALPAIS STATE PARK, ALICE EASTWOOD GROUP CAMPSITE**

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM:** **MEMORANDUM OF UNDERSTANDING BETWEEN  
ALAMEDA COUNTY OFFICE OF EDUCATION (ACOE) AND  
ALBANY UNIFIED SCHOOL DISTRICT (AUSD) FOR THE  
TOBACCO USE PREVENTION EDUCATION (TUPE) GRANT**

**PREPARED BY:** **DR. CARRIE NERHEIM, DIRECTOR - STUDENT SERVICES**

**TYPE OF ITEM:** **REVIEW AND ACTION**

---

**PURPOSE:** Alameda County Office of Education (ACOE) is requesting a Memorandum of Understanding from all of the districts that participate in the Tobacco Use Prevention Education (TUPE) grant.

**BACKGROUND INFORMATION:** ACOE is applying for a new grant that will provide services to Albany Unified from 2020 to 2023 at no cost to the district. While AUSD has worked with the ACOE TUPE program for two years, this is the first MOU. It is in preparation for the new grant.

**DETAILS:** ACOE has provided Tobacco Use Prevention Education training, education, and support for Albany Unified for the last two years. This would be a continuation of that program at the middle and high school.

**FINANCIAL INFORMATION:** This grant is at no cost to Albany Unified.

**STRATEGIC OBJECTIVES ADDRESSED:**



**Objective #1:** *Assess and Increase Academic Success. Goal: We will provide a comprehensive educational experience with expanded opportunities for engagement, assessment, and academic growth so that all students will achieve their fullest potential.*



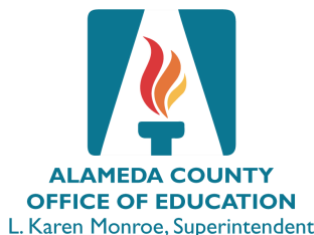
**Objective #2:** *Support the Whole Child. Goal: We will foster the social and emotional growth of*

*all students, implement an array of strategies to increase student engagement, identify individual socio-emotional and behavioral needs, and apply collaborative appropriate interventions.*



**Objective #3:** *Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

**RECOMMENDATION: REVIEW AND APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN ALAMEDA COUNTY OFFICE OF EDUCATION (ACOE) AND ALBANY UNIFIED SCHOOL DISTRICT FOR THE TOBACCO USE PREVENTION EDUCATION (TUPE) GRANT**



## MEMORANDUM OF UNDERSTANDING

**PARTIES:** This Memorandum of Understanding (M.O.U.) is entered into between the Alameda County Office of Education (ACOE) and the Albany Unified School District (AUSD).

**PURPOSE:** The purpose of this M.O.U. is to enable the ACOE and **AUSD** to establish a process and protocol for providing stipends for the TUPE Site Coordinators at Middle-, High-, and Continuation-Schools who have active Tobacco Use Prevention Education (TUPE) programs.

**AUTHORITY:** This M.O.U. is entered into by and between the parties in exercise of the authority set forth in Board Policy 3513.3.

**TERM:** This M.O.U. shall become effective upon the date of execution by both the parties and shall continue for a period, ending on **June 30, 2020**.

### SCOPE OF SERVICES:

- A. The ACOE's Tobacco Use Prevention Education (TUPE) program/grant will provide funding to cover the stipends for the TUPE site coordinators in the middle-, high-, and continuation schools in AUSD.

By October 31 of each year of the consortium grant, which is funded by the California Department of Education (CDE), ACOE will provide AUSD with the list of TUPE site coordinators identified at all comprehensive middle schools, comprehensive high schools, and continuation sites, in AUSD, along with the stipend amount that is associated with that person. The job description for the site coordinator is shown on the following pages. Upon confirmation that the identified TUPE site coordinators attend the site coordinator training in late September, ACOE will issue AUSD a check for the full amount of all stipends to AUSD, with the expectation that AUSD will then distribute 50% of the stipend to the site coordinators in December and the remaining 50% of the stipend in June of that school year.

The stipend amount will be based on two factors:

- Student enrollment – sites with 999 or fewer students will receive \$2,200/year and sites with 1000+ students will receive \$2,400/year
- If a site has more than one TUPE site coordinator, then the stipend amounts shown above will be divided by the number of site coordinators. For example, if

a school site has 2,000 students, and 2 identified site coordinators for that site, each site coordinator will be eligible for ½ of the \$2,400/year stipend, so each would receive \$1,200/year

TUPE Site Coordinators plan and implement comprehensive tobacco use prevention education programs on their school campus, with support from the TUPE team at the Alameda County Office of Education.

- B. The **AUSD** shall, upon receipt of the confirmed list of identified TUPE site coordinators, and receipt of the check issued to the district by ACOE:
  1. Distribute 50% of the stipend to the site coordinators in December
  2. Distribute the remaining 50% of the stipend in June of that school year.
- C. Deliverables by June 30<sup>th</sup> - AUSD will provide:
  1. ACOE with a printout from the AUSD fiscal office, showing full distribution of the TUPE Site Coordinator stipends, including the amount distributed, dates of distribution, and names of people who received the TUPE stipends.
- D. TUPE Site Coordinator Deliverables and Responsibilities:
  1. **Essential Duties of the TUPE Site Coordinators**

#### **Peer Educator Program**

- Recruit and retain at least 10-20 Peer Educators (5-10 for continuation school sites) and attend annual training with students.
- Coordinate a minimum of two school-wide tobacco awareness activities with Peer Educators.
- Coordinate/support student-led classroom presentations and schedule a minimum of five Peer Educator (student-led) classroom presentations, and/or other peer-to-peer activities.
- Meet with Peer Educators a minimum of 2 times per month for planning and implementing school wide and peer education opportunities
- Meet with your assigned Youth Development Specialist a minimum of 3 times per school year for planning, implementing, and supporting school wide and peer education opportunities.

