

ALBANY UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

P1

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

ALBANY CITY HALL

1000 San Pablo
Albany, CA 94706

TUESDAY
May 15, 2012

A G E N D A

<u>Meeting Norms</u>	
<ol style="list-style-type: none">1. Maintain a focus on what is best for our students.2. Show respect (never dismiss/devalue others).3. Be willing to compromise.4. Disagree (if necessary) agreeably.5. Make a commitment to effective deliberation, each one listening with an open mind while others are allowed to express their points of view.6. Participate by building on the thoughts of a fellow Board member.7. Make a commitment to open communication and honesty; no surprises.8. Commit the time necessary to govern effectively.9. Be collaborative.10. Maintain confidentiality (which leads to the building of trust).11. Look upon history as lessons learned; focus on the present and the future.	<div data-bbox="597 814 1529 961">I. <u>OPENING BUSINESS</u> <u>6:30 p.m.</u> A) Call to Order B) Roll Call C) Identify Closed Session Pursuant to Agenda Section III Below</div> <div data-bbox="597 1003 1546 1129">II. <u>PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS</u> <i>General public comment on any Closed Session item will be heard. The Board may limit comments to no more than three (3) minutes.</i></div> <div data-bbox="597 1161 1529 1833">III. <u>CLOSED SESSION</u> <u>6:35 p.m.</u> A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957: <i>Superintendent's Contract</i> B) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146: <i>Students</i> C) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957.6: <i>Conference with Labor Negotiator</i> (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as pertains to:<ul style="list-style-type: none">• California School Employees Association (CSEA)• Albany Teachers Association (ATA)• SEIU Local 1021</div>

IV. OPEN SESSION**7:00 p.m.***(30 mins.)**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) Reconvene to Open Session
- B) Roll Call
- C) Pledge of Allegiance
- D) Report of Action Taken in Closed Session
- E) Recognition of Employees
- F) Approval of Agenda
- G) Approval of Consent Calendar

*(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. Board of Education Minutes

- a) *Approve Minutes of the May 1, 2012 Regular Meeting*-----*(pg. 5)*

2. Personnel-----*(pg. 13)*a) Certificated Personnel Assignment Order

- 1) Extra Assignment
 - a. 4th Grade Field Trip
 - b. Noontime Activities

- 2) New Hire
 - a. Mental Health Intern
 - b. Teacher, Substitute

b) Classified Personnel Assignment Order

- 1) New Hire
 - a. Lifeguard
 - b. Para-educator, Substitute
 - c. Swim Instructor

- 2) Separation of Service
 - a. Clerical Aide, Substitute
 - b. Para-educator
 - c. Para-educator, Substitute
 - d. Yard Aide

3) Student Workers

- 4) Uncompensated Services
 - a. Volunteer

- c) *Approve the Psychology Internship Agreement*-----*(pg. 18)*
Between AUSD and North Eastern University

3. Business and Operations

a) *Approve Measure I and Measure J Parcel Tax-----*(pg.22)
Rate Increase for 2012-13

b) *Approve Donations from 11/1/11 – 5/3/12-----*(pg.23)

4. Student Services

a) *Approve Appointment of Representatives to the-----*(pg.27)
California Interscholastic Federation North Coast Section

b) *Approve Amendment to the Independent Contractor Agreement
 Between Albany Unified School District and Tarah Fleming for
 Preparing a Parent Education Presentation on Building Cultural
 Competency with Youth-----*(pg.30)

5. Special Education

a) *Approve Independent Contractor Agreement -----*(pg.31)
Community Options for Families and Youth (COFY)

V. STUDENT MEMBER REPORT

7:30 p.m.

(5 mins.)

VI. STAFF REPORTS

7:35 p.m.

A) *Technology Update -----*(pg.32)
(under separate cover)
(20 mins.)

VII. PERSONS TO ADDRESS THE BOARD
ON MATTERS NOT ON THE AGENDA

7:55 p.m.

(10 mins.)

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.

VIII. REVIEW AND ACTION ITEMS

8:05 p.m.

(Members of the public will have the opportunity to speak on all issues.)

A) *Use of Tier III Categorical Funds for 2012-13-----*(pg.79)

- *Open Public Hearing*
- *Close Public Hearing*
- *Approve Use of Tier III Categorical Funds for 2012-13*

(10 mins.)

B) *Approve Resolution 2011-12-18 –
 Volunteers Covered by Worker's Compensation-----*(pg.82)
(10 mins.)

C) *Approve the Superintendent's Contract-----*(pg.84)
(under separate cover)
(10 mins.)

- D) *Approve the Independent Contractor Agreement Between Albany Unified School District and Gender Spectrum for Preparing a Parent Education Presentation on Gender Roles, Stereotypes, and Expression*----- (pg.85)
(10 mins.)

IX. REVIEW AND DISCUSSION ITEM

8:45 p.m.

- A) *Strategic Plan – Review of Recommended Next Steps*----- (pg.86)
(10 mins.)
- B) *Potential November 2012 Ballot Measures Designed to Fund Public Education*----- (pg.96)
(10 mins.)
- C) *Review New Administrative Regulation 5148.3 – Preschool/ Early Childhood Education.*----- (pg.135)
(10 mins.)
- D) *Review New Administrative Regulation 5148 – Child Care and Development*----- (pg.138)
(10 mins.)

X. BOARD AND SUPERINTENDENT COMMENTS

9:25 p.m.

(5 mins.)

XI. FUTURE AGENDA ITEMS

- Single School Plans
- Consolidated App

June

June

XII. FUTURE BOARD MEETINGS

1. Tuesday, June 5, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
2. Tuesday, June 19, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany

Please note that the Board of Education is in recess in July.

XIII. ADJOURNMENT

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

The Board of Education meeting packet is available for public inspection at: 1) Albany City Hall, 1000 San Pablo Avenue; 2) Albany Public Library, 1247 Marin Avenue; 3) Albany Unified School District, 1051 Monroe Street; and is available on the Albany Unified School District web site: 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).



Albany Unified School District

ALBANY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

1051 Monroe Street
Albany, CA 94706

MINUTES FOR REGULAR MEETING

May 1, 2012

*Albany City Hall
1000 San Pablo Avenue
Albany, CA 94706*

I. OPENING BUSINESS 5:00 p.m.

A) Call to Order

President Black called the meeting to order at 5:05 p.m.

B) Roll Call

PRESENT: President Black, Vice President Knight, Member Low, Member Rosenbaum, and Member Maris.

STAFF: Superintendent Stephenson

EXCUSED: Associate Superintendent Harden and Marsha Brown, Director III Student Services.

C) Identify Closed Session Pursuant to Section III Below

II. PUBLIC COMMENT PERIOD FOR CLOSED SESSION ITEMS

There being no business under this item, the Board moved to the next item on the agenda.

III. CLOSED SESSION

- A) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957: *Superintendent's Contract*
- B) With respect to every item of business to be discussed in Closed Session pursuant to Education Code Section 35146: *Students*
- C) With respect to every item of business to be discussed in Closed Session pursuant to Government Code Section 54957.6: *Conference with Labor Negotiator* (Superintendent Marla Stephenson, District Representative), Regarding Negotiations as pertains to:
 - California School Employees Association (CSEA)
 - Albany Teachers Association (ATA)
 - i. *Negotiations*
 - SEIU Local 1021

IV. OPEN SESSION

A) Reconvene to Open Session

B) Roll Call

^{P6}
PRESENT: President Black, Vice President Knight, Member Low, Member Rosenbaum, Member Maris, and Student Board Member Yoon.

EXCUSED: Student Board Member Kim.

STAFF: Superintendent Stephenson; Associate Superintendent Harden; and Marsha Brown, Director III Student Services.

There being no further business under this item, the Board moved to the next item on the agenda.

C) Pledge of Allegiance

The Board and members of the public recited the Pledge of Allegiance.

There being no further business under this item, the Board moved to the next item on the agenda.

D) Report of Action Taken in Closed Session

President Black reported that no action was taken in closed session.

There being no further business under this item, the Board moved to the next item on the agenda.

E) Recognition of Volunteers

The Board and Superintendent Stephenson thanked AUSD volunteers for their service to the district. Site Administrators presented Certificates of Recognition to those in attendance while individually acknowledging each volunteer's service to the community (to view the presentation and photographs of the presentation visit ausdk12.org).

There being no further business under this item, the Board moved to the next item on the agenda.

F) Recognition of Measure E Community Oversight Committee Members

The Board and Superintendent Stephenson thanked Measure E Community Oversight Committee Members for their service to the district. President Black and Superintendent Stephenson presented Certificates of Recognition to those in attendance (to view the presentation and photographs of the presentation visit ausdk12.org).

The Board recessed to join AUSD staff, volunteers, committee members, and community members in a recognition celebration and returned to session at 7:40 p.m.

There being no further business under this item, the Board moved to the next item on the agenda.

G) Approval of Albany Unified School District Board of Education Agenda for the May 1, 2012 Meeting

President Black requested a motion to Approve: E) Albany Unified School District Board of Education Agenda for the May 1, 2012 meeting.

Motion by Member Rosenbaum, seconded by Vice President Knight to Approve: E) Albany Unified School District Board of Education Agenda for the May 1, 2012 meeting.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

H) Approval of Consent Calendar

(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. Board of Education Minutes

1. *Approve Minutes of the April 17, 2012 Regular Meeting with revisions.*

2. Personnel

a. Certificated Personnel Assignment Order

- 1) Amendment
 - a. Chair, Science
- 2) Extra Assignment
 - a. Chair, Science
- 3) Leave
 - a. Teacher
- 4) Separation of Service
 - a. Teacher

b. Classified Personnel Assignment Order

- 1) New Hire
 - a. Custodian
 - b. Para-educator, Substitute
- 2) Uncompensated Service
 - a. Volunteer

3. Student Services

- a) *Quarterly Field Trip Report*

President Black requested a motion to Approve: (H) Consent Calendar.

Motion by Member Rosenbaum, seconded by Member Low to Approve: (H) Consent Calendar.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

V. STUDENT MEMBER REPORT

Student Board Member Yoon presented an electronically submitted Student Member Report to the Board that consisted of the following:

Student Report Board Meeting 5/1/12

I. General Albany High School News

- A. STAR testing is ongoing.
- B. AP testing is May 7 – May 18
- C. Albany High is looking for families to host a Japanese student for a weekend:
 Dates: Friday, August 3 – Sunday, August 5. The home-stay is part of the 3-week leadership training at UC Berkeley. These are students from areas in Japan affected by the earthquake and tsunami last year.

- P8 Contact: Junko Kenmotsu at Junekenmo@gmail.com or (510) 204-0678. More information available on the Albany High website.
- D. Job Shadow Day at AHS was last Thursday. Juniors at AHS had the opportunity to shadow various mentors from throughout the Bay Area as they went about their work day.

II. Leadership Activity

- A. Prom was held this past Saturday at Chabot Space and Science Center.

III. Awards

- A. National Achievement Scholarship Program
- a. Chanel Tilghman (Gr. 12) was one of 1,300 students named a Finalist
 - b. Aneesa Phelps (Gr. 12) was one of 3,100 recognized as an Outstanding Participant
- B. Albany High School Ocean Science Bowl team placed seventh in the nation at the national competition in Baltimore, MD.
- C. Two Albany High debaters participated in the state tournament this past weekend.
- D. Stuart Adams broke the school record in the 300m hurdles at the April 19 home meet.
- E. The Men's Golf Team won the league championship for the first time in 45 years.
- F. Albany High swept first, second, and third at the regional Pitch Event for Technovation, an all-girls program in which teams develop a mobile phone app prototype. Wendy Li, Denise Leung, Siyao Ma, Elena Pioreschi, and Lisa Illes will compete against ten other regional winning teams from across the country in Santa Clara this Thursday. More information is available on the Albany High website, under the General News section.
- G. The AHS Jazz Ensembles had a very successful showing this past weekend at the Reno Jazz Festival. The AHS Jazz Band took first place in the B Division (two years in a row). The AHS Jazz Lab placed fifth in the Apprentice II division- this is the best Jazz Lab has done at this festival. The Reno Jazz Festival is the largest jazz festival on the west coast featuring nearly 6,000 students from more than 300 schools.

IV. Club Activity

- A. Debate Club is preparing for a novice tournament on May 12.

There being no further business under this item, the Board moved to the next item on the agenda.

VI. STAFF REPORTS

A) Measure E Community Oversight Committee Annual Report

Greg Lunkes, Measure E Community Oversight Committee Chair, provided the Board with a Measure E Community Oversight Committee Annual Report. It was noted that the report is the fourth annual report on the ten million dollar, 2008 Albany Community Pool Improvement Bond Measure, which covers the 2010-11 fiscal year.

It was noted that the principal duties of the Committee are to ensure that Bond proceeds are expended for the purposes described in the Bond ballot language, report the program's progress to the public, and provide a compliance statement.

It was noted that the Committee accepted the annual audit of Bond expenditures performed by Wilson Hadley King & Co., LLP. The audit disclosed no instances of non-compliance with the terms of Proposition 39 or the terms of the Albany Community Pool Improvement Bond Measure, as approved by district voters. The Committee is pleased to report, to the best of its knowledge, that the Albany Unified

School District is in compliance with the terms described in Article XIII A, Section 1(b) (3) of the California State Constitution.

P9

The Board and the Superintendent thanked Mr. Lunkes for the report (to view the report and discussion visit www.ausdk12.org).

There being no further business under this item, the Board moved to the next item on the agenda.

VII. PERSONS TO ADDRESS THE BOARD ON MATTERS NOT ON THE AGENDA

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.

A) Scoops 4 Schools

Allan Riffer, Albany Education Foundation Treasurer, thanked Board members for attending the Scoops 4 Schools event. President Black noted that Board practice limits each speaker to no more than three (3) minutes and the Brown Act limits Board ability to discuss or act on items which are not on the agenda.

There being no business under this item, the Board moved to the next item on the agenda.

B) Gill Tract

Michael Beer, former AUSD teacher and Albany resident, addressed the Board regarding the Gill Tract and noted that he is supporting a farm on the Gill Tract for educational purposes. President Black noted that Board practice limits each speaker to no more than three (3) minutes and the Brown Act limits Board ability to discuss or act on items which are not on the agenda.

There being no business under this item, the Board moved to the next item on the agenda.

C) Appreciation for Marsha Skinner

A group of Albany Unified School District Librarians addressed the Board and expressed their appreciation for Marsha Skinner. President Black noted that Board practice limits each speaker to no more than three (3) minutes and the Brown Act limits Board ability to discuss or act on items which are not on the agenda.

There being no business under this item, the Board moved to the next item on the agenda.

D) Job Shadow Day

Emilie Ragguso, *Albany Patch*, addressed the Board regarding Job Shadow Day noting that she participated in the program and allowed two Albany High School students to shadow her for the day. President Black noted that Board practice limits each speaker to no more than three (3) minutes and the Brown Act limits Board ability to discuss or act on items which are not on the agenda; therefore.

There being no business under this item, the Board moved to the next item on the agenda.

VIII. REVIEW AND DISCUSSION

A) Board Conversation – Strategic Plan – Progress & Next Steps

Superintendent Stephenson addressed the Board regarding AUSD's Strategic Plan – Progress and Next Steps and noted that the Albany Unified School District's Strategic Plan prioritized and aligned district resources, and identified strategies necessary for improving student academic outcomes through focus groups with the Board of Education, Executive Cabinet Members, District Administrators, and Teachers.

It was noted that the agreed upon strategies were handed over to the Action Teams to develop a set of specific goals for each strategy and suggested action steps that could be taken to achieve the strategies. The plan was implemented in 2010, and the Action Teams were reconvened to report on the progress made towards the strategies.

Superintendent Stephenson introduced the following panel of Strategic Planning participants and asked that they identify their specific role. The Strategic Planning panel included Tami Benau, Albany High School Vice Principal; Nick Berger, Special Education Program Specialist; Wendy Holmes, Cornell Elementary School Principal; David Kumamoto, Marin Elementary School Principal; Cheryl Willis, Ocean View Elementary School Reading Specialist; William "John" Bailes, Albany High School Teacher; Robin Cooper, Albany Middle School Teacher; Liz Avery, Marin School Teacher; Deborah Brill, Albany Middle School Vice Principal and Safe and Inclusive School Coordinator; and Jason Matland, Albany Middle School Teacher.

Superintendent Stephenson provided the Board with a multi-media presentation that covered the ongoing progress and potential next steps of the Albany Unified School District's Strategic Plan and integrated the panel's participation into the discussion.