#### **Outreach/Administrative**

- Educate school administrators, teachers, and other school staff about district tobacco-free schools policy, the TUPE program, and how students access TUPE programs and services. This is fulfilled through ongoing communication, including:
  - Meeting with school administrator(s),
  - Brief presentation(s) at staff meetings, and
  - E-mail communication regarding the TUPE program.
- Record all TUPE activities in online activity log.

Distribute and collect student surveys for all TUPE activities and assist with administration of the CalSCHLS/California Healthy Kids Survey, as needed.

### **Classroom-Based Substance Abuse Prevention Program**

- Support, and document in online activity log, designated teacher(s), as needed, to attend Project ALERT or Project TND training and deliver the classroom-based program AND ensure that pre- and post-curriculum delivery surveys are administered.

### **Intervention/Cessation Support**

- Provide tobacco cessation resources to students on an ongoing basis.
- Encourage staff, counselors and CBO's to attend a Brief Intervention Training.
- Support Brief Intervention and other "alternatives to suspension" at your school site.
- Coordinate scheduling and space for cessation (quit) groups, as needed.

### **Professional Development**

- Attend a one-day, countywide TUPE Site Coordinator Training at ACOE.
- Attend a one-day peer educator training with your site's peer educators.
- Attend two, one-hour, after school district Site Coordinator meetings.
- We encourage site coordinators to attend other TUPE training's and conferences as desired.

*Stipends are dependent on attendance at the Site Coordinator training, Peer Educator training, district Site Coordinator meetings, and completion of essential duties. Documentation of completion of duties includes a site activity log, submission of student surveys, and phone, e-mail, and in-person communication with ACOE TUPE staff. Stipends are up to \$2,200 for schools with less than 1,000 students, and up to \$2,400 for schools with an enrollment figure of 1,000+ students.*

### **INSURANCE:**

During the term of this M.O.U., ACOE shall provide to **AUSD** and **AUSD** shall provide to ACOE, a current certificate of policy evidencing its comprehensive and general liability insurance coverage in a sum not less than \$2,000,000 aggregate and \$1,000,000 per occurrence. ACOE shall also provide **AUSD** and **AUSD** shall also provide ACOE, with a written endorsement naming the other party as an additional insured, and such endorsement shall also state "Such insurance as afforded by this policy shall be primary, and any insurance carried by ACOE OR **AUSD** shall be excess and noncontributory." Any and all insurance coverage may be provided by a **JOINT POWERS AUTHORITY OR OTHER** Self-Insurance program. Coverage shall provide notice



to the additional insured of any change in or limitation of coverage or cancellation of the policy no less than thirty (30) days prior to the effective date of the change, limitation or cancellation.

#### **INDEMNIFICATION:**

- A. Insofar as permitted by law, ACOE shall assume the defense and hold harmless **AUSD** and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of the sole fault or negligence of ACOE, its officers, agents or employees.
- B. Insofar as permitted by law, **AUSD** shall assume the defense and hold harmless ACOE and/or any of its officers, agents or employees from any liability, damages, costs, or expenses of any kind whatsoever, including attorneys' fees, which may arise by reason of any harm to person(s) or property received or suffered by reason of the sole fault or negligence of **AUSD** its officers, agents or employees.
- C. It is the intent of the ACOE and **AUSD** that where negligence or responsibility for any harm to person(s) or property is determined to have been shared, the principles of comparative negligence shall be followed and each party shall bear the proportionate cost of any liability, damages, costs, or expenses attributable to that party.
- D. ACOE and **AUSD** agree to notify the other party of any claims, administrative actions, or civil actions determined to be within the scope of this Agreement within ten (10) calendar days of such determination. ACOE and **AUSD** further agree to cooperate in the defense of any such actions. Nothing in this Agreement shall establish a standard of care for or create any legal right for any person not a party to this Agreement.

#### **COMPENSATION:**

Under the terms and conditions of this Agreement, **ACOE** shall pay **AUSD** the amount of no more than **\$2,400 (for site coordinator stipends) + 20% (\$480 - for PERS/STRS contributions) x the number of comprehensive middle schools, high schools, and continuations sites in AUSD.** In turn, AUSD will distribute those funds directly to the identified TUPE site coordinators as agreed upon (½ of the stipend mid-year and ½ of the stipend at the end of the school year).

#### **TERMINATION/SUSPENSION:**

This M.O.U. may be terminated without cause by either party upon thirty (30) days prior written notice to the other party. When required by law, this M.O.U. may be immediately suspended by either party upon notice to the other party; any such suspension shall not extend the term of this M.O.U.

#### **NON-DISCRIMINATION:**

No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other

characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid.

### **NOTICES:**

Any notice required to be given by the terms of this M.O.U. shall be deemed to have been given when the same is personally delivered or sent by first class mail, postage prepaid, addressed to the respective parties as follows:

To ACOE:                    Alameda County Office of Education  
313 West Winton Avenue  
Hayward, CA 94544

To AUSD :                    Albany Unified School District  
819 Bancroft Way  
Berkeley, CA. 94710

### **INTEGRATION:**

This M.O.U. represents the entire and integrate agreement between ACOE and **AUSD** and supersedes all prior negotiations, representations, or agreements, either written or oral. This M.O.U. may be amended only by written instrument signed by the duly authorized representatives of ACOE and **AUSD** .

**REPRESENTATION OF AUTHORITY:**

The undersigned hereby represent and warrant that they are authorized by the respective parties to execute this M.O.U.

IN WITNESS WHEREOF, ACOE and (**Name**) have executed this M.O.U. as of the date first above written.

ALAMEDA COUNTY OFFICE OF EDUCATION

**UNIFIED SCHOOL DISTRICT**

\_\_\_\_\_  
(Manager Signature)

\_\_\_\_\_  
(Name of Representative)

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Printed Name and Title

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

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

Navdeep Purewal,  
ACOE Executive Director, Core Learning

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

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: BOARD POLICY 5117 (INTERDISTRICT ATTENDANCE)**

**PREPARED BY: DR. CARRIE NERHEIM, DIRECTOR OF STUDENT SERVICES**

**TYPE OF ITEM: REVIEW AND DISCUSSION**

---

**PURPOSE:** For the Board of Education to discuss Board Policy 5117 (Interdistrict Attendance) and provide direction to staff.

**BACKGROUND INFORMATION:**

Per [Assembly Bill-2826](#) (Pupil enrollment: interdistrict attendance): “A school district of proposed enrollment that elects to accept an interdistrict transfer...shall accept all pupils who apply to transfer ...until the school district is at maximum capacity and shall ensure that pupils admitted...are selected through an unbiased process that prohibits an inquiry into or evaluation or consideration of whether or not a pupil should be enrolled based on his or her academic or athletic performance, physical condition, proficiency in English, family income, or any of the individual characteristics set forth in Section 220, including, but not limited to, race or ethnicity, gender, gender identity, gender expression, and immigration status.

Per Board Policy 5117 (Interdistrict Attendance): “The Superintendent or designee of the district shall review all requests for interdistrict attendance agreements. The Superintendent is authorized to grant or deny interdistrict attendance requests.

Administrative Regulation 5117 (Interdistrict Attendance) states: “The decision to admit out-of-district students is discretionary. When capacity exists, applications may be approved based on the following priorities:

\*1st Priority: Students whose parents/guardians are employees of the Albany Unified School District (must work .40 FTE or more)

\*2nd Priority: Students whose parents/guardians are employed by the City of Albany, (employed at least 20 hours a week)

\*3rd Priority: Students whose siblings are ongoing interdistrict transfer students; and to ensure education continuity of students.

\*4th Priority: Students whose parents/guardians have been business owners/operators within the City of Albany for a period of at least 12 months prior to their application.

\*5th Priority: All other applicants.”

As reported at the [January 8, 2019 Board of Education meeting](#), 375 students currently attend AUSD on Interdistrict Transfer (IDT) permit. During the 2018-2019 school year, ten (10) interdistrict transfer applications were approved. Six (6) students were admitted through Priority One (students whose parents are employees of AUSD working at least .40 FTE), and four (4) students were admitted through Priority Five (all other applicants). Two (2) of the Priority Five students subsequently declined the offer to enroll in AUSD.

Also at the January 8, 2019 Governing Board meeting, Albany High School site administration presented a proposal for increasing the number of inter-district transfer students at Albany High School as a strategy for increasing District revenue. The proposal presented would increase Albany High School enrollment by approximately thirty (30) students each year for the the next three school years. For the 2019-2020 school year, thirty (30) interdistrict permits would be approved (10 at 9th grade and 20 at 11th grade).

**DETAILS:** At a previous Board meeting, a Board member asked that Board Policy and Administrative Regulation 5117 ( Interdistrict Attendance), be agendized for discussion by the Governing Board in order to discuss the following questions:

***Q. Can the requirement that AUSD employees must work at least .40 FTE, or city employees must work at least twenty hours, to be eligible for interdistrict permit approval, be eliminated?***

**A.** Per California Education Code 48204 “A school district may deem a pupil to have complied with the residency requirements for school attendance in the school district if at least one parent or the legal guardian of the pupil is physically employed within the boundaries of that school district for a minimum of 10 hours during the school week.” While this Education Code does not require the school district, within which at least one parent or guardian of a pupil is employed, to admit the pupil to its schools, a school district shall not refuse to admit a pupil on the basis of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration.

A District employee is any person employed daily or intermittently (e.x. substitute teacher or temporary athletic coach).

Administrative Regulation 5117 states: “The Board believes in educational continuity and feels that an interdistrict permit student, once granted a non-temporary interdistrict permit, should not be exited except for violation of their Interdistrict Attendance Contract or under extraordinary circumstances (such as a threat of physical harm to a student or student is a victim of bullying as defined in Education Code 48900[r]) warranting a transfer.

***Q. With respect to Board Policy 5117 and the 3rd Priority for interdistrict permit approval, which states in part: “...to ensure education continuity of students”, during a District fiscal crisis, can this directive be relaxed?***

**A:** Per Assembly Bill-2826 (Pupil enrollment: interdistrict attendance), which became effective January 1, 2019: “...a school district of residence or school district of enrollment shall not rescind existing transfer permits for pupils after June 30 following the completion of grade 10, or for pupils in grade 11 or 12.”

In response to Assembly Bill 2826 becoming effective January 1, 2019, Alameda County Office of Education provided a training in March 2019 on Interdistrict Transfers (presented by Lozano Smith Attorneys at Law). During the presentation, the following information was shared: “...once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.”