Noted below are the questions that were posed to the panel with responses:

Strategy I

Q. What have the challenges been in doing the essential standard rubric and assessment work?

- Intentionally integrating standards into classroom practice.

Q. What are the benefits to the students?

- Lazer focus on what is critical for our students to learn.
- All teachers will have more consistency.
- Students will receive a vertically aligned experience which will enhance their learning.

Q. What do you see as the next steps?

- Continuing to integrate Common Core standards.
- Create assessments and rubrics.
- Expansion of alternate activities and assessment.

Strategy II

Q. We have developed a strong intervention program in K-12 mental health for our most at-risk students, but we have been lacking a school-wide positive behavior program for earlier interventions. We are now in the 2nd year of implementing BEST into K-8, Safe School Ambassadors at 6th – 8th, and Conflict Resolution at 1st – 5th. Do you see evident of an improved school climate?

- Less fights at the high school and high school students coming in with language around bullying and mistreatment.
- BEST program, common language, working across the grade levels.
- Keep working BEST and changing the environment and systems when needed.
- We have done a lot with continuity regarding school rules, school and peer culture; we will continue this work.
- Clarity among staff & clarity with kids.
- Kids are more empowered with language and actions through Conflict Managers, SSA, advisory, etc.

Q. What steps for 9th – 12th?

- Challenge Success- addressing stress and lack of sleep as connected to bullying.
- BEST at the high school would look different.

Q. Technology next steps?

- There is so much new technology. Learning to use what we have to the fullest.
- Continued training on current technology cross-sites.
- Expose teachers to tools with iPads.

Q. Intervention challenges and what you'd like to see

- Khan Academy exploration.
- Intervention through master scheduling.
- Create multi-level materials.

Strategy III:

Q. Do you see evidence that communications are improving in the district? What are areas of continued concern?

- This area of work in the district allows everything else to be successful.
- A lot was accomplished - forms on the website, org charts with contact info; the website is now a tool for teachers.
- We need to be continually looking at how we make decisions.
- Strategic plan needs to be a tool to use thoughtfully not to drive teachers too intensely; we need to plan and communicate thoughtfully; and prioritize.
- Information is much more readily available and communication has improved.

The Board thanked the Superintendent Stephenson for the report (to view the multi-media presentation and panel discussion visit www.ausdk12.org).

There being no further business under this item, the Board moved to the next item on the agenda.

B) Potential November 2012 Ballot Measures

Due to the lack of time, the Board discussed placing X., (B) Potential November 2012 Ballot Measures Designed to Fund Public Education on the agenda for the next regularly scheduled meeting on May 15, 2012.

President Black requested a motion to Place: (B) Potential November 2012 Ballot Measures Designed to Fund Public Education to the next regularly scheduled meeting on May 15, 2012.

Motion by Member Marris, seconded by Member Rosenbaum to Place: (B) Potential November 2012 Ballot Measures Designed to Fund Public Education to the next regularly scheduled meeting on May 15, 2012.

The Board was polled and passed unanimously. Members: President Black, Vice President Knight, Member Maris, Member Low and Member Rosenbaum voting AYE.

There being no further business under this item, the Board moved to the next item on the agenda.

P12
IX. BOARD AND SUPERINTENDENT COMMENTS

Member Marris

Member Marris addressed the Board and noted that the City of Albany Green Festival is on May 6, 2012 from 11:00 a.m. – 3:00 p.m. It was also noted that he attended the AHS Site Council meeting, the PAHS meeting, and the City of Albany Civics Academy.

There being no further business under this item, the Board moved to the next item on the agenda.

X. FUTURE AGENDA ITEMS

- | | |
|----------------------------|--------------------|
| • Technology Update | May |
| • Recognition of Employees | May |
| • Single School Plans | June |
| • Consolidated App | (delayed by State) |

There being no further business under this item, the Board moved to the next item on the agenda.

XI. FUTURE BOARD MEETINGS

1. Tuesday, May 15, 2012, 7:00 p.m., Regular Meeting,
Albany City Hall, 1000 San Pablo Avenue, Albany
2. Tuesday, June 5, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany
3. Tuesday, June 19, 2012, 7:00 p.m., Regular Meeting
Albany City Hall, 1000 San Pablo Avenue, Albany

Please note that the Board of Education is in recess in July.

There being no further business, the Board adjourned at 10:00 p.m.

XII. ADJOURNMENT

Personnel Assignment Order: Pending Approval, non confidential

BOE Meeting **5/15/2012**

Class Certificated

Category: Extra Assignment

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
4th Grade Field Trip	Allen, Julie		MA		11/12 SY		Approve	GF
4th Grade Field Trip	Bishop, Linda		MA		11/12 SY		Approve	GF
4th Grade Field Trip	Daniel, Casey		MA		11/12 SY		Approve	GF
Noontime Activities	Gann, Jack		MA		11/12 SY		Approve	GF

Category: New Hire

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
Mental Health Intern	McKinley, Roni		DW		5/16/12		Approve	Donation
Mental Health Intern	Melamed, Yael		DW		5/16/12		Approve	Donation
Mental Health Intern	Moore, Crystal		DW		5/16/12		Approve	Donation
Teacher, substitute	Zepeda, Christopher		DW		4/30/12		Approve	GF

Class Classified

Monday, May 07, 2012

Page 1 of 4

BOE Meeting 5/15/2012

Category: New Hire

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
Lifeguard	Dong, Sydnie		Pool		4/25/12		Approve	Pool
Lifeguard	Jacobs, Lauren		Pool		4/25/12		Approve	Pool
Lifeguard	Johnson, Madeleine		Pool		4/27/12		Approve	Pool
Lifeguard	Khan, Sabrina		Pool		4/25/12		Approve	Pool
Para-educator, substitute	Pourkian, Mina		DW		5/18/12		Approve	Sp Ed
Swim Instructor	Dong, Sydnie		Pool		4/25/12		Approve	Pool
Swim Instructor	Jacobs, Lauren		Pool		4/25/12		Approve	Pool
Swim Instructor	Johnson, Madeleine		Pool		4/27/12		Approve	Pool
Swim Instructor	Khan, Sabrina		Pool		4/25/12		Approve	Pool

Category: Separation of Service

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
Clerical Aide, substitute	Newell, Susan		DW		6/8/12		Approve	
Para-educator	Campbell, Michael		ACC		4/30/12		Approve	

BOE Meeting 5/15/2012

Para-educator, substitute	Newell, Susan	DW	6/8/12	Approve
Yard Aide	Newell, Susan	CO	6/8/12	Approve

Class Student Worker

Category:

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
See Attached								

Class Uncompensated Service

Category: Volunteer

<i>Position</i>	<i>Name</i>	<i>Reason</i>	<i>Site</i>	<i>FTE/Amt</i>	<i>Effec Date</i>	<i>End Date</i>	<i>Action</i>	<i>Funding</i>
	Hanes, Benjamin				5/16/2012		Approve	
	Hattori, Asako				5/16/2012		Approve	
	Hirano, Ken				5/16/2012		Approve	
	Intoci, Joann				5/16/2012		Approve	
	Kaufmann, Dorothy				5/16/2012		Approve	
	Kramer, Seymour				5/16/2012		Approve	

BOE Meeting 5/15/2012

Lewis, Mildred	5/16/2012	Approve
Marquina, Rogelio	5/16/2012	Approve
McHugh, Tara	5/16/2012	Approve
Meier, Carolin	5/16/2012	Approve
Musell, Wendy	5/16/2012	Approve
Orille, Caroline	5/16/2012	Approve
Porter, Yasmina	5/16/2012	Approve
Winn, Stephanie	5/16/2012	Approve
Winnacker, David	5/16/2012	Approve

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**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: **APPROVE THE SCHOOL PSYCHOLOGY INTERNSHIP
AGREEMENT BETWEEN ALBANY UNIFIED SCHOOL
DISTRICT AND NORTHEASTERN UNIVERSITY**

PREPARED BY: Cynthia Attiyeh, Human Resources Administrator

TYPE OF ITEM: **CONSENT**

BACKGROUND INFORMATION:

This student teaching agreement between the Albany Unified School District and North Eastern University is mutually beneficial to both parties. The North Eastern University student enrolled in its School Psychology Program develops "hands on" experience while staff develops mentoring skills and receives information about the most current information about effective methods in the fields of School Psychology.

In order for the intern to earn a Pupil Personnel Services credential as well as a national certification in School Psychology, the intern is dually enrolled in North Eastern University and San Francisco State University, with whom we currently have an agreement.

FINANCIAL INFORMATION:

Funding Source: N/A

RECOMMENDATION: Approve the psychology internship agreement between AUSD and North Eastern University.

**DEPARTMENT OF COUNSELING and APPLIED EDUCATIONAL PSYCHOLOGY
BOUVE COLLEGE of HEALTH SCIENCES
NORTHEASTERN UNIVERSITY
BOSTON, MA**

SCHOOL PSYCHOLOGY INTERNSHIP AGREEMENT

This agreement between Northeastern University's School Psychology Program (hereinafter referred to as the "Program") and **Albany Unified School District** (School/Agency name) (hereinafter referred to as the "School Psychology Internship Site") will extend from September 2012 to August 2013. The parties agree that this program of supervised experiences (hereinafter referred to as the "School Psychology Internship") will include the following terms and conditions:

1. RESPONSIBILITIES OF NORTHEASTERN UNIVERSITY

- A. The University will make every effort to emphasize to each student (hereinafter referred to as "School Psychology Intern") (and faculty member involved in internship activities) the importance of conforming to the appropriate rules and regulations of the School Psychology Internship Site.
- B. The University will work with the School Psychology Internship Site to plan periodic visits (a minimum of three per 1200 hours) as appropriate and mutually agreed upon.
- C. The University will withdraw a School Psychology Intern from the site if, after consultation with the School Psychology Internship Site, the University determines such action to be warranted.
- D. The University will ensure that each School Psychology Intern is covered by professional liability insurance with limits of one million dollars per occurrence/three million dollars in the aggregate during the School Psychology Internship.
- E. All School Psychology Interns have the option to be covered by the University's Student Health Insurance Program or must be otherwise covered by medical insurance. Neither the University nor the School Psychology Internship Site will be liable for any medical expenses incurred by any School Psychology Intern participating in the School Psychology Internship.
- F. The University will ensure that if any of its faculty are involved with the School Psychology Internship on the premises of the School Psychology Internship Site, each will be covered by the University's Comprehensive General Liability Insurance Policy while performing their duties as University employees.

- G. The University will advise School Psychology Interns of their obligation to provide evidence of current immunizations and other applicable medical documentation as required by the School Psychology Internship Site.
- H. The University will advise School Psychology Interns of their obligation to submit a Criminal Offender Record Inquiry (CORI) to the School Psychology Internship Site if mandated by the Internship Site.
- I. The University will maintain the student records and reports necessary for the School Psychology Interns' School Psychology Internship.
- J. The University will assign a designated university supervisor for each School Psychology Intern.
- K. In all matters involving admission, registration, and activities generally accorded or made available to School Psychology Interns enrolled in the School Psychology program at Northeastern University, neither the University or the School Psychology Internship Site will discriminate against any person on the basis of sex, race, age, religious creed, national origin, or physical/mental disability.

2. RESPONSIBILITIES OF THE FIELDWORK TRAINING SITE

- A. The School Psychology Internship Site will inform the University and interns of all its applicable policies, rules, and regulations in advance of a School Psychology Intern beginning the School Psychology Internship.
- B. The School Psychology Internship Site will provide 1200 clock hours of School Psychology Internship under the supervision of a School Psychologist licensed by the Massachusetts Department of Education (or a licensed/certified school psychologist in the state in which the internship occurs). (See Internship Manual of School Psychology Program for Northeastern University requirement of internship).
- C. The School Psychology Internship Site will designate an appropriate supervisor who shall provide two hours of face-to-face supervision each week with the School Psychology Intern during which the intern will discuss his/her work and the supervisor will provide consultation and assistance.
- D. No supervisor will be responsible for more than two interns at the same time.
- E. The School Psychology Internship Site will afford the School Psychology Intern the opportunity to participate in continuing education activities provided by the School Psychology Internship Site and or other agencies. School Psychology Interns shall have the opportunity for discussions, lectures, attendance at Team meetings, and attendance at conferences, when available and related.

- F. The School Psychology Internship Site will provide the School Psychology Intern with adequate resources and an appropriate work environment.
- G. The School Psychology Internship Site agrees that it will abide by all applicable executive orders, federal, state and local laws, rules, and regulations in effect as of the date of this Agreement, and as they may change or be amended from time to time, including compliance with the Americans with Disabilities Act.
- H. The School Psychology Internship Site will orient the School Psychology Intern to the School Psychology Internship Site's caseload, procedures, and equipment.
- I. The School Psychology Internship Site will adhere to the ethical principles of the National Association of School Psychologists and American Psychological Association. Efforts will be made to discuss ethical standards and dilemmas that evolve in practice.
- J. This Agreement shall be governed by the laws of the Commonwealth of Massachusetts.
- K. In the event that one or more clauses of this Agreement are declared illegal, void, or unenforceable, that shall not affect the validity of the remaining portions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed by a duly authorized representative.

Northeastern University



Samuel Solomon

Treasurer

Northeastern University



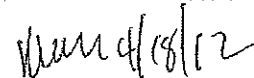
Date

Albany Unified School District

Authorized Facility Representative Date

Title _____

Approved As To Form



**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: Measure I and Measure J Parcel Tax Rate Increase for 2012-13

PREPARED BY: Laurie Harden, Assistant Superintendent, Business Services

TYPE OF ITEM: *Consent Agenda*

BACKGROUND INFORMATION:

Measure I and Measure J include ballot language to account for inflation on the cost of delivering student programs and services supported by the parcel tax. Measure I and Measure J state "the tax rate and maximum tax shall be adjusted annually as the Board of Education shall determine, commencing July 1, 2011, by not more than the average of the reported monthly or other periodic percentage changes in the Consumer Price Index-All Urban Consumers, San Francisco-Oakland-San Jose area (Series CUURA422SA0) over the prior twelve months, as published by the U.S. Bureau of Labor Statistics".

Attached is information from the Bureau of Labor Statistics that reflects the annual increase of 2.6% for the 2011 year (January to December).

FINANCIAL INFORMATION:

Measure I-

Current Rates:	\$151/Residential	\$0.03/Non-residential
Annual 2011 CPI increase:	2.6%	

Rates/July 1, 2012	\$155/Residential	\$0.03/Non-Residential
--------------------	-------------------	------------------------

Measure J-

Current Rates:	\$563/Residential	\$0.11/Non-residential
Annual 2011 CPI increase:	2.6%	

Rates/July 1, 2012	\$575/Residential	\$0.11/Non-Residential
--------------------	-------------------	------------------------

The rate change will generate an approximate revenue increase of \$30,000 for Measure I and \$117,000 for Measure J.

RECOMMENDATION: It is recommended that the Board approve an increase to Measure I and Measure J of 2.6%, beginning July 1, 2012, based on the 2011 Consumer Price Index for San Francisco-Oakland-San Jose area, as published in the Bureau of Labor Statistics.