Per Alameda County Office of Education interdistrict attendance agreement, permits are effective through the highest grade offered at the school and renewals occur only at grade span changes.

As stated above, Administrative Regulation 5117 states: “The Board believes in educational continuity and feels that an interdistrict permit student, once granted a non-temporary interdistrict permit, should not be exited except for violation of their Interdistrict Attendance Contract or under extraordinary circumstances (such as a threat of physical harm to a student or student is a victim of bullying as defined in Education Code 48900[r]) warranting a transfer.

***Q. Are the inter-district transfer agreement for five years?***

**A:** Alameda County has an agreement with several districts within the county that allows the interdistrict transfer to be renewed only at grade span changes (i.e. 5th to 6th and 8th to 9th after the original approval). Other counties, such as West Contra Costa County, have an annual interdistrict renewal requirement.

#### **STRATEGIC OBJECTIVES ADDRESSED:**



***Objective #3: Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.***

|   |
|---|
| <p><b>RECOMMENDATION: REVIEW AND DISCUSS BOARD POLICY 5117 (INTERDISTRICT ATTENDANCE)</b></p> |
|---|

# **Albany USD**

## **Board Policy**

### **Interdistrict Attendance**

BP 5117

#### **Students**

##### **Interdistrict Permits**

California state law and the rules and regulations of the California Board of Education state a preference that students attend schools in their district of residency. The district Board of Education believes that children should attend schools where they live. The Board shall consider requests for interdistrict permits in accordance with this general principle.

The Board recognizes that students who reside in one school district may wish to attend school in another school district and that such choices are made for a variety of reasons. Because of capacity issues within the district and due to limited resources, the Board will consider approving such permits on a case-by-case basis through an interdistrict permit agreement with another school district. In the case of a student wishing to transfer into the district, the request will be considered when class enrollment or program availability permits the attendance of an out-of-district student.

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict permits shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

(cf. 5116.1 - Intradistrict Open Enrollment)

The Superintendent or designee of the district shall review all requests for interdistrict permits. The Superintendent is authorized to grant or deny interdistrict permit requests.

The decision to admit out-of-district students is discretionary. When capacity exists, interdistrict permit requests may be approved based on the following priorities:

\* 1st Priority: Students whose parent/guardian is an employee of the Albany Unified School District (must work .40 FTE or more)

\* 2nd Priority: Students whose parent/guardian is an employee of the City of Albany, (employed at least 20 hours a week)

\* 3rd Priority: Students whose sibling(s) is/are ongoing interdistrict permit students; or to ensure educational continuity of students.

\* 4th Priority: Students whose parent/guardian has been a business owner/operator within the City of Albany for a period of at least 12 months prior to their application.

\* 5th Priority: All other applicants.

Notwithstanding these priorities, the Superintendent or designee may grant a permit request if, in the judgment of the Superintendent or designee, the parent/guardian provides evidence of extraordinary circumstances warranting a transfer.

The Board believes in educational continuity and feels that an interdistrict permit student, once granted a non-temporary interdistrict permit, should not be exited except for violation of their Interdistrict Attendance Contract or under extraordinary circumstances (such as a threat of physical harm to a student or student is a victim of bullying as defined in Education Code 48900[r]) warranting a transfer.

The Superintendent or designee may deny applications for interdistrict permits due to space limitations or other nondiscriminatory reasons. The Superintendent or designee may also revoke an interdistrict permit for nondiscriminatory reasons.

The parent/guardian of a student who is denied an interdistrict permit pursuant to Education Code 46600-46611 shall receive timely notice, in accordance with law, regarding the process for appeal to the Albany Unified School District Board, and to the County Board of Education. A student whose request for an interdistrict permit is based on his/her parent's employment within the district's boundaries, including employment by the district, shall not have the right to appeal a denial to the County Board.

Students who have been expelled from other school districts may not be admitted to the district on interdistrict permits during the period of their expulsions. Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict permit denials while expulsion proceedings are pending, or during the term of the expulsion.

The district shall furnish the transferring student the same advantages, equipment, supplies and services as are furnished to other students in attendance in its schools. The district shall not provide transportation beyond its district attendance area. Upon request, the superintendent or designee may authorize transportation for interdistrict permit students to and from designated bus stops within the district if space is available.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program



48350-48361 Open Enrollment Act

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

#### ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

#### COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

#### Management Resources:

##### WEB SITES

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

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

Policy ALBANY UNIFIED SCHOOL DISTRICT

Adopted: December 2, 2008 Albany, California

Revised: June 15, 2010

Revised: November 22, 2016

# Administrative Regulation

## Interdistrict Attendance

AR 5117

### Students

#### Interdistrict Permits

In accordance with an agreement between the Governing Board and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance. Such a permit is referred to as an "interdistrict permit."

The Superintendent or designee may deny initial requests for interdistrict permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance solely because of overcrowded facilities at the relevant grade level.

#### General Information

Requests for interdistrict permits, both incoming and outgoing, shall be submitted to the employee in charge of interdistrict permit requests and reviewed annually by the Superintendent or designee. For transfer into the district, the student and parent/guardian must sign an Interdistrict Attendance Agreement annually. (See Exhibit 5117)

Each interdistrict permit request will be judged on its individual merits. All factual information and supporting documentation submitted with the interdistrict permit request will be subject to verification. Any permit request containing or based upon false information will be denied or revoked, and the parent/guardian responsible will be referred to the appropriate legal authorities. Applications for interdistrict permits may be submitted at any time during the preceding school year for which the transfer is requested.

#### Requests for Interdistrict Permits into the District

1. The parent/guardian must first obtain approval for the student's transfer from the student's current district of residence on the appropriate form.
2. Within 30 days of receiving the application for an interdistrict permit, the

Superintendent or designee shall provide written notification to the parent/guardian and the student's district of residence as to whether the application has been accepted or rejected. If the application has been approved, the notification shall specify the particular school site and the school's address to which the student has been admitted. (Education Code 48357; 5 CCR 4702)

3. The Superintendent or designee may approve, deny, or place on the waiting list requests for new interdistrict permits that are approved by the District of Residence and submitted to the Albany Unified School District by June 1 for the upcoming school year. Applicants will be informed in writing by the second week of the school year as to whether their application has been approved, denied, or wait-listed.

4. The Superintendent or designee may deny initial requests for interdistrict permits if the district's facilities are overcrowded at the relevant grade level and based on other nonarbitrary considerations.

5. If the request for transfer is approved, the district retains the right to determine the specific school to which the student will be assigned. However, the district will attempt to accommodate a parent/guardian's request for placement in a specific school site, subject to the priorities and policies established in the district's residency regulations.

6. If the request for transfer is denied, the parent/guardian will be notified in writing of the right to appeal to the district Board. If the appeal is denied by the Board, the parent/guardian will be notified in writing regarding the process for appeal to the County Board of Education. An appeal to the County Board of Education must be made within 30 days of the district Board's denial. A student whose permit request is based on his/her parent/guardian's employment within the district's boundaries, including employment by the district, shall not have the right to appeal a denial to the County Board.

The Board requires that all requests for interdistrict permits and the required supporting documentation be certified by the parent/guardian, childcare provider, or caregiver under penalty of perjury. The Superintendent or designee is responsible for confirming the accuracy of information contained in such requests and documentation; investigating any suspicion that information has been falsified; reporting such violations to the appropriate law enforcement agencies; and reporting such activities to the Board.

#### Requests for Renewal of Interdistrict Permits into the District

Requests for renewal of interdistrict permits into the district will be reviewed according to the process for new interdistrict permits, with the following exceptions:

1. A request for renewal of an interdistrict permit must be submitted by April 1<sup>st</sup>, if

required by the district of residence. Applicants will be advised within 30 days whether the request is approved or denied.

2. A request for renewal of an interdistrict permit submitted after April 1 will be processed as a new request.
3. If admission to the district was approved based on the student's parent/guardian's employment, the student shall be allowed to attend school in the district through the 12th grade, if the parent/guardian so chooses, subject to (1) annual completion of the interdistrict permit renewal by the April 1st deadline to verify continued employment within the district according to proof acceptable to the district, consistent with the district Residency Policy and Regulations; and (2) any other limitation as allowed by law, including violations of the Interdistrict Attendance Agreement.

#### Grounds for Approval

The Superintendent or designee may approve interdistrict permits when capacity within the district exists. Students whose requests are denied solely because of lack of capacity within the district will be placed on a waiting list, and their applications will be considered if space becomes available.

"Educational continuity" includes such considerations as the desire to complete the highest grade at a site or continuing education in the district after a number of years as a district student. Temporary interdistrict permits may be approved to allow a student to complete a school year when the parent/guardian has moved out of the district during the year, or to continue attendance if the student will be living out of the district for less than one school year. Students who have moved out of the district and wish to remain in the district for the remainder of the year may stay pending approval by the new district of residence or an appeal of that district's decision to the Alameda County Office of Education, and a positive recommendation by the school principal. Students who complete a school year on a temporary interdistrict permit and who wish to remain in the district must apply for a non-temporary interdistrict permit for the following year and will be considered along with all other applicants according to the priorities set in Board policy.

Notwithstanding these priorities, the Superintendent or designee may grant a transfer if, in the judgment of the Superintendent or designee, the parent/guardian provides evidence of extraordinary circumstances (such as a threat of physical harm to a student or student is a victim of bullying as defined in Education Code 48900[r]) warranting a transfer.

Once a student is admitted to a school on the basis of a non-temporary interdistrict permit, he/she shall not be required to reapply for an interdistrict permit and shall be

allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are otherwise specified in the interdistrict permit agreement. Existing interdistrict permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

#### Provision of Special Education Supports and Services

If the student receives special education services, or has in the past been found eligible for special education services, it shall be indicated on the interdistrict permit application. A copy of the student's most recent Individualized Education Plan (IEP) detailing needed services must be included with supporting documents for the permit application. The requested district of attendance will determine if it has capacity to meet the student's special education needs with existing special education programs and support staff. If the requested district of attendance has capacity to implement the student's IEP, the student will not be denied enrollment on that basis. The cost of the placement will be the responsibility of the requested district of attendance unless costs are negotiated otherwise between the two districts, not including transportation, which shall be provided by the parent, unless otherwise required by law for certain special education students.

If a student's educational needs change during the term of the interdistrict permit and the district of attendance can no longer provide Free Appropriate Public Education (FAPE), the Special Education Director for the district of attendance will notify the Special Education Director of the district of residence and schedule a meeting to discuss the student's transition back to the district of residence for appropriate placement and termination of the interdistrict permit to ensure the student receives a FAPE.