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Data extracted on: May 3, 2012 (11:02:33 AM)

Consumer Price Index - All Urban Consumers

12

 Month
Percent
Change

Series Id: CUURA422SA0

Not Seasonally Adjusted

Area: San Francisco-Oakland-San Jose, CA

Item: All items

Base Period: 1982-84=100

Download:

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Year	Annual
2011	2.6

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U.S. Bureau of Labor Statistics | Postal Square Building, 2 Massachusetts Avenue, NE Washington, DC 20212-0001

www.bls.gov | Telephone: 1-202-691-5200 | TDD: 1-800-877-8339 | [Contact Us](#)

ALBANY UNIFIED SCHOOL DISTRICT

DONATIONS OVER \$50.00

NOVEMBER 1, 2011 - MAY 3, 2012

<u>DONER</u>	<u>GIFT</u>	<u>AMOUNT</u>
CORNELL ELEMENTARY SCHOOL		
Wells Fargo Foundation	Monetary donation to Cornell Elementary	\$ 269.22
Lori & Michael Saaf	Monetary donation - M. Child	\$ 100.00
PG&E	Monetary donation to Cornell Elementary	\$ 237.51
Diane Delany	Monetary donation - Room 1	\$ 100.00
PG&E	Monetary donation to Cornell Elementary	\$ 323.52
LifeTouch	Monetary donation to Cornell Elementary	\$ 1,110.02
Wells Fargo Foundation	Monetary donation to Cornell Elementary	\$ 269.22
PG&E	Monetary donation to Cornell Elementary	\$ 332.72
AEF Grant	Monetary grant - Keeley	\$ 388.62
John Yeh	Monetary donation to Cornell Elementary	\$ 100.00
Sun Hun Cho	Monetary donation - Zmich	\$ 100.00
Philanthropic Ventures	Innovative Grants Program	\$ 483.00
Wells Fargo Community Support Campaign	Monetary donation to Cornell Elementary	\$ 230.76
Wells Fargo	Matching Gift Campaign	\$ 469.22
Sung Hun Cho	Monetary donation - Falconi	\$ 100.00
Chevron Humankind	Matching Gift from Ruta La Franco - Zmich	\$ 500.00
AEF Grant	Monetary grant - Rasmussen	\$ 700.00
PG&E	Monetary donation to Cornell Elementary	\$ 312.50
PG&E	Monetary donation to Cornell Elementary	\$ 125.00
Cornell PTA	Monetary Donation - Book Fair	\$ 500.00
PG&E	Community Campaign - Monetary donation	\$ 312.50
Wells Fargo Foundation	Monetary donation to Cornell Elementary	\$ 230.76
Karen Bonini	Monetary donation to Cornell Elementary	\$ 650.00
PG&E	Monetary donation to Cornell Elementary	\$ 125.00
Albany Education Foundation	Donation - Hughes Collins	\$ 194.31
PG&E	Monetary donation to Cornell Elementary	\$ 323.52
Nathan & Anne Moy	Spellathon	\$ 55.00
Nathan & Anne Moy	Spellathon	\$ 60.00
Ford & Tracy Hatamiya	Spellathon	\$ 70.00
Camille Crittendon	Spellathon	\$ 70.00
Thorsten Ludewig	Spellathon	\$ 150.00
Eric & Dena Mapes	Spellathon	\$ 98.00
Christopher & Jennifer Baysa	Spellathon	\$ 100.00
Deborah Ann Lee	Spellathon	\$ 100.00
Hancheol Kim	Spellathon	\$ 100.00
David Justin Blythe	Spellathon	\$ 100.00
Chris & Julie Brady	Spellathon	\$ 100.00
John Lacy	Spellathon	\$ 128.25
Elbert Chang	Spellathon	\$ 125.00
Marie Rose Javier	Spellathon	\$ 75.00
Stephen & Nobuko Canniff	Spellathon	\$ 120.00
Total for Cornell Elementary School		\$ 10,038.65
		Cornell Year-to-Date \$ 20,447.94

ALBANY UNIFIED SCHOOL DISTRICT
DONATIONS OVER \$50.00
NOVEMBER 1, 2011 - MAY 3, 2012

<u>DONER</u>	<u>GIFT</u>	<u>AMOUNT</u>
MARIN ELEMENTARY SCHOOL		
PG&E	Monetary donation to Marin Elementary	\$ 75.00
LifeTouch	Monetary donation to Marin Elementary	\$ 1,101.00
Levi Strauss	Monetary donation to Marin Elementary	\$ 800.00
PG&E	Monetary donation to Marin Elementary	\$ 75.00
AEF Grant	Monetary donation - 3rd Grade	\$ 750.00
Philanthropic Ventures	Innovative Grants Program	\$ 483.00
Chevron Humankind	Monetary donation to Marin Elementary	\$ 500.00
PG&E Corporation	Monetary donation to Marin Elementary	\$ 75.00
Ackerman's Servicing	Monetary donation to Marin Elementary	\$ 87.66
PG&E Corporation	Monetary donation to Marin Elementary	\$ 75.00
Total for Marin Elementary School		\$ 4,021.66
		Marin Year-to-Date \$ 6,494.39
OCEAN VIEW ELEMENTARY SCHOOL		
Wells Fargo Foundation	Monetary Donation - J. Sinclair	\$ 53.83
LifeTouch	Monetary donation to Ocean View Elementary	\$ 770.83
Philanthropic Ventures	Innovative Grants Program	\$ 484.00
Wells Fargo Foundation	Monetary Donation - J. Sinclair	\$ 53.83
Total for Ocean View Elementary School		\$ 1,362.49
		Ocean View Year-to-Date \$ 13,358.04
ALBANY MIDDLE SCHOOL		
David & Alesia Whalen	Monetary Donation - Cross-Country Program	\$ 120.00
James & Hao Quinn	Monetary Donation - Cross-Country Program	\$ 120.00
Edward Ballman/Karen Sorensen	Monetary Donation - Cross-Country Program	\$ 120.00
Julie Tovar/Matthew Burger	Monetary Donation - Cross-Country Program	\$ 120.00
Bessie & Michael Williams	Monetary Donation - Cross-Country Program	\$ 120.00
Jhos Singer	Monetary Donation - Cross-Country Program	\$ 120.00
Nancy & Carlos Curiel	Monetary Donation - Cross-Country Program	\$ 80.00
Elizabeth Ferber	Monetary Donation - AMS Athletic Program	\$ 120.00
Jeong Park	Monetary Donation - AMS Athletic Program	\$ 120.00
Ruby Fernandez	Monetary Donation - AMS Athletic Program	\$ 80.00
Suzanne Baum	Monetary Donation - Basketball Program	\$ 120.00
Sangeeta Renu	Monetary Donation - Basketball Program	\$ 120.00
David Wood	Monetary Donation - Basketball Program	\$ 120.00
Cathleen Coulman	Monetary Donation - Basketball Program	\$ 120.00
Terry Georgeson	Monetary Donation - Basketball Program	\$ 120.00
Alice & Jon Ely	Monetary Donation - Wrestling Program	\$ 500.00
Natasha Tsui-Nelson	Monetary Donation - Wrestling Program	\$ 200.00
Lisa Beth Crawford	Monetary Donation - Wrestling Program	\$ 150.00
Shiori & Yasuko Okamoto	Monetary Donation - Wrestling Program	\$ 120.00
Ingo & Kirsten Piroth	Monetary Donation - Wrestling Program	\$ 120.00
Maria Riggio	Monetary Donation - Wrestling Program	\$ 120.00
Joy & Juan Padilla	Monetary Donation - Wrestling Program	\$ 120.00
Howard Tokunaga	Monetary Donation - AMS Athletic Program	\$ 120.00
AMS PTA	Monetary Donation - 7th Grade Classrooms	\$ 1,456.06
Mike Sim	Monetary Donation - Basketball Program	\$ 120.00
Rose Kimani	Monetary Donation - Basketball Program	\$ 70.00

ALBANY UNIFIED SCHOOL DISTRICT
DONATIONS OVER \$50.00
NOVEMBER 1, 2011 - MAY 3, 2012

<u>DONER</u>	<u>GIFT</u>	<u>AMOUNT</u>
Jamilia Lott	Monetary Donation - Basketball Program	\$ 120.00
Zhenghua Kong	Monetary Donation - Basketball Program	\$ 120.00
Kimberly & Thomas Traynor	Monetary Donation - Basketball Program	\$ 120.00
Windward Enterprise	Athletic Donation - Wrestling	\$ 120.00
Sangey Dolma	Athletic Donation - Wrestling	\$ 120.00
Total for Albany Middle School		\$ 5,416.06
		AMS Year-to-Date \$ 14,357.06
ALBANY HIGH SCHOOL		
Wells Fargo Foundation	Monetary Donation - EDSET	\$ 538.47
Elizabeth Ferber	Monetary Donation - Science Department	\$ 75.00
Hong Forrest	Monetary Donation - Science Department	\$ 300.00
Robert Forbes	Monetary Donation - Art Department	\$ 250.00
Wells Fargo Foundation	Monetary donation to AHS	\$ 200.00
AEF Grant	Monetary Donation - Fujiwara	\$ 662.26
Recycle America Alliance	Monetary Donation - Workability	\$ 69.59
Wells Fargo Foundation	Monetary donation to AHS	\$ 200.00
Home Team Marketing	Monetary Donation - AHS Athletic Program	\$ 500.00
Wells Fargo Foundation	Monetary Donation - EDSET	\$ 461.55
Sam and Young Ha	Monetary Donation - Uhsman SPED Classroom	\$ 100.00
AHS ASB	Monetary Donation - Men's B-Ball	\$ 1,869.00
AHS ASB	Monetary Donation - Woman's B-Ball	\$ 1,034.00
AHS ASB	Monetary Donation - Wrestling	\$ 128.00
AEF Grant	Monetary Donation - Theatre Ensemble	\$ 1,000.00
Promoting AHS Sports	Monetary Donation - Coaches' CPR Training	\$ 164.00
Albany Prevention Council	Donation - Counseling Dept.	\$ 200.00
Albany Community Foundation	Donation - Counseling Dept.	\$ 1,000.00
Total for Albany High School		\$ 8,751.87
		AHS Year-to-Date \$221,074.58
TRANSITION PROGRAM		
David & Diane Matsumoto	Monetary Donation - Access Transition Program	\$ 250.00
Total for Transition Program		\$ 250.00
		Transition Program Year-to-Date \$ 250.00
		Total Year-to-Date \$275,982.01

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of April 17, 2012

**ITEM: APPROVE APPOINTMENT OF REPRESENTATIVES TO THE
CALIFORNIA INTERSCHOLASTIC FEDERATION NORTH
COAST SECTION**

PREPARED BY: Marsha A. Brown, Director – III, Student Services

TYPE OF ITEM: REVIEW AND DISCUSS

BACKGROUND INFORMATION:

The California Interscholastic Federation (CIF) is requesting the names of the District and Albany High School representatives to the CIF North Coast Section. California Education Code 33353 requires that boards of education designate their representatives to the CIF leagues.


Principal Ted Barone and Athletic Director Andrew Strawbridge served as the District's representatives for 2011-12 and are proposed to continue to serve for the 2012-13 school year.

FINANCIAL INFORMATION:

None

RECOMMENDATION:

**APPROVE APPOINTMENT OF REPRESENTATIVES TO THE CALIFORNIA
INTERSCHOLASTIC FEDERATION NORTH COAST SECTION**



MARIE M. ISHIDA, EXECUTIVE DIRECTOR

CALIFORNIA INTERSCHOLASTIC FEDERATION

CIF STATE OFFICE • 4658 DUCKHORN DRIVE • SACRAMENTO, CA 95834 • (916) 239-4477 • FAX (916) 239-4478 • CIFSTATE.PDF

TO: SUPERINTENDENT OF PUBLIC SCHOOLS
PRINCIPAL OF PRIVATE SCHOOLS

FROM: MARIE M. ISHIDA

RE: ENCLOSED FORM TO RECORD DISTRICT AND/OR SCHOOL REPRESENTATIVES TO LEAGUES

DATE: APRIL 16, 2012

Enclosed is a form upon which to record your district and/or school representatives to leagues for **next year 2012-2013**. It is a form sent every year to you in order to obtain the names of league representatives to every league in the state and to make sure that the league representatives are designated by school district or school governing boards. **It is a legal requirement that league representatives be so designated.**

The education code gives the authority for high school athletics to high school governing boards. The code also requires that the boards, after joining CIF, designate their representatives to CIF leagues. This is a necessity! (Ed. Code 33353 (a) (1))

We are asking that, after action by the governing board, you **send the names of league representatives to your CIF Section office**. Obviously, the presumption behind this code section is that the representatives of boards are the only people who will be voting on issues, at the league and section level, that impact athletics.

If a governing board does not take appropriate action to designate representatives or this information is not given to Section offices within the required time frame, CIF is required to suspend voting privileges (CIF Constitution, Article 2, Section 25, p.16) for the affected schools.

At the State Federated Council level we will be asking that Sections verify that their representatives are designated in compliance with this Ed. Code section.

I hope this gives you a bit of background. Thank you for all you do to help support high school athletics. It is a valuable program in all high schools and we appreciate the support you give to the program and to CIF.

Please return the enclosed form no later than July 1, 201² directly to your CIF Section Office. Addresses of each section are listed on the back of the form. Please contact us if we can give you further information.

MARIE M. ISHIDA, EXECUTIVE DIRECTOR

CALIFORNIA INTERSCHOLASTIC FEDERATION

CIF STATE OFFICE • 4050 DUCKHORN DRIVE • SACRAMENTO, CA 95834 • (916) 239-4477 • FAX (916) 239-4478 • CIFSTATE.ORG

2012-2013 Designation of CIF Representatives to League

Please complete the form below for each school under your jurisdiction and **RETURN TO THE CIF SECTION OFFICE (ADDRESSES ON REVERSE SIDE)** no later than July 2, 2012.

Albany Unified School District/Governing Board at its _____ meeting,
(Name of school district/governing board) (Date)

appointed the following individual(s) to serve for the 2012-2013 school year as the school's league representative:

PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES

NAME OF SCHOOL Albany High School
NAME OF REPRESENTATIVE Ted Barone POSITION Principal
ADDRESS [REDACTED] CITY [REDACTED] ZIP [REDACTED]
PHONE 530-559-8484 FAX [REDACTED] E-MAIL [REDACTED]

NAME OF SCHOOL Albany High School
NAME OF REPRESENTATIVE Andrew Strawbridge POSITION Athletic Director
ADDRESS [REDACTED] CITY [REDACTED] ZIP [REDACTED]
PHONE 530-559-8500 FAX [REDACTED] E-MAIL [REDACTED]

NAME OF SCHOOL _____
NAME OF REPRESENTATIVE _____ POSITION _____
ADDRESS _____ CITY _____ ZIP _____
PHONE _____ FAX _____ E-MAIL _____

NAME OF SCHOOL _____
NAME OF REPRESENTATIVE _____ POSITION _____
ADDRESS _____ CITY _____ ZIP _____
PHONE _____ FAX _____ E-MAIL _____

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. **NOTE:** League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's or Principal's Name _____ Signature _____

Address _____ City _____ Zip _____

Phone _____ Fax _____

PLEASE MAIL OR FAX THIS FORM DIRECTLY TO THE CIF SECTION OFFICE. SEE REVERSE SIDE FOR CIF SECTION OFFICE ADDRESSES.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: **APPROVE AMENDMENT TO INDEPENDENT CONTRACTOR
AGREEMENT BETWEEN ALBANY UNIFIED SCHOOL
DISTRICT AND TARAH FLEMING FOR PREPARING A PARENT
EDUCATION PRESENTATION ON BUILDING CULTURAL
COMPENTENCY WITH YOUTH**

PREPARED BY: MARSHA A. BROWN, DIRECTOR III – STUDENT SERVICES

TYPE OF ITEM: **CONSENT**

BACKGROUND INFORMATION:

Dates of Service:
May 16 – June 30, 2012

Description of Services:
Prepare two parent education presentation, including materials and handouts on Building Cultural Competency with Youth (one for elementary parents and one for secondary parents).

Number of Students: N/A

Cost not to exceed: \$750

X Standard Contract

 Contract deviates from Standard Contract. Description below.

FINANCIAL INFORMATION:

Funding Source: grant funds

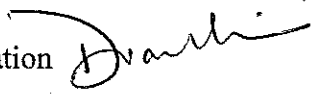
RECOMMENDATION:

Approve the amendment to the Independent Contractor Agreement between Albany Unified School District and Tarah Fleming for preparing a parent education presentation on Building Cultural Competency with Youth

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: **APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN ALBANY UNIFIED SCHOOL DISTRICT AND
COMMUNITY OPTIONS FOR FAMILIES AND YOUTH (COFY)**

PREPARED BY: Diane Marie, Director of Special Education 

TYPE OF ITEM: **CONSENT – STUDENT SERVICES**

BACKGROUND INFORMATION:

Dates of Service:

April 26 – June 30, 2012

Description of Services:

Psycho-educational Assessment

Number of Students:

1

Rate:

\$6,500

Cost not to exceed:

\$6,500

☒ Standard Contract

☐ Contract deviates from Standard Contract. Description below.

FINANCIAL INFORMATION:

Funding Source: Special Education

RECOMMENDATION:

Approve Independent Contractor Agreement between Albany Unified School District and Community Options for Families and Youth (COFY).

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of May 15, 2012**

ITEM: TECHNOLOGY UPDATE

PREPARED BY: BRIAN HYLAND, DIRECTOR OF TECHNOLOGY

TYPE OF ITEM: STAFF REPORT

BACKGROUND INFORMATION:

Albany Unified School District's Technology Department is a service oriented department with the role of providing technical support, application support and network services. The Technology Department's mission is to "lead by example" in all technology activities, especially in areas of design, delivery and utilization. Technology Department goals are both Instructional and Administrative.