If a student is referred for a special education evaluation while under a previously approved interdistrict permit, the district of attendance is responsible for the "Child Find" and assessment of the student. The subsequent IEP meeting will include representatives from both districts, and the student's eligibility and the provision of services needed to provide the student with a FAPE shall be discussed. If the district of attendance can meet the student's FAPE needs in its existing special education programs, and has capacity in an existing program at the student's grade level, the student will continue to attend school in the district of attendance. If not, the district of attendance will notify the Special Education Director of the district of residence and schedule a meeting to discuss the student's transition back to the district of residence for appropriate placement and termination of the interdistrict permit to ensure the student receives a FAPE.

#### Revocation of Interdistrict Attendance Permits

##### Grounds for Revocation

Pursuant to Education Code 46600, the following are the terms and conditions under which an interdistrict permit may be revoked:

1. Determination by the district that the interdistrict permit request or supporting documentation was based upon false or fraudulent information.
2. Failure to comply with the requirements of the Interdistrict Attendance Agreement which include demonstrating acceptable academic performance, attendance, and behavior. The Interdistrict Attendance Agreement must be signed by both the student and the parent/guardian.
3. Determination by the district that the conditions on which the interdistrict permit approval was based are no longer met. It is the responsibility of the parent/guardian to notify the district within 30 days if any of the conditions justifying the permit approval change. The student may be granted a temporary interdistrict permit, within the discretion of the Superintendent or designee, to complete the school year in the district with the approval of the new district of residence.
4. Determination by the district that the continuing presence of the student is not in the student's best educational interest, or will interfere with the needs of other students, or both.

The district will give 10 days notice to a parent/guardian prior to the revocation of an interdistrict permit.

#### Request for Interdistrict Agreements Out of the District

Parents/guardians of students wishing to transfer out of the district shall complete an interdistrict permit request. It is recommended that the parent/guardian of the applicant meet with the student's current school principal to discuss the reason for the permit request and obtain his/her signature on the application.

Applications will be approved or denied by the Superintendent or designee. Applicants will be notified in writing if the request is denied, and will be given the reason for the denial. Denials by the district may be appealed to the district Board. If the appeal is denied, the request may be appealed to the Alameda County Office of Education within 30 days of the district's final decision. Reasons for denial may include loss of district revenue due to the outgoing transfer of a student.

Applications that are approved by the district must also be approved by the requested district of attendance. Parents/guardians should advise the Albany Unified School District of the final disposition of their request within five days of notification by the receiving district, or the Alameda County Office of Education in the case of an appeal.

Regulation     ALBANY UNIFIED SCHOOL DISTRICT  
Reviewed:     March 1, 2011 Albany, California  
Revised:     November 8, 2016

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: STAKEHOLDER INPUT REPORT FOR SUPERINTENDENT SEARCH**

**PREPARED BY: KIM TRUTANE, PRESIDENT - BOARD OF EDUCATION**

**TYPE OF ITEM: REVIEW AND ACTION**

---

**PURPOSE:** For the Board to review and approve the Stakeholder Input Report for the Superintendent Search.

**BACKGROUND INFORMATION:** At the February 12, 2019 Board of Education meeting, the Board voted unanimously to retain the firm of McPherson & Jacobson to assist the Board in hiring a new Superintendent for Albany Unified School District on the retirement of current Superintendent Valerie Williams. From March 19 - 26, 2019, search consultants Bill Huyett and Nicole Anderson conducted a series of public and private meetings with stakeholders in Albany. There were two Community Forums held (one with childcare provided) which were open to all. In addition, fifteen special meetings with the following groups were held:

- Albany Coming Together
- Albany Teachers' Association
- Albany Unified School District Staff -- District Office Staff, Executive Cabinet, District Leadership Team
- All Fundraising Organizations
- All PTAs & PTSA
- Black Parent Advisory Group
- CSEA and SEIU Union Members
- City of Albany Officials
- DELAC (District English Learners Advisory Committee)
- Familias Latinas
- Former AUSD Board Members
- Jewish Parent Advisory Group
- Special Education
- Students - AHS and MacGregor



Stakeholders were asked the four questions listed below and their responses noted.

1. Tell us what is good about your community.
2. Tell us what is good about the District and the schools.
3. What are the issues a new superintendent should know about when coming to this position?
4. What are the characteristics, attributes and skills the new superintendent should have to be successful in this position?

Mr. Huyett and Ms. Anderson have prepared the following document for the Board, which includes a broad summary of recurring themes and a comprehensive list of the input that they noted from each group.

#### **KEY QUESTIONS AND ANSWERS:**

##### **Q. How will this information be used?**

- A. McPherson and Jacobson will consider this input when screening superintendent candidates to recommend to the Board of Education. A broad base of input increases confidence that the necessary skills for the next Superintendent have been identified. The Board will also use this input to determine interview questions to ask candidates and in their final determination of the successful candidate.**

**FINANCIAL INFORMATION:** N/A

#### **STRATEGIC OBJECTIVES ADDRESSED:**



**Objective #3: Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.**

|   |
|---|
| <b>RECOMMENDATION:</b> Review and Approve the Stakeholder Input Report. |
|---|

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: DETERMINE STAKEHOLDER PANEL FOR THE  
SUPERINTENDENT FINALIST INTERVIEWS**

**PREPARED BY: KIM TRUTANE, PRESIDENT - BOARD OF EDUCATION**

**TYPE OF ITEM: REVIEW AND ACTION**

---

**PURPOSE:** For the Board to select and confirm members of the Stakeholder Panel that will participate in the Superintendent Finalist interviews on May 5 and 6, 2019.

**BACKGROUND INFORMATION:** At the February 12, 2019 Board of Education meeting, the Board voted unanimously to retain the firm of McPherson & Jacobson to assist the Board in hiring a new Superintendent for Albany Unified School District on the retirement of current Superintendent Valerie Williams. In addition to the extensive community engagement process McPherson & Jacobson uses to help select "best fit" candidates for the district, they also recommend involving the community when the finalist candidates are interviewed. William Huyett and Nicole Anderson of McPherson & Jacobson recommend that a Stakeholder Panel comprising fifteen community members be selected to take part in the finalist interviews, taking place on May 5 and 6, 2019.

**DETAILS:** The fifteen member panel will have the following composition:

- 2 Administrators, one from the District Office and one Site Administrator (school principal). Both groups will select their own representative.
- 2 Classified employee representatives (chosen by the CSEA and SEIU unions)
- 3 Teachers (chosen by Albany Teachers Association)
- 1 Albany High School student
- 7 community members
- 15 members total

At the March 26, 2019 Board of Education meeting, the Board determined that administrators would ask among themselves for representatives, but if multiple candidates arose, the Board would make the final selection. Also, if neither of the Student Board Members are able to sit on the panel and multiple student applications are received, the Board will choose the student panelist. Lastly, the Board decided to post the community member openings to the general public. Brief applications noting affiliations to school

and community groups in Albany would be accepted by email and U.S. mail until Monday, April 15.

The goal of this item is for the Board to select among applications for any category where there are more applications than seats, and to publicly confirm all Stakeholder Panel members. Applications will be provided to the Board under separate cover to respect the confidentiality of each applicant.

#### **KEY QUESTIONS AND ANSWERS:**

**Q. Will the Stakeholder Panel recommend a specific candidate to the Board of Education?**

**A. No. The Stakeholder Panel will submit a list of the strengths and weaknesses of each finalist.**

**Q. Can a panelist participate in interviews on only one of the two days of interviews, allowing someone else to participate on the other day?**

**A. No. The same panel must interview all finalists. Panelists must be willing to commit to interviews on both May 5 and May 6.**

**FINANCIAL INFORMATION:** N/A

#### **STRATEGIC OBJECTIVES ADDRESSED:**



**Objective #3:** *Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

|  |
|--|
| <p><b>RECOMMENDATION:</b> For the Board of Trustees to determine the members of the Stakeholder Panel for the Superintendent Finalist Interviews</p> |
|--|

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: FOOD SERVICE PROGRAM OVERVIEW AND ELEMENTARY  
BREAKFAST PROGRAM**

**PREPARED BY: SABINA FEINBERG, EXECUTIVE CHEF  
JACKIE KIM, CHIEF BUSINESS OFFICIAL**

**TYPE OF ITEM: REVIEW AND DISCUSSION**

**PURPOSE:** To review and discuss food service program overview and elementary breakfast program

**BACKGROUND INFORMATION:**

The Albany School Food Project is a team of food and nutrition professionals that are dedicated to students' health, well-being and their ability to learn. Our goal is to support learning by promoting healthy eating habits. Meals, foods and beverages sold or served at our schools meet state and federal requirements based on the USDA Dietary Guidelines. We provide students with access to a variety of affordable and appealing foods that meet the health and nutrition needs of students. We strive to use as little processed foods as possible. All foods we sell are free of corn syrup and food colorings. We serve brown rice, whole grain pasta, whole grain breads, and whole grain pizza crust. We use local and organic produce whenever possible. Our milk is hormone free and from local farmers committed to animal welfare and environmental stewardship.

**DETAILS:**

The Menu: The menus for the Albany School Food Project are based on a variety of data. The previous executive chef analyzed the sales data on individual menu items and the daily participation rates. The chef chose to keep menu items with the most sales and from the highest participation rates. The previous chef also conducted surveys several years ago regarding food likes/dislikes in the elementary schools.

In addition to the survey, a study was done last year at AHS, revealing that students liked the food in general, but that the lines were more of an issue that prevented them from purchasing school lunch. We plan to create new surveys for students at the high school and middle school, and for students and parents at the elementary level to learn more about what students would like to see on the menus. We also plan to schedule tastings with students.

Another way that menus are created are by observing trends in other food service programs. By researching online menus from other school districts and having discussions with local food service directors, the previous chef was able to learn what menu items other directors were having success with in their programs. Menu planning is also based on available school food products that meet the nutritional standards created by the USDA for the National School Lunch Program. Menu items must follow a meal pattern in order to make meals reimbursable. To keep food costs low, we purchase and utilize commodity foods with reimbursement dollars.

The Breakfast Program: Currently, we serve breakfast at four schools: Ocean View, Albany Middle School, Albany High School, and Albany Children’s Center. Approximately 215 students receive breakfast at AHS during the morning break. Approximately 15 students at Ocean View and 50 students at AMS receive breakfast. These numbers include students who pay for meals and for students who are on the Free and Reduced Lunch program. In discussions with principals, it was determined that there has not previously been nor is there currently a demand for breakfast at Marin & Cornell schools.

Serving breakfast at other schools in the future is a possibility, but there are some challenges. Current Ocean View 1st - 5th grade students will be moving to the AMS Annex and AHS New Addition, so we would need to factor in the cost of hiring two additional staff members at those sites to prepare and serve the breakfast, and the cost of purchasing additional equipment to keep foods hot/cold and safe to eat since there are no kitchens at these sites. We would also need to hire two staff members to prepare breakfast at Cornell and Marin. Lastly, we need to have enough participants in the breakfast program to be financially solvent. For example, due to low participation at Ocean View, there is a risk of a financial deficit.