The Technology Update is a multi-media presentation that will consist of the following:

- AUSD Information Technology
- Technical Committee
- Infrastructure
- Inventory /purchases
- Elementary School Equity
- Email
- Training
- Computer Refresh Budget
- Future Opportunities

Technology Update

Brian Hyland
Director, Information Technology
5/15/2012

Information Technology (IT) Update

- AUSD Information Technology
- Technology Committee
- Infrastructure
- Inventory /purchases
- Elementary School Equity
- Email
- Training
- Computer Refresh Budget
- Future Opportunities

IT Department

- 5.1 FTE
 - Director
 - Network Tech
 - 1.5 Repair Tech
 - Data Base Coordinator
 - .6 Trainer
- \$302,000 budget

IT Department

- Support
 - Hardware
 - Applications
 - Phones
 - Infrastructure
- Closed over 2,280 support tickets YTD

IT Department Direction

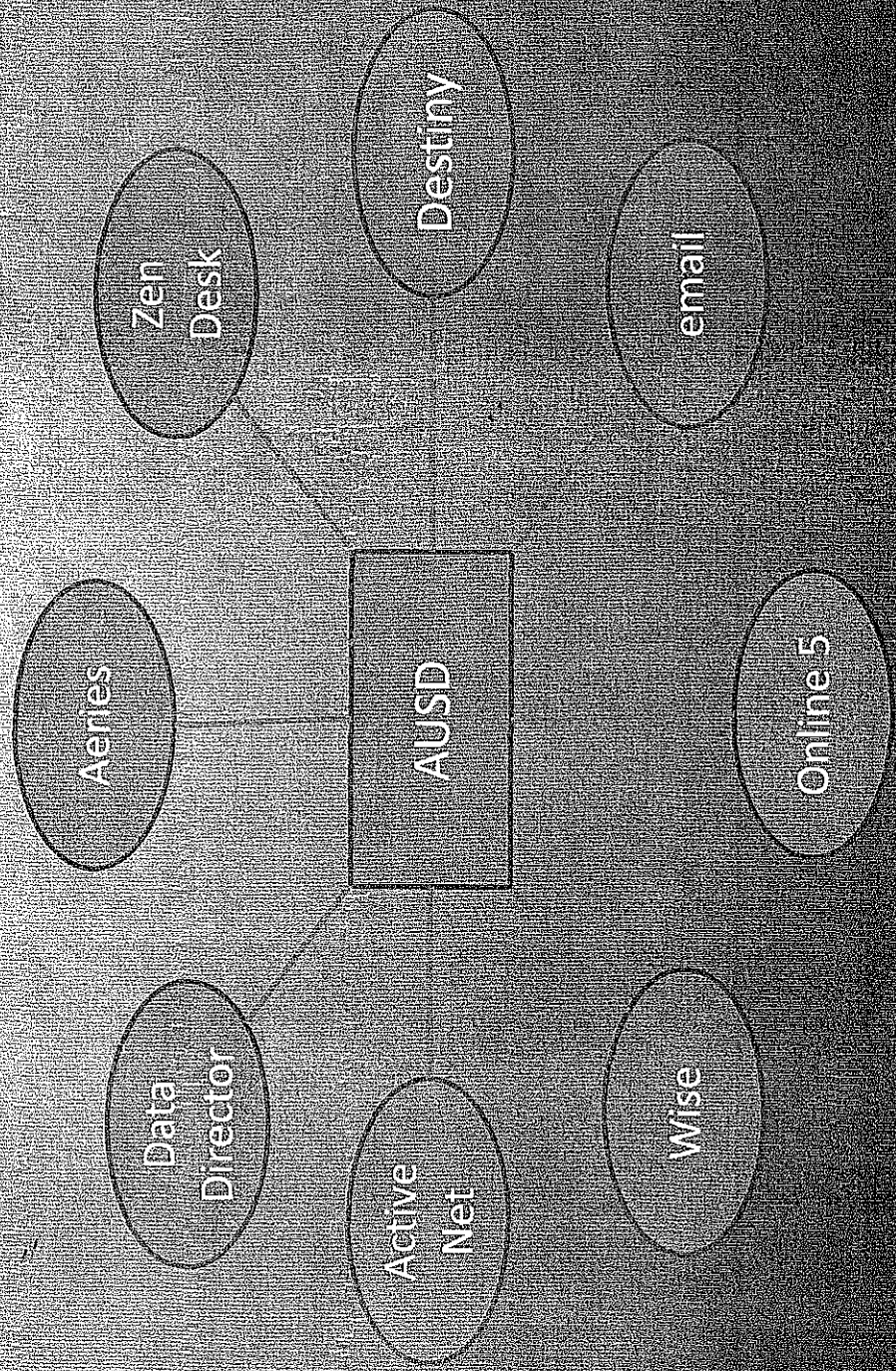
- Increase Middle School Technology
- Assess Elementary Teacher Computers
- Manage Department
- Technical Committee

Tech Committee

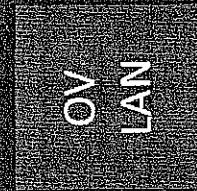
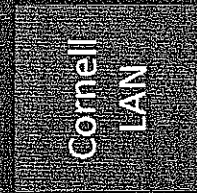
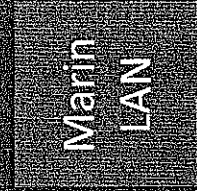
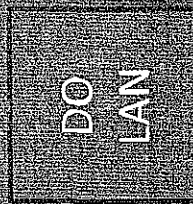
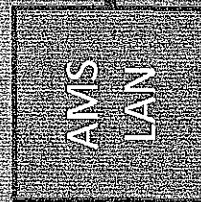
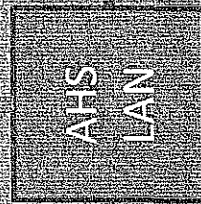
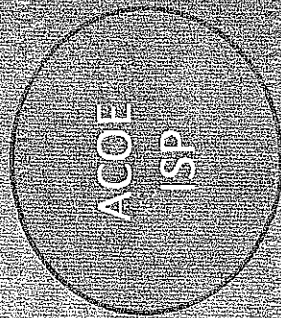
- Made up of tech leaders from school sites
- 2 Board members
- 1 parent
- Individual Tech plans created
- District Tech plan developed simultaneously
- Focus on students for next year

Infrastructure

- Local Area Networks
- Wide Area Network
- Internet Service Provider
- Phone System
- Applications



LAN/WAN/ISP

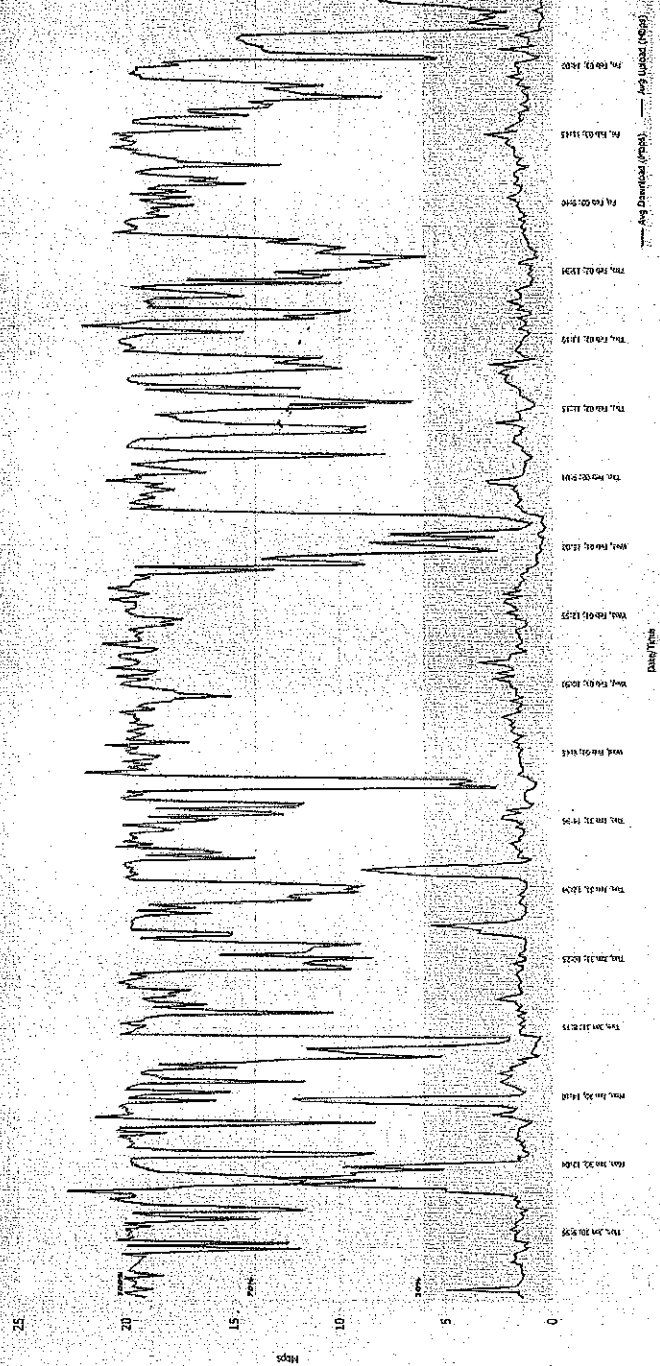


Bandwidth

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Weekly Circuit Utilization, Mon-Fri, 8am-4pm, 5 minute intervals

Albany USD Circuit Utilization (20 Mbps) for the Week of Jan 30 2012



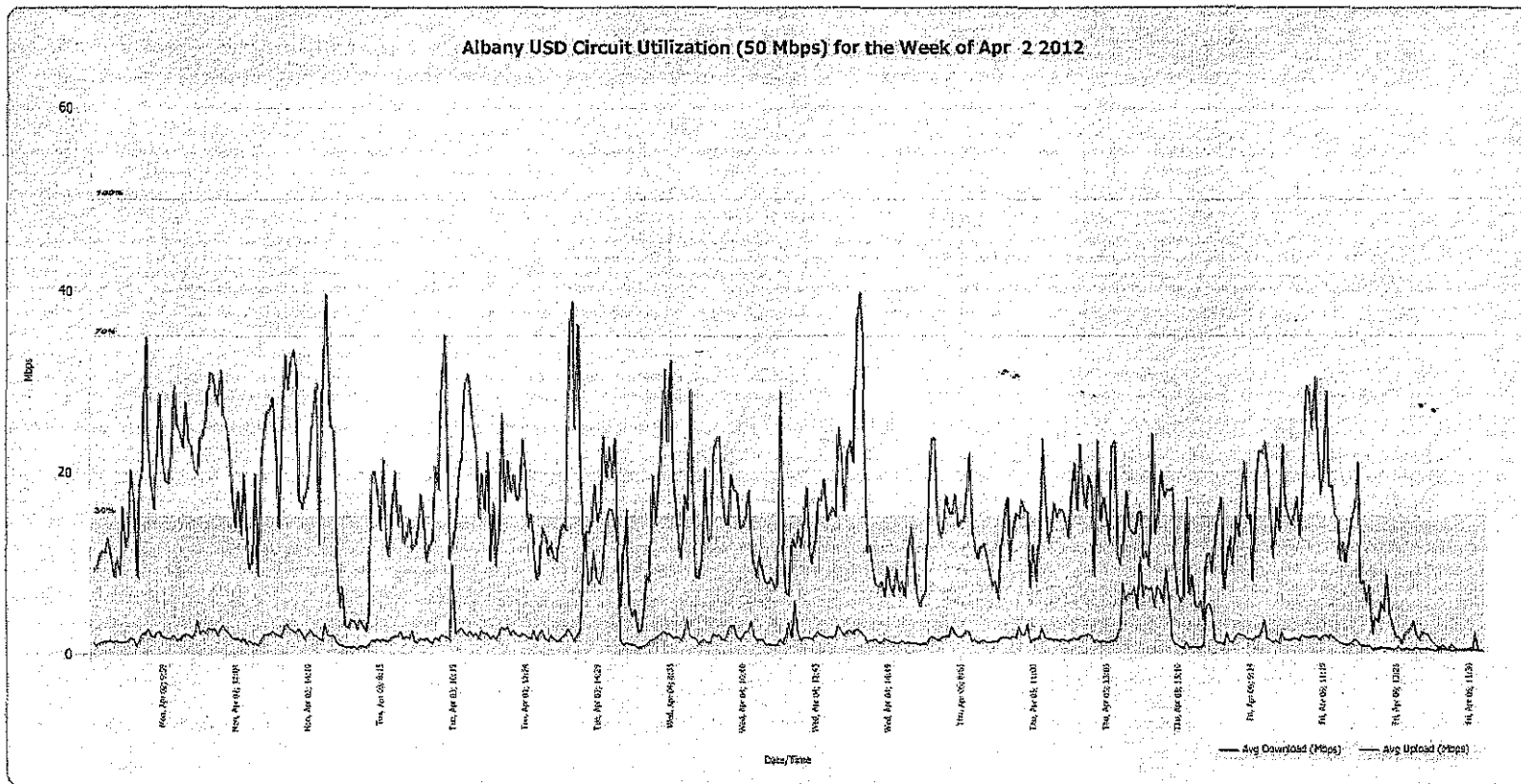
Legend
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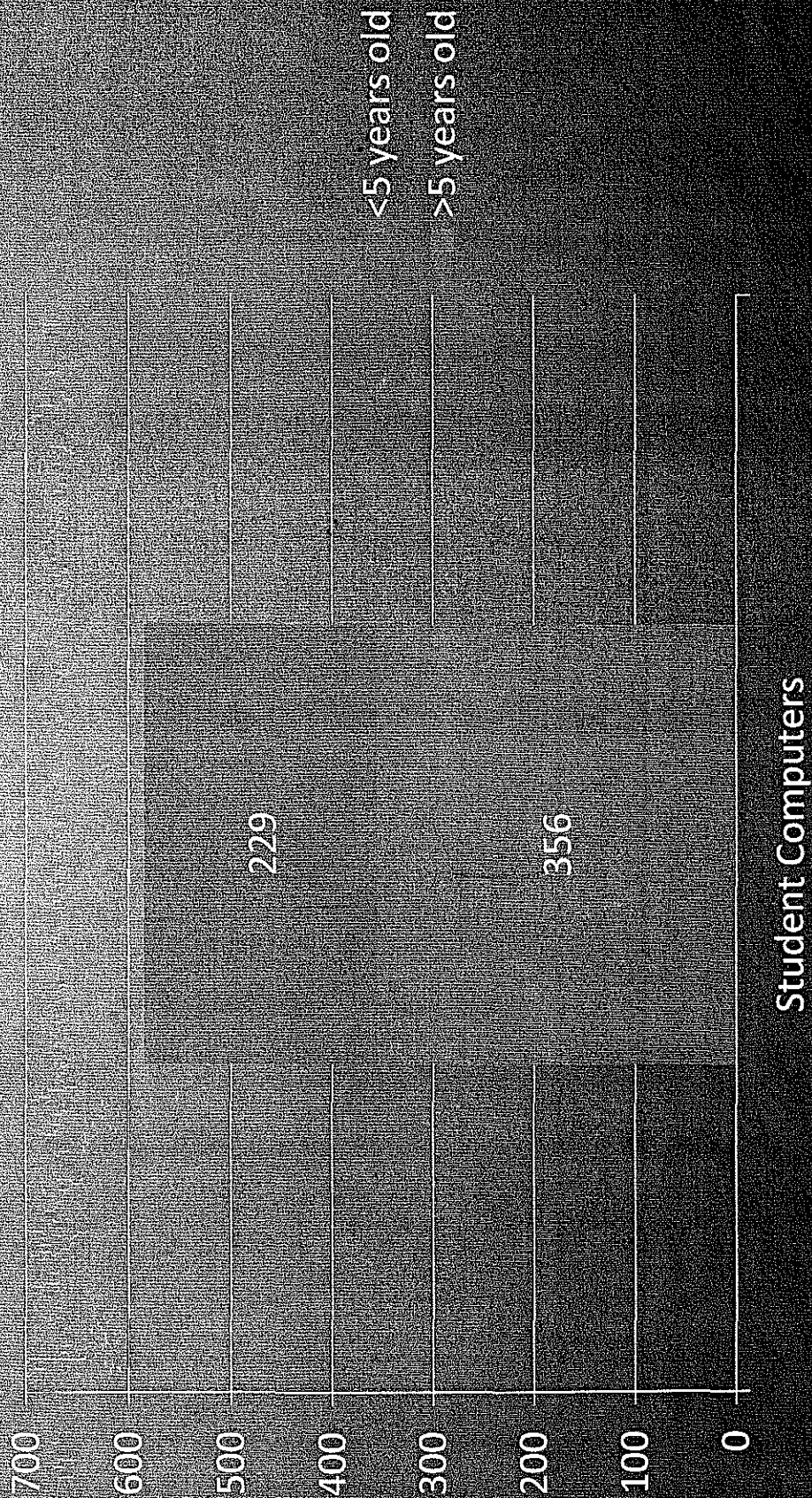
Inventory

- Every School
- Computers
- LCD Projectors
- Document Cameras
- Network Printers
- ~1,463 Devices

Inventory

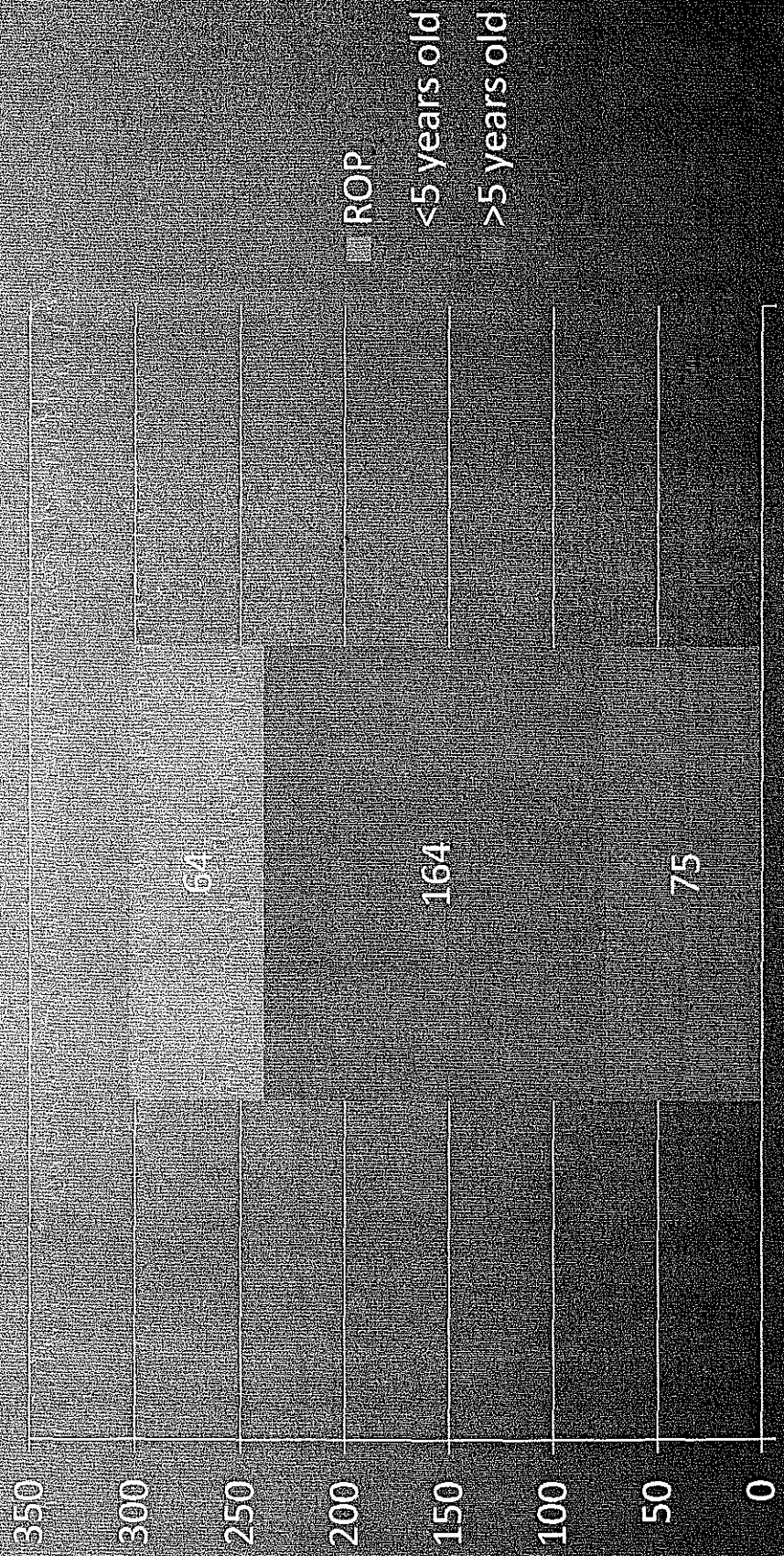
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- Classrooms have an LCD projector (exception 5 @ AHS) and most have a Document Camera
- Student computing is in need of attention

District



AMS

Student Computers



Student computers

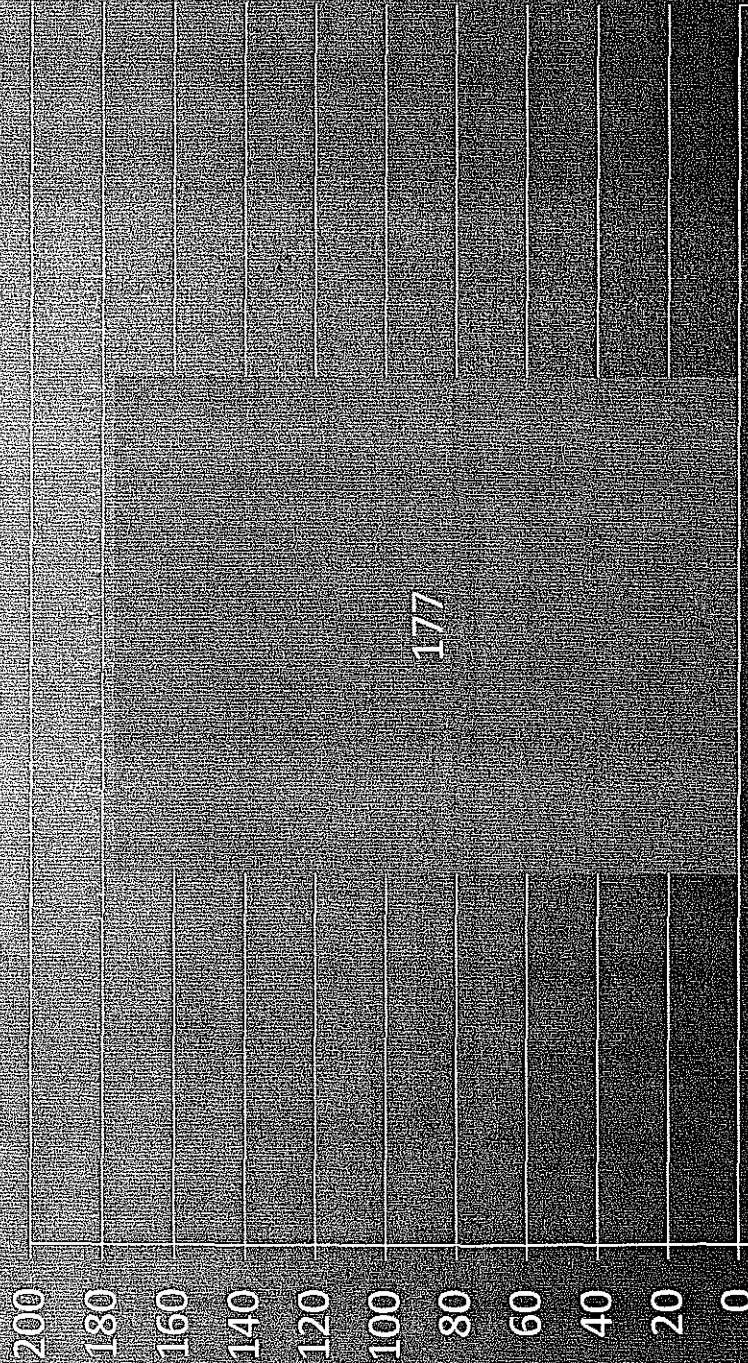
AMIS

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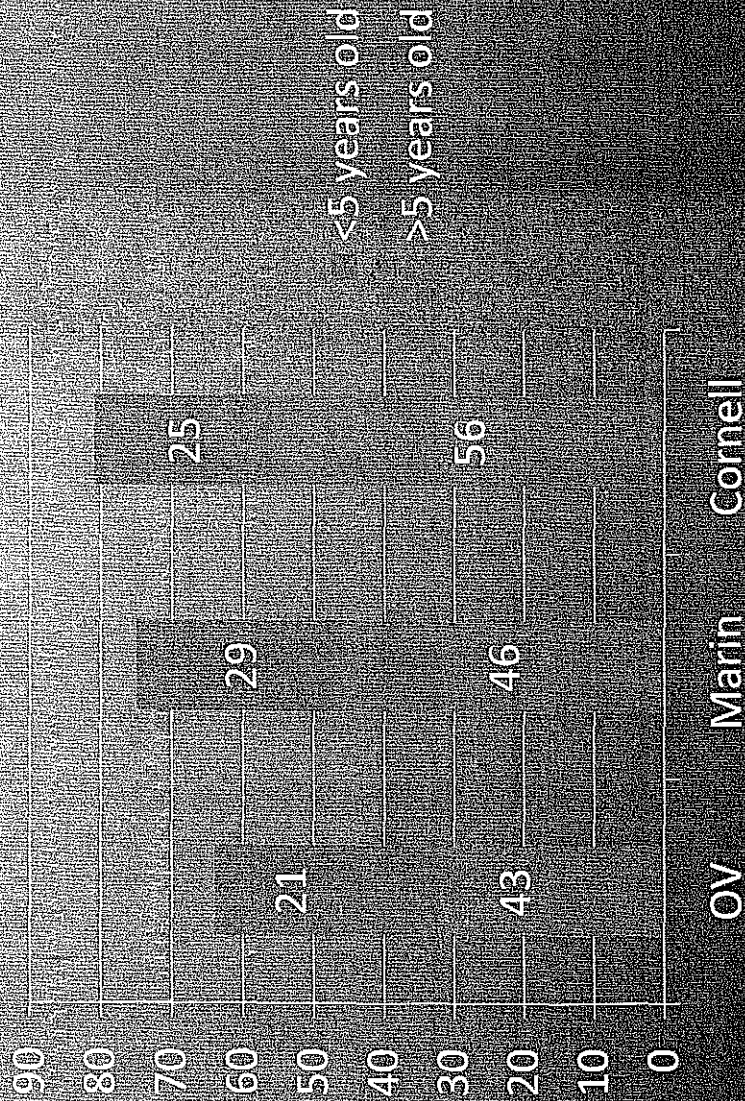
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177

Student computers



Elementary Student Computers



Purchases this year

- Doc cameras and projectors for AMS
- Rewired AMS lab
- Replaced Special Ed computers (15)
- Swap out of 90 Elementary school laptops
- iPads for elementary schools
- 32 teacher laptops for AHS
- VoIP equipment for Ocean View

Elementary School Equity

- Meeting with the Principals
- Merge Tech plans
- Holding purchase requisition for equity
- Creating a “what’s next” hierarchy

Email

- Began experiencing increasing problems – Fall
- Explored options and decided to switch – Feb
- Developed 7 stage plan to migrate
- Secured funding
- Executing the plan with the intent to move ASAP

Training

- Training ranged from School-wide to 1 on 1.
- Worked with all Special Ed teachers on how to use Smartboard
- Especially effective for teachers with beginning skill levels or who lack confidence.
- Over 80 trainings and consultations
- Obstacle has been scheduling. Finding the right time to meet with teachers.
- Next steps include working with grade-level groups from all three elementary schools, Google Apps collaboration training and Khan Academy access.

Computer Refresh Budget

- Currently none available
- Propose capturing 20% of all future orders
- Supplement with any excess district funds
- Determine through the Tech Committee when and what machines get refreshed

Opportunities

- SBAC
- Wireless
- Edge switch's refresh
- VoIP

Technology Update

Brian Hyland
Director, Information Technology
5/15/2012

Information Technology (IT) Update

- AUSD Information Technology
- Technology Committee
- Infrastructure
- Inventory /purchases
- Elementary School Equity
- Email
- Training
- Computer Refresh Budget
- Future Opportunities

IT Department

- 5.1 FTE
 - Director
 - Network Tech
 - 1.5 Repair Tech
 - Data Base Coordinator
 - .6 Trainer
- \$302,000 budget

IT Department

- Support
 - Hardware
 - Applications
 - Phones
 - Infrastructure
- Closed over 2,280 support tickets YTD

IT Department Direction

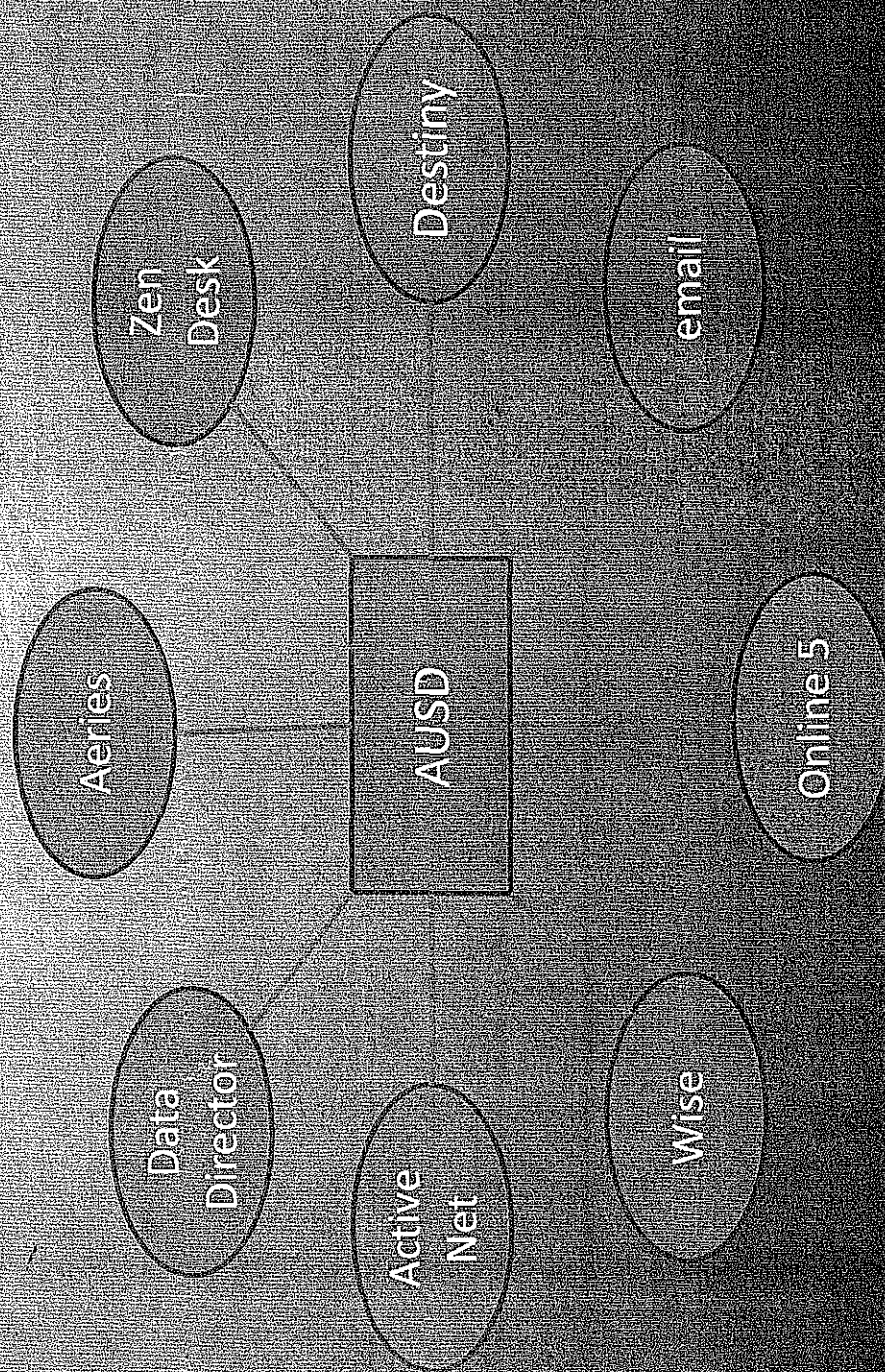
- Increase Middle School Technology
- Assess Elementary Teacher Computers
- Manage Department
- Technical Committee

Tech Committee

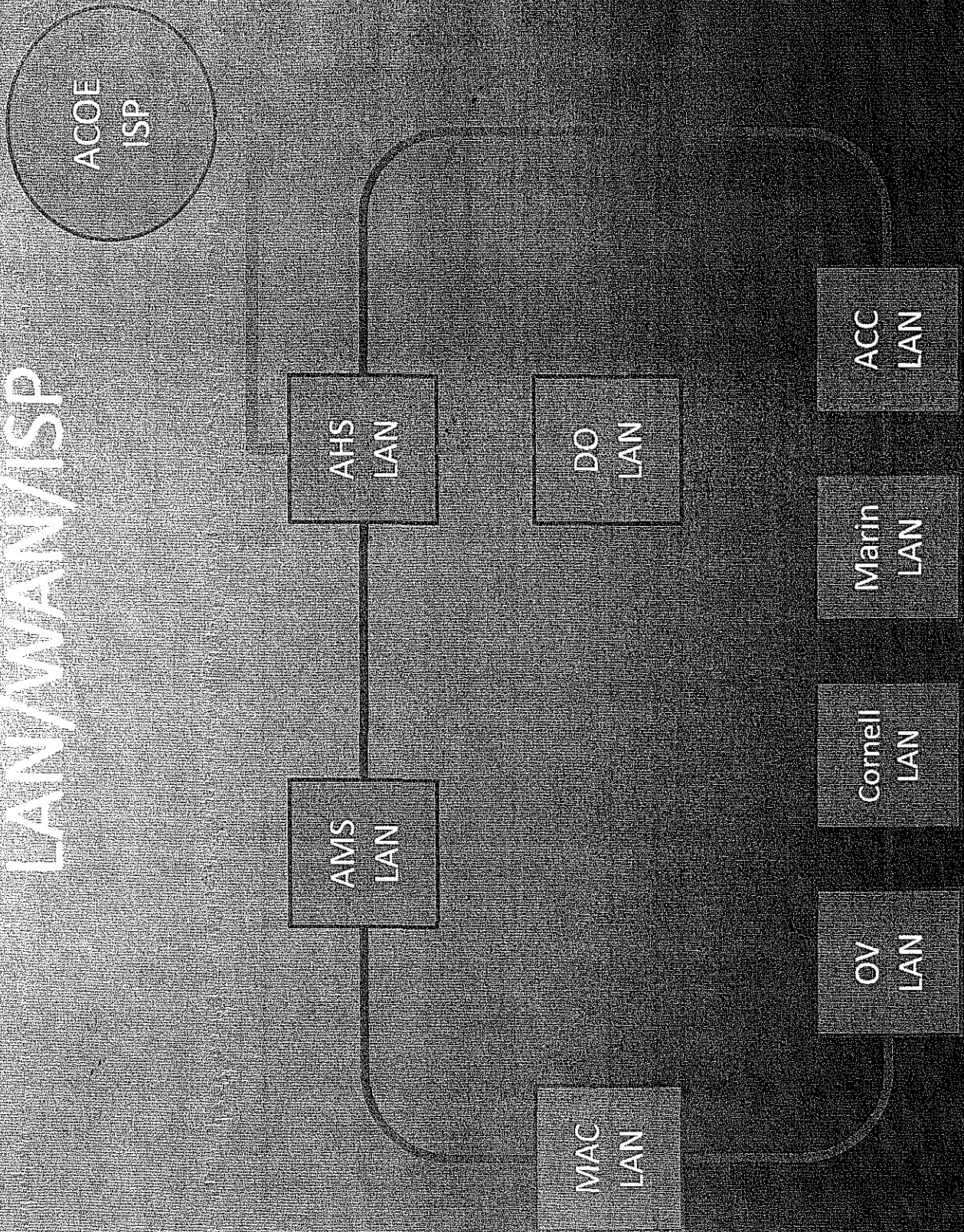
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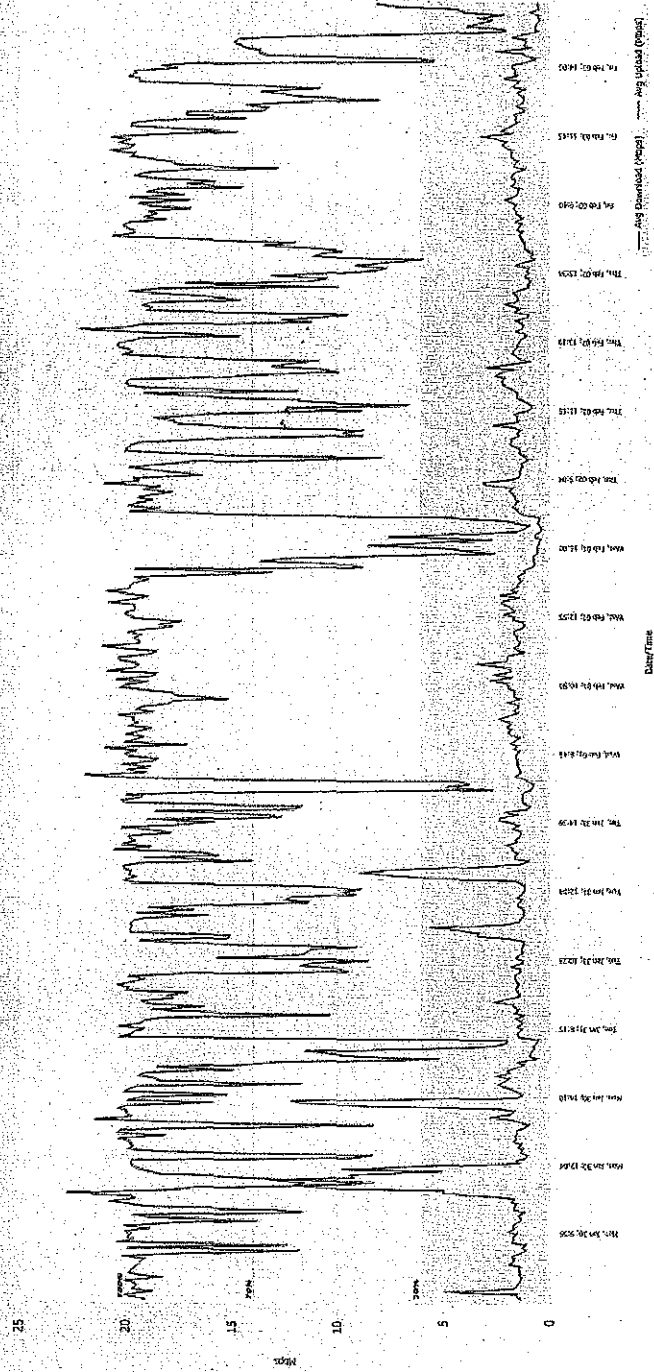


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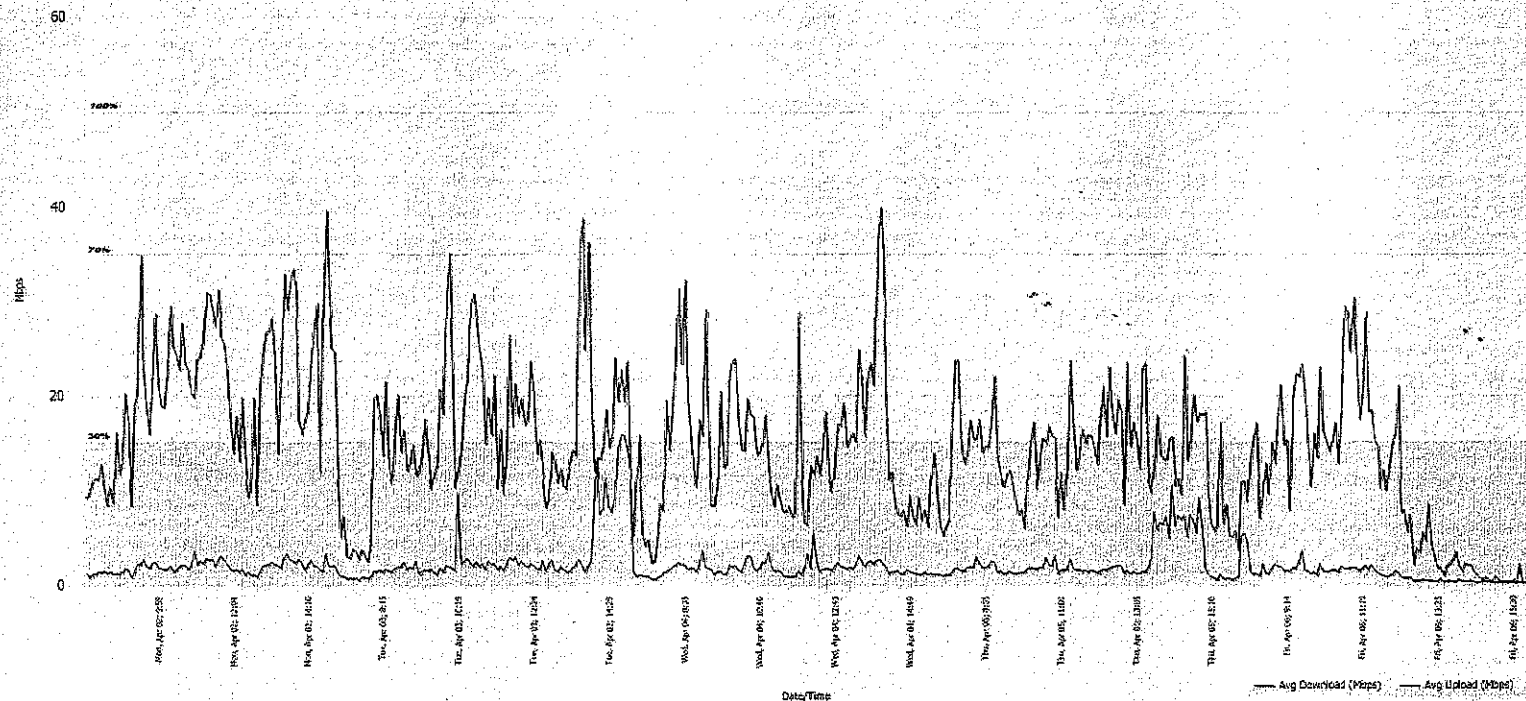


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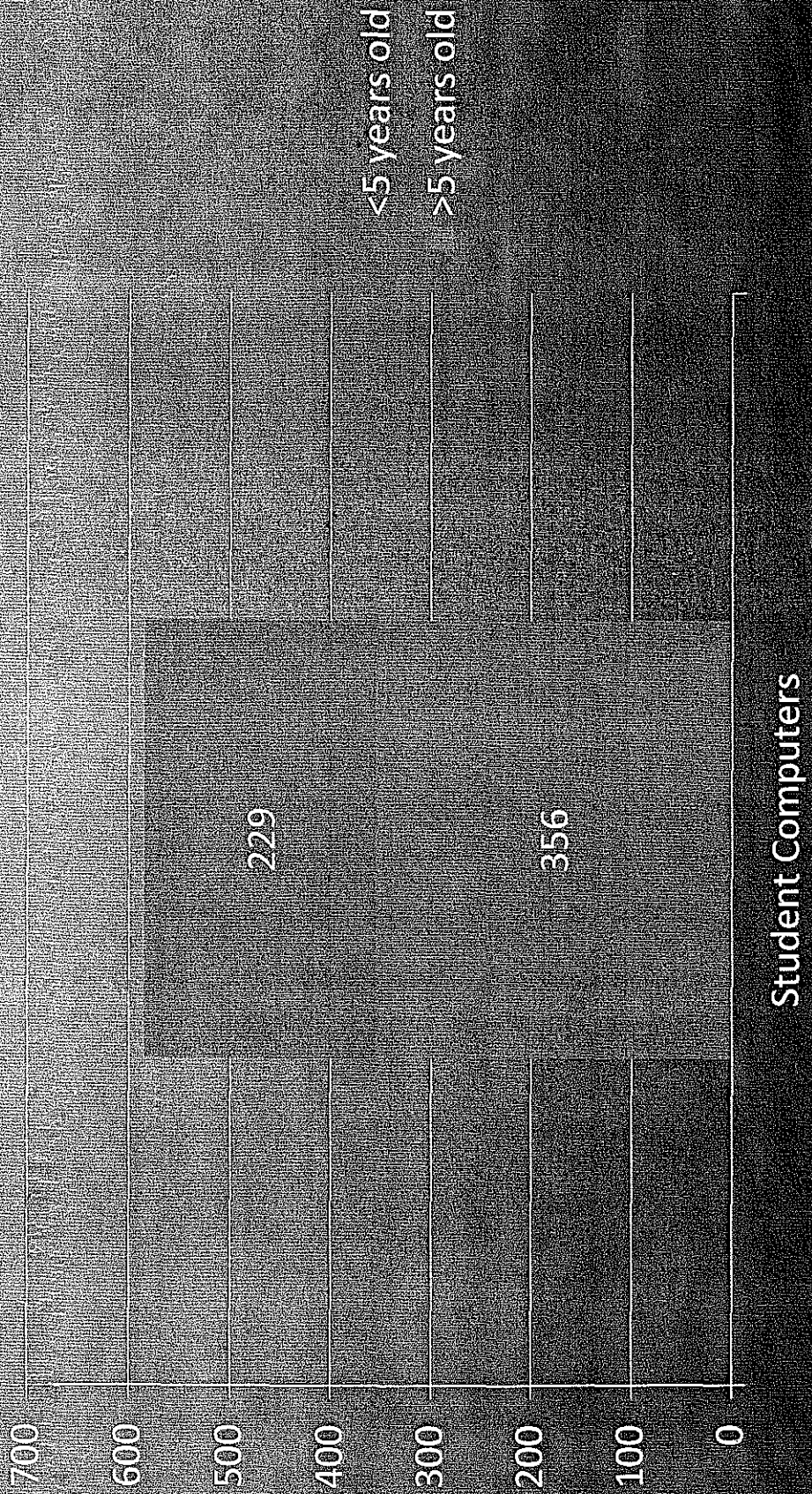
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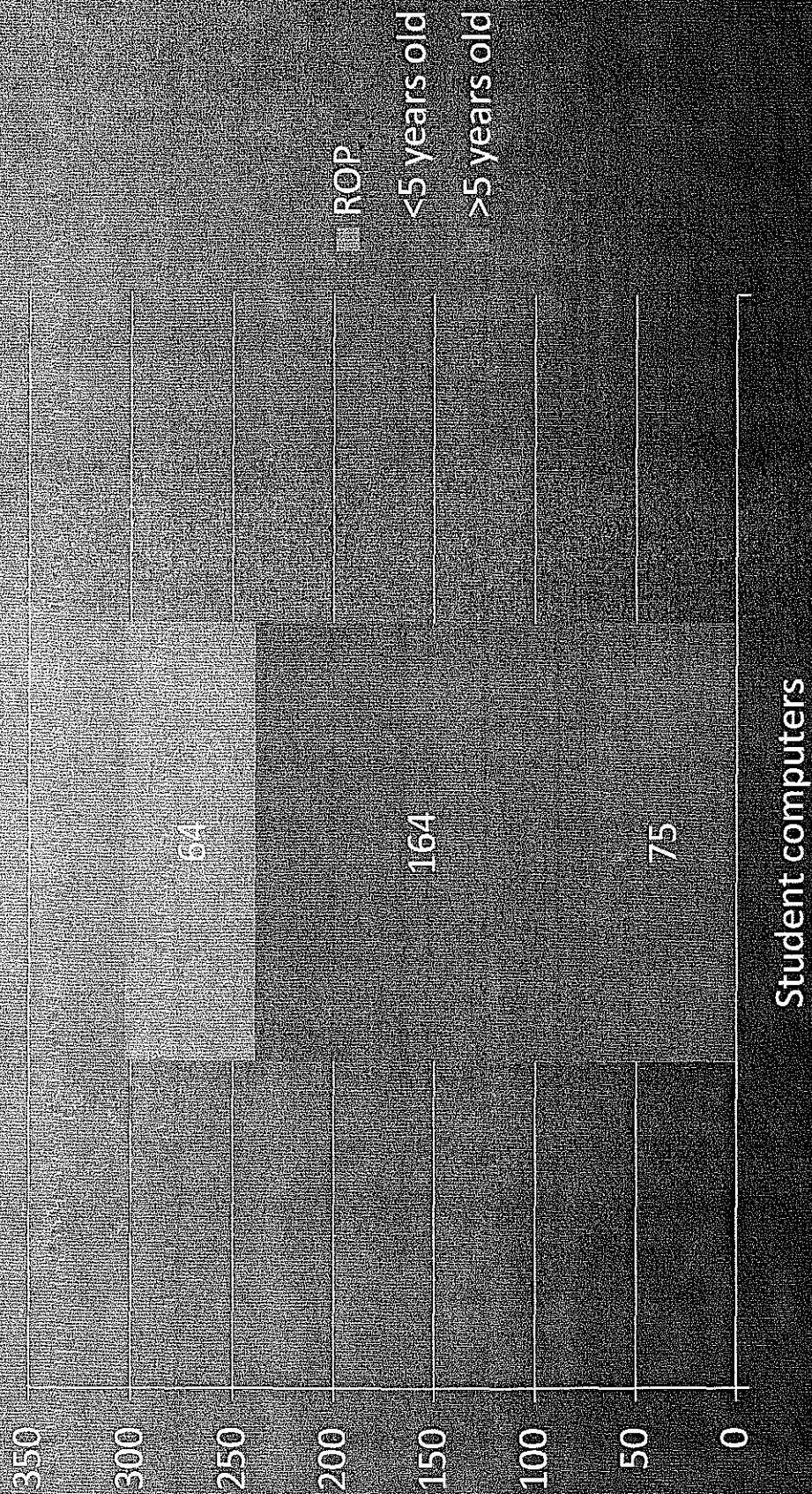
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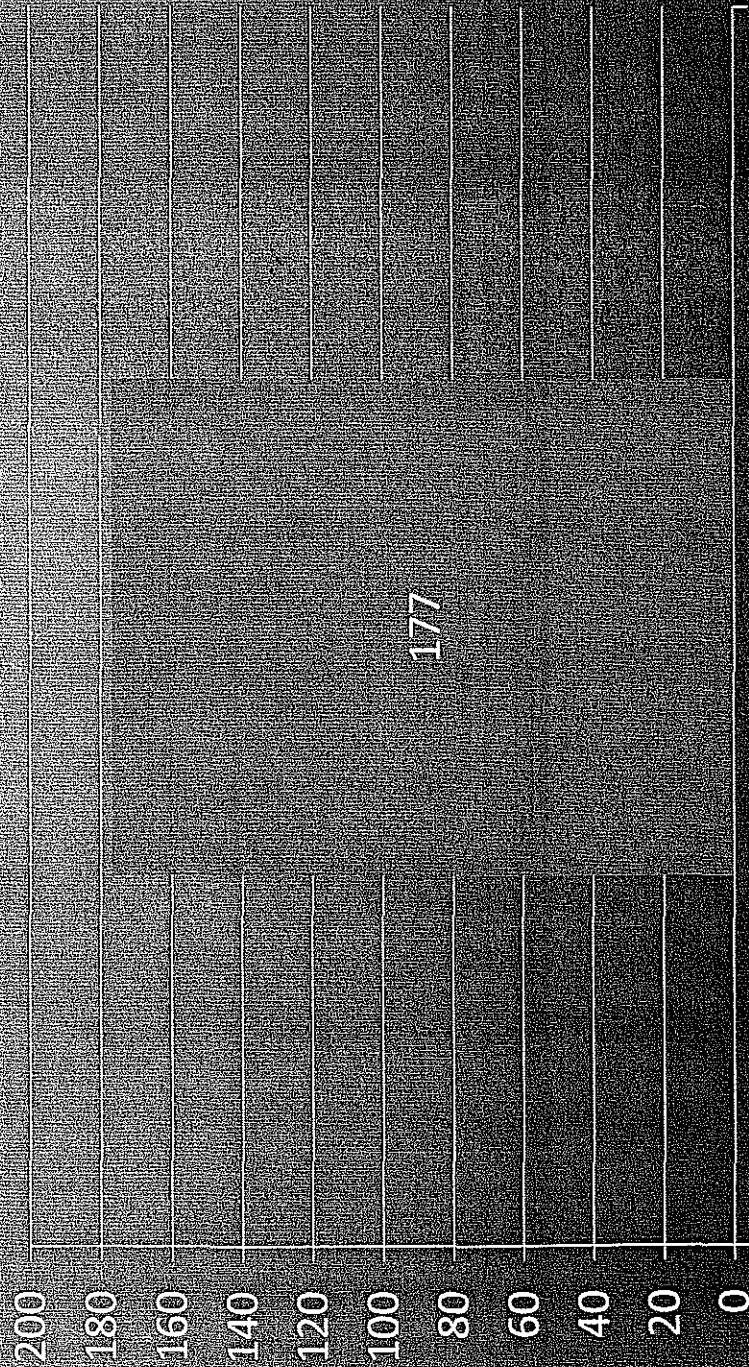
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Student Computers



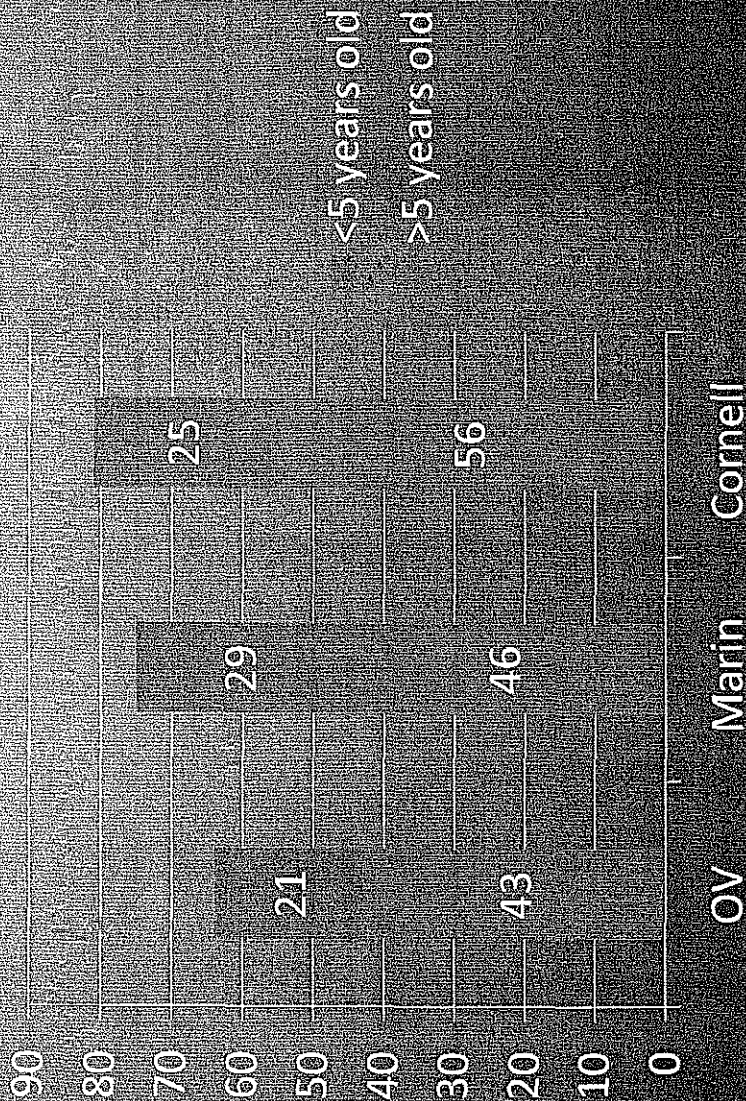
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**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: Assembly Bill 189 – Public Hearing Requirement for use of Tier III Categorical Funds for 2012-13

PREPARED BY: Laurie Harden

TYPE OF ITEM: Review and Action

BACKGROUND INFORMATION:

Assembly Bill (AB) 189 (Chapter 606/2011) was approved by Governor Brown on October 8, 2011 and became effective January 1, 2012. This law changed the public hearing requirement regarding the use of the Tier III funds by amending Education Code section 42605 as follows:

- As a condition of receiving funds for Tier III categorical programs, the governing board of a school district must hold a public hearing to discuss, approve or disapprove the proposed use of funding, and make explicit for each of the Tier III programs the purposes for which the funds will be used.
- The Tier III public hearing must be held at a regularly scheduled board meeting prior to and independent of the meeting at which the annual budget will be adopted.
- Authorization is to districts to use funds received for any of these programs for “any educational purpose” through June 2015, unless reauthorized.
- All program requirements and compliance issues are waived for Tier III categorical programs.
- Albany Unified School District continues to provide many of the programs that were combined within the Tier III flexibility options. This option was provided to districts to offset the deficit to revenue limit funding.

FINANCIAL INFORMATION:

\$1,755,637.00

RECOMMENDATION: Approve use of \$1,755,637.00 Tier III Categorical funds for 2012-13 to support core programs.

Program	Account Codes		2012-13	2012-13	Original Program Description
	From Fund Account	To Fund 01 Account	Projected Funding	Use	
Adult Education	Adult Education Fund Fund 11-6285	General Fund - Unrestricted Fund 01-0000-110	\$ 294,508.00	To maintain core programs.	To provide adult education classes.
Adult Education-Community Based English Tutoring	Adult Education Fund Fund 11-6285	General Fund - Unrestricted Fund 01-0000-110	\$ 18,584.00	To maintain core programs.	To provide classes to parents for tutoring in English Language development.
Art & Music Block Grant	General Fund - Restricted 010-6760	General Fund - Unrestricted 010-0000-760	\$ 54,272.00	To maintain core programs.	Funding supports standards-aligned arts (which includes dance, theatre and visual arts) and music instruction in kindergarten through grade twelve.
CAHSEE Intensive Instruction and Services	General Fund - Restricted 010-7055	General Fund - Unrestricted 010-0000-055	\$ 22,106.00	To maintain core programs	Funding supports intensive instruction and services for eligible students who are required to pass the California High School Exit Examination (CAHSEE) and have failed one or both parts of the examination.
Class Size Reduction Grade 9	General Fund - Restricted 010-1200	General Fund - Unrestricted 010-0000-120	\$ 54,001.00	To maintain core programs	To reduce teacher to student ratio to 20:1 in 9th grade English or Math.
Deferred Maintenance Program	Def Maint Fund - Restricted 14-6205	General Fund - Unrestricted 010-0000-114 <i>Transferred to Fund 14 for facility maintenance</i>	\$ 130,486.00	To maintain district facilities	The Deferred Maintenance Program provides state matching funds on a dollar-for-dollar basis to assist school districts and county offices of education with such items as major repair or replacement of existing school facility systems, hazard abatement, and interior and exterior painting of school buildings.
Instructional Materials Fund	General Fund - Restricted 01-7156	General Fund - Unrestricted 01-0156 <i>The district continues to use funds for textbook purposes.</i>	\$ 210,690.00	District textbooks Instructional supplies	The Instructional Materials Funding Realignment Program (IMFRP) provides funding to school and county offices of education for the purchase of instructional materials. Funding is to be used first to provide each pupil with adopted standards-aligned instructional materials in the core curriculum areas of reading-language arts, mathematics, science, and history-social
Math and Reading Professional Development	General Fund - Restricted 010-7294	General Fund - Unrestricted	\$ 21,044.00	To maintain core programs	Mathematics and Reading Professional Development program providing professional development in mathematics and reading/language arts for eligible teachers.
Oral Health	General Fund - Unrestricted 010-0000	General Fund - Unrestricted 010-0001	\$ 1,735.00	To maintain core programs	Local educational agencies are eligible for reimbursement of costs associated with requirements related to oral health assessments for public school students enrolled in kindergarten (or first grade if student was not previously enrolled in public school kindergarten). The students must present proof by May 31 of having received an oral health assessment by a licensed dentist or other licensed or registered dental health professional within 12 months of
Peer Assistance and Review (PAR)	General Fund - Restricted 010-7271	General Fund - Unrestricted 010-0000-271	\$ 17,549.00	To maintain core programs	Funding for professional development activities to assist experienced teachers who need help developing their subject matter knowledge, teaching strategies, or both. Participants are teachers who have received an unsatisfactory evaluation or have been referred to the program.

Professional Development Block Grant	General Fund - Restricted 010-7393	General Fund - Unrestricted 010-0000-739	\$ 147,441.00	To maintain core programs	A block grant for any purpose authorized by the Instructional Time and Staff Development Reform (ITSDR), Teaching as a Priority Block Grant (TAP), and Intersegmental Staff Development Programs as they existed prior to inclusion in the Professional Development Block Grant.
Pupil Retention Block Grant	General Fund - Restricted 010-7390	General Fund - Unrestricted 010-0000-739	\$ 106,703.00	To maintain core programs	The Pupil Retention Block Grant (PRBG) combines funding for the following programs that target pupils who require additional assistance to succeed in school: Elementary School Intensive Reading, Intensive Algebra Instruction Academies, Continuation High School Foundation, High Risk Youth Education and Public Safety, Tenth Grade Counseling.
Physical Education Teacher Incentive Grant	General Fund - Restricted 010-6258	General Fund - Unrestricted 010-0000-258	\$ 117,441.00	To maintain core programs	Funding supports ongoing incentive grants for school districts to hire more credentialed physical education teachers in elementary and middle schools, kindergarten through grade eight. The purpose of the program is to help address the rising incidence of obesity and its effects by ensuring that schools have trained experts to provide the required number of instructional minutes in physical education.
School Safety & Violence Prevention	General Fund - Restricted 010-6405	General Fund - Unrestricted 010-0000-645	\$ 28,362.00	To maintain core programs	The intent is to establish programs and strategies that emphasize violence prevention among children and youth in public schools. Funds may be used for personnel, materials, strategies or programs that materially contribute to meeting the goals and objectives of current law preventing violence among students.
School and Library Improvement Block Grant	General Fund - Restricted 010-7395	General Fund - Unrestricted 010-0000-395	\$ 280,241.00	To maintain core programs	The School and Library Improvement Block Grant (SLIBG) combines funds from School Library Materials (SLM) and the School Improvement Program (SIP) into one block grant. Expenditures must be approved by the school advisory council.
Secondary Counselors	General Fund - Restricted 010-7080	General Fund - Unrestricted 010-0000-708	\$ 110,772.00	To maintain core programs	Funding supports additional, appropriate counseling services for students in grades seven through twelve at risk of (1) not passing the California High School Exit Examination (CAHSEE) or (2) not accessing the standards curriculum because they are two or more grade levels below standards by the seventh grade.
Specialized Secondary Program	General Fund - Restricted 010-7370	General Fund - Unrestricted 010-0000-370	\$ 80,196.00	To maintain core programs	Specialized Secondary Programs provides start-up funds for the establishment of new, advanced programs in California high schools. The programs are expected to be a model for standards-based instruction, rich in curriculum content with varied instructional methodologies that emphasize expanded, in-depth study of a targeted content area or a thematic or career focus.
Supplemental Hourly Programs	General Fund - Unrestricted Fund 01-0000	General Fund - Unrestricted 010-0000-111	\$ 59,506.00		Summer school and intervention programs. Funds generated by program, by number of attendance hours.
TOTAL			\$ 1,755,637.00		

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP
Regular Meeting of May 15, 2012**

ITEM: Resolution 2011-12-18
Workers' Compensation for Volunteers

PREPARED BY: Laurie Harden, Assistant Superintendent, Business Services

TYPE OF ITEM: *Consent Agenda*

Background:

Alameda County Schools Insurance Group, who provides our property, liability and workers' compensation insurance coverage, requires an approved board resolution addressing workers' compensation for volunteers.

During a recent audit, it was discovered that a current board approved resolution was not on file with the Alameda County Schools Insurance Group for Albany Unified School District.

Labor Code Section 3364.5 entitles volunteers to workers' compensation coverage and states that:

Notwithstanding Section 3351 of the Labor Code, a volunteer, unsalaried person authorized by the governing board of a school district or the county superintendent of schools to perform volunteer services for the school district or the county superintendent shall, upon the adoption of a resolution of the governing board of the school district or the county board of education so declaring, be deemed an employee of the district or the county superintendent for the purposes of this division and shall be entitled to the workmen's compensation benefits provided by this division for any injury sustained by him while engaged in the performance of any service under the direction and control of the governing board of the school district or the county superintendent.

(Amended by Stats. 1968, Ch. 1146, Sec. 2.)

RECOMMENDATION: Approve Board Resolution 2011-12-18.

**ALBANY UNIFIED SCHOOL DISTRICT
RESOLUTION 2011/12-18**

VOLUNTEERS ELIGIBLY FOR WORKERS' COMPENSATION BENEFITS

WHEREAS, District may, from time to time, have occasion to utilize the services of volunteers in the operation of its programs; and

WHEREAS, the District desires to have such volunteers become eligible for Workers' Compensation benefits;

NOW, THEREFORE BE IT RESOLVED, that in accordance with Section 3364.5 of the Labor Code, volunteers shall be entitled to Workers' Compensation benefits for any injury sustained by him/her while in the performance of any service under direction and control of the District Superintendent; and

BE IT FUTHER RESOLVED, that the Albany Unified School District Superintendent shall cause a current list of such volunteers to be filed with the Alameda County Schools Insurance Group.

Passed and adopted on May 15, 2012 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Clerk of the Board of Trustees
Albany Unified School District
County of Alameda, State of California

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: **SUPERINTENDENT'S CONTRACT**
(under separate cover)

PREPARED BY: **MARLA STEPHENSON, SUPERINTENDENT**

TYPE OF ITEM: **REVIEW & ACTION**

BACKGROUND INFORMATION

Per Assembly Bill 2155, the Albany Unified School District's Superintendent's contract has been re-written to align with the new legal requirements.

RECOMMENDATION:

Approve Superintendent's Contract -- July 1, 2012 -- June 30, 2015.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

ITEM: **APPROVE THE INDEPENDENT CONTRACTOR AGREEMENT
BETWEEN ALBANY UNIFIED SCHOOL DISTRICT AND
GENDER SPECTRUM FOR PREPARING A PARENT
EDUCATION PRESENTATION ON BUILDING CULTURAL
COMPENTENCY**

PREPARED BY: MARSHA A. BROWN, DIRECTOR III – STUDENT SERVICES

TYPE OF ITEM: REVIEW AND ACTION

BACKGROUND INFORMATION:

Dates of Service:

May 16 – June 30, 2012

Description of Services:

Prepare a parent education presentation, including materials and handouts on gender roles, stereotypes, and expression.

Number of Students: N/A

Cost not to exceed: \$375

☒ **Standard Contract**

☐ Contract deviates from Standard Contract. Description below.

FINANCIAL INFORMATION:

Funding Source: grant funds

RECOMMENDATION:

Approve the amendment to the Independent Contractor Agreement between Albany Unified School District and Gender Spectrum for preparing a parent education presentation on gender roles, stereotypes, and expression.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

**ITEM: STRATEGIC PLAN –
REVIEW OF RECOMMENDED NEXT STEPS**

PREPARED BY: MARLA STEPHENSON, SUPERINTENDENT

TYPE OF ITEM: REVIEW & DISCUSSION

BACKGROUND INFORMATION

At the May 1, 2012 Board meeting, a multi-media presentation that covered the ongoing progress and potential next steps of the Albany Unified School District's Strategic Plan was presented to the Board. A panel of AUSD teacher and administrator participants was integrated into the discussion. A review of the recommended next steps of the Albany Unified School District's Strategic Plan will provide the Board with an opportunity for further discussion.

ALBANY UNIFIED SCHOOL DISTRICT STRATEGIC PLAN

2011-12 PROGRESS

GOAL 1 Assessing and growing academic success	2011-12 Goals	Progress	Next Steps
Strand 1 Coherent, authentic assessments			
Develop Essential Standards, rubrics, assessments and benchmark exemplars to guide the instructional program.	<p>Deepen Rubric work K-5 6-8 9-12</p> <p>Establish performance assessments</p> <p>Post High School Tracking</p>	<p>K-5 Essential Standards Language Arts and Math completed 6-8 Essential Standards work in all content areas begun 9-12 Essential Standards work completed, rubrics completed</p> <p>K-5 benchmark 1st, 2nd and 3rd trimester benchmark math assessments completed 9-12 benchmark assessments completed K-5 ELA rubric being developed 6-8 writing assessment refined</p> <p>Purchase Navience</p>	<p>Re-bench essential standards k-12 to align with common core standards Publish 9-12 essential standards for teachers, students and parents</p> <p>Develop K-5 language arts trimester assessments Develop 6-8 core content benchmark assessments Develop refine 8th grade performance based assessments e.g. I-search Develop/refine 9th and 10th grade performance based assessments e.g. 9th grade renewal debates and 10th grade career exploration</p> <p>Begin to track graduates</p>
Develop grading systems tied with the Essential Standards.	Tie grading systems to essential standards	K-5 standards based report cards	Align to new math and language arts essential standards
	K-8 Language Arts materials inventory	Completed	<p>K-5 Language Arts pilot and adoption Writing Program 6-8 Language Arts pilot and adoption K-8 ELD pilot and adoption</p>

GOAL 1 Assessing and growing academic success	2011-12 Goals	Progress	Next Steps
Strand 2: Engaging students			
Provide opportunities for choice and outside of school experiences that engage students in real world learning opportunities.	<p>Training students to film and televise student/school activities at high school</p> <p>Collaborate with UC to support student learning</p> <p>Establish Career Tech Ed committee</p> <p>Independent Study Committee (Educational Options)</p>	<p>Partnered with City to purchase equipment and train students. Broadcasting class added to 2012-13 master schedule</p> <p>6-8 Wise Science Program deepened and supported with 30 new computers for 2012-13</p> <p>Committee formed, met and on hold until Educational Options Committee completes its work</p> <p>Educational Options Committee formed and meeting</p>	<p>Evaluate and Review EDSET and CONNCT small learning communities goals and progress</p> <p>Evaluate and review 8th grade service learning project</p> <p>Begin Career Tech Ed Committee work</p> <p>Continue Educational Options work with policy to be brought to BOE Spring 2013.</p>
Embed technology as learning and communicating tools for teachers and students.	<p>Inventory all technology hardware</p> <p>Update technology plans at all sites</p> <p>Continue to implement technology rollout</p> <p>per site technology plans at</p> <p>AHS</p> <p>AMS</p> <p>Elementary</p>	<p>All equipment inventoried and bar coded</p> <p>Laptops and notebooks purchased</p> <p>Elmos and document cameras purchased and installed in every classroom</p> <p>30 Quizdom units purchased</p> <p>.4 FTE certificated tech support</p>	<p>Fall 2012 Re-purpose 60 elementary laptops to AMS</p> <p>Summer 2012 Purchase Apple</p>

		provided 30 iPads purchased (Marin) 30 Quizdom units purchased	laptops for all fulltime teachers
Goal 2 Supporting the Whole Child	2011-12 Goals	Progress	Next Steps
Strand 1 Collaborate for early identification of students needs including academic, social emotional or physical support.			
Collaborate for early identification of students needs including academic, social emotional or physical support.	Develop well-articulated and effective SST process to identify student needs	SST process refined including pre-SST intervention plans; new forms created; training provided K-5	Continue roll-out of new SST process 6-12
Strand 2 Provide coordinated interventions that include policies, staff training and effective communications with parents			
Identify at-risk populations; develop a comprehensive and coordinated intervention program	<p>Task Force on Achievement Gap</p> <p><u>Math Intervention</u> Elementary</p> <p>6-8</p> <p>9-12</p> <p><u>Reading Intervention</u> Elementary</p>	<p>Replaced with Equity Task Force Elementary Equity: demographics & funding</p> <p>Afterschool small group remediation</p> <p>1 section before school; 2 sections during school</p> <p>2 sections during school</p> <p>Staggered reading time</p>	<p>2012-13 Continue Equity Work Fall 2012 Begin Achievement Gap Task Force Fall 2012 Begin positive attendance campaign</p> <p>2012-13 Set measurable improvement targets</p> <p>2012-13 Set measurable improvement targets Move all sections into school day</p> <p>2012-13 Set measurable improvement targets</p> <p>2012-13 Set measurable improvement targets for at-risk readers</p>

	6-8	1 section before school; 1 section during school	Move all sections into school day
	9-12	All students given pilot reading assessment 1 section intervention during school	2012-13 Set measurable improvement targets
Goal 2 Supporting the Whole Child	2011-12 Goals	Progress	Next Steps
Strand 3 Foster social and emotional growth			
Integrate K-12 positive behavior measures into school culture	Deepen positive behavior system K-8	BEST –curriculum implementation	Continue curriculum implementation – develop and implement parent communication plan
	Integrate positive climate measures 9-12	Challenge Success Committee formed	2012-13 Identify target areas (student stressors) for further exploration Create intervention plan/policy change to bring to Board of Education
	Institute student centered positive climate measures		
	Elementary	Conflict managers Welcoming schools anti-bias curriculum	2012-13 Consolidate positive intervention program Publish K-5; 6-8; 9-12 flow charts
	6-8	Safe School Ambassadors AMS mentors Anti-bullying curriculum in advisory	
	9-12	Peer Helpers for Mental Health Program	
Create a tiered intervention system for student social and emotional support	Continue Student Focus Committee	Continue to develop and pilot intervention strategies Deepen mental health program K-	2012-13 Consolidate positive intervention program Publish K-5; 6-8; 9-12 flow charts

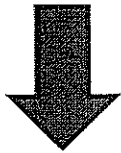
	Wellness Committee Parent Education Program	12 Initiate Speaker Series	2012-13 Continue Speaker Series
Strand 4 Provide safe environment for physical, social emotional needs of students			
Insure structural integrity of facilities	Seismic Study	Phase 1 completed; Phase 2 started	Fall 2012 Complete Phase 2 2013- Remediation plan developed
Implement sustainable green technology throughout organization	Energy Savings Recycling wet waste Conduct Energy audit	Wet waste recycling initiated Identify consultants for audit	Create incentive plan to increase student participation Fall 2012 Conduct survey
Goal 3 Communicating and Leading Together	2011-12 Goals	Progress	Next Steps
Strand 1 Coherent professional development plans that embed opportunities to identify and grow leadership at all levels			
Provide professional development throughout organization	Professional Learning Community training/implementation Management Team Evaluation process K-5 Evaluating student work 6-8 Evaluating student work 9-12 Evaluating student work	PLC development, implementation and support for grade levels/ courses /management	2012-13 Deepen PLC work throughout District and sites

Strand 2 Proactive and effective decision making			
Identify and improve District operation protocols	Developed Draft Decision Making Protocol Identify District forms that need updating or protocols for use Field trip forms Purchase Order Guidelines Meeting Norms	Distribute draft to Management Team for revision Created staff page for District forms on website Draft field trip forms developed Guidelines developed Norms revised and accountability established for using them	2012-13 publish Publish 2012 Publish 2012
Strand 3 Improving communications throughout the District			
Create opportunities for consistent communication and evaluate progress	Create District e-tree Implement annual survey of staff, students, parents and community Create District Facebook page Track Formal/Informal opportunities for District media exposure Website Enhancements-add staff phone numbers and job descriptions Establish Monthly staff newsletter from D.O. Create Quarterly Community	Created linked to web site Created- being administered in May Created and linked to Website Media protocol includes contacting the Albany Patch and West Contra Costa Times to announce events. Reorganized and updated website Monthly newsletter published 1 st newsletter for community to be	Develop parent and community incentive to use district e-tree Summer 2012 Analyze and report results to Board; publish results Use results to inform 2012-13 Goals Update and keep current site websites

	Newsletter and translate	mailed May, 2012	
	Increase parent engagement through committee and task force work. Increase minority parent participation in committee work.	Committee and task force work identified	2012-13 Communicate via community and site newsletters opportunities for involvement.

The mission of AUSD is to provide excellent public education, empowering 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.

STRATEGY 1 Provide a comprehensive educational experience with expanded opportunities for demonstrating and assessing student growth.



GOAL 1 Assessing and Growing Academic Success



Goal 1: Develop a systematic and periodic process for assessing student learning using multiple measures:

Strand 1: Coherent, authentic assessments



Goal 2: Implement an array of strategies to increase engagement of all students

Strand 2: Engaging students



Goal 3: Foster social and emotional growth

Strand 3: Foster social and emotional growth

STRATEGY 2 We will identify individual social, emotional, and academic needs and apply collaborative appropriate interventions.




GOAL 2 Supporting the Whole Child



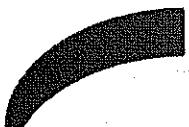
Goal 1: AUSD will provide time for regular collaboration between district staff/families and other stakeholders to identify students' needs and develop/implement appropriate interventions.

Strand 1: Collaborate for early identification of students needs including academic, social emotional or physical support.

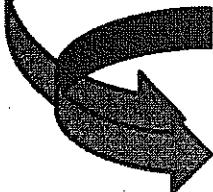


Goal 2: AUSD will regularly review and refine existing interventions and support programs and create/implement new ones as needed. Decisions will reflect current research and best practices.

Strand 2: Provide coordinated interventions that include policies, staff training and effective communications with parents




Goal 3: AUSD will regularly review and refine existing policies and procedures and create new ones as needed that reflect current research and best practices regarding students' physical and social/emotional wellbeing. This may include areas such as sleep, nutrition, exercise, school scheduling and homework.




Goal 4: There will be an increase in students who have a positive relationship or connection with staff/peers, feel safe and have expanded opportunities to be involved at school.

Strand 3: Provide a safe environment for physical, social emotional needs of students with coordinated professional development and communications

STRATEGY 3 We will enhance the leadership capacity at the site, district and community levels for collaborating with all stakeholders in making decisions, communicating, and assessing site and district goals.




Goal 3 Communicating and Leading Together



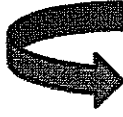
Goal 1: Collaboratively create an annual district-wide plan for professional/leadership development, anticipating expected changes, for members of the Learning Community.

Strand 1: A coherent Professional Development plan that embeds opportunities to identify and grow leadership at all levels



Goal 2: Develop a model for proactive and effective decision-making.

Strand 2: Proactive and effective decision-making



Goal 3: Improve Communication Protocols

Strand 3: Improving communications throughout the District

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

Regular Meeting of May 15, 2012

**ITEM: POTENTIAL NOVEMBER 2012 BALLOT MEASURES
DESIGNED TO FUND PUBLIC EDUCATION**

PREPARED BY: MARLA STEPHENSON, SUPERINTENDENT

TYPE OF ITEM: REVIEW & DISCUSSION

BACKGROUND INFORMATION:

The Board of Education requested AUSD staff to research potential November 2012 ballot measures designed to fund public education, and the following two were identified:

1. Governor Brown's Tax Initiative

Governor Brown and the California Federation of Teachers reached a compromise on their competing tax measures that they feel will better their collective chances of seeing increased revenue after November. Under the new deal, the statewide sales tax will increase by a quarter-cent per dollar, and those in the top two tax brackets will see increases of two percentage points and three percentage points respectively. These increases will also last an additional two years on top of the five initially proposed by the Governor.

2. Millionaire's Tax

Molly Munger, an attorney and author of an opposing tax initiative, has a plan that would raise income taxes only for millionaires. Munger's campaign claims that all of the expected \$10 billion raised annually by the new measure would go directly to fund K-12 education, but for the first four years 30% of that money will be redirected to help battle the state's budget deficit.

THE SCHOOLS AND LOCAL PUBLIC SAFETY PROTECTION ACT OF 2012

Sec. 1. Title.

This measure shall be known and may be cited as "The Schools and Local Public Safety Protection Act of 2012."

Sec. 2. Findings.

(a) Over the past 4 years alone, California has had to cut more than \$56 billion from education, police and fire protection, healthcare and other critical state and local services. These funding cuts have forced teacher layoffs, increased school class sizes, increased college fees, reduced police protection, increased fire response times, exacerbated dangerous overcrowding in prisons, and substantially reduced oversight of parolees.

(b) These cuts in critical services have hurt California's seniors, middle-class, working families, children, college students and small businesses the most. We cannot afford more cuts to education and the other services we need.

(c) After years of cuts and difficult choices it is necessary to turn the state around. Raising new tax revenue is an investment in our future that will put California back on track for growth and success.

(d) The Schools and Local Public Safety Protection Act of 2012 will make California's tax system more fair. With working families struggling while the wealthiest among us enjoy record income growth, it is only right to ask the wealthy to pay their fair share.

(e) The Schools and Local Public Safety Protection Act of 2012 raises the income tax on those at the highest end of the income scale – those who can most afford it. It also temporarily restores some sales taxes in effect last year, while keeping the overall sales tax rate lower than it was in early 2011.

(f) The new taxes in this measure are temporary. Under the Constitution the 1/4 cent sales tax increase expires in four years, and the income tax increases for the wealthiest taxpayers end in seven years.

(g) The new tax revenue is guaranteed in the Constitution to go directly to local school districts and community colleges. Cities and counties are guaranteed ongoing funding for public safety programs such as local police and child protective services. State money is freed up to help balance the budget and prevent even more devastating cuts to services for seniors, working families, and small businesses. Everyone benefits.

(h) To ensure these funds go where the voters intend, they are put in special accounts that the Legislature cannot touch. None of these new revenues can be spent on state bureaucracy or administrative costs.

(i) These funds will be subject to an independent audit every year to ensure they are spent only for schools and public safety. Elected officials will be subject to prosecution and criminal penalties if they misuse the funds.

Sec. 3. Purpose and Intent.

(a) The chief purpose of this measure is to protect schools and local public safety by asking the wealthy to pay their fair share of taxes. This measure takes funds away from state control and places them in special accounts that are exclusively