**FINANCIAL INFORMATION:** N/A

**STRATEGIC OBJECTIVES ADDRESSED:**



***Objective #3: Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.***

|  |
|--|
| <p><b>RECOMMENDATION:</b> To review and discuss food service program overview and elementary breakfast program</p> |
|--|

**ALBANY UNIFIED SCHOOL DISTRICT  
BOARD AGENDA BACKUP**

**Regular Meeting of April 16, 2019**

**ITEM: EQUITY GOALS SURVEY**

**PREPARED BY: KIM TRUTANE, PRESIDENT - BOARD OF EDUCATION**

**TYPE OF ITEM: REVIEW AND DISCUSSION**

---

**PURPOSE:** For the Board of Education to review and discuss using **Voices for Racial Justice's Equity Measures** sheet as a survey tool to assess perceptions of equity within Albany Unified School District.

**BACKGROUND INFORMATION:**

[Voices for Racial Justice](#) is an advocacy organization in Minnesota. As part of their advocacy for equity in education they created the **Equity Measures** sheet included here. Albany High School PTSA President Natalie Gaysinsky located this resource.

**DETAILS:**

The [Equity Measures](#) sheet (attached) can be used to as a tool for thought by the Board of Education and AUSD staff. We could also go a step further and use it as a survey. Board members and selected district staff could be asked to indicate "Agree / Somewhat Agree / Neutral or Don't Know / Somewhat Disagree / Disagree" for each measure. Those results could be examined by the Board to uncover areas of equity work that need more attention and resources. Survey results may also reveal areas of progress that have not been adequately communicated.

**STRATEGIC OBJECTIVES ADDRESSED:**



**Objective #3:** *Communicate and Lead Together. Goal: All stakeholders will collaborate and communicate about decisions that guide the sites and district.*

---

**RECOMMENDATION:** Determine if the **Voices for Racial Justice Equity Measures** sheet should be used as the basis for a limited-size pilot survey.



VOICES FOR  
RACIAL JUSTICE

Pathway to Education Equity

## Equity Measures

### *Access to Opportunities*

All students have access to the opportunities for success.

1. Course selection and enrollment is not predictable by race or poverty of students.
2. Participation in extracurricular activities is not predictable by race or poverty of students.
3. Student access to and participation in college and career preparation is not predictable by race or poverty of students.

### *Chance to Learn*

Schools provide opportunities for all students to achieve academic success.

1. The curriculum is challenging and consistently integrates culturally relevant learning.
2. Teachers and staff demonstrate high expectations for students, so that participation in opportunities is not predictable by race or poverty of students.
3. Teachers are trained to modify instructional strategies to meet the needs of different types of learners.
4. Teachers and staff connect students and families with the support necessary for academic success.

### *Inclusive Community*

School community is inclusive of multiple experiences and fosters mutual respect.

1. Teachers and families know each other and have mutually positive relationships.
2. The school environment is inclusive, where students from various racial, ethnic, and socioeconomic communities and backgrounds, as well as students with disabilities, learn, work, and socialize together in integrated settings.
3. Administration and teaching staff reflect the diversity of the student body, so that students have role models who look like them and share common experiences.
4. The diversity of the student body is reflected in the school environment, with inclusion of diverse cultures in educational texts and materials, promotional materials, and the physical environment.

### *Fair Discipline*

Students of color are not disproportionately disciplined.

1. Staff members demonstrate increased knowledge in the application of cross-cultural competence and communication.
2. Conflict resolution strategies include restorative justice and other practices that do not exclude students from the learning community.
3. Data are being collected in a uniform and comprehensive way so that school and district leadership can understand who is being disciplined, how often, and why.
4. Rates of suspension and other disciplinary actions are proportionate by race, income, gender, and disability representation in the overall student population.



VOICES FOR  
RACIAL JUSTICE

*Pathway to Education Equity*

### *Community Engagement*

All families are connected and engaged with the school community.

1. Communication is meaningful and shared in a language and mode that is accessible to families.
2. Schools provide families with multiple ways to engage in the school community and the education of their child.
3. Parent leadership and participation in school decision making and events reflects the diversity of the school community.

### *Academic Achievement*

Eliminate disparities in academic achievement and outcomes.

1. Test scores and outcome data are comparable, regardless of race or poverty of students.
2. Participation and success in advanced coursework is not predictable by race or poverty of students.
3. Attendance, successful course completion, graduation, and dropout rates are not predictable by race or poverty of students.
4. All graduating students are college- and career-ready and supported to have a clear plan upon completion of high school.

### *Resources*

School/district resources are distributed equitably and based on what students require to achieve their full potential.

1. School facilities and classrooms serving low-income students are of comparable quality to those serving higher-income students.
2. All students have an equitable distribution of materials, including books, technology, and other supplies that they need to learn and meet rigorous standards.
3. Teachers with the most training and experience are assigned to schools and classrooms where they can have the most influence on student learning.
4. Budgeting processes are inclusive and transparent, and equity is stated as an affirmative goal.

### *Shared Accountability*

School community commits to a process toward education equity and shares it progress.

1. Stakeholders with multiple perspectives and experiences are part of the decision making processes.
2. An Equity Impact Assessment is employed in making decisions relating to school policies and practices.
3. Community stakeholders are engaged in an ongoing inquiry process and continued progress toward equity.
4. School/district documents quantitative and qualitative data and reports regularly to the larger community on progress toward equity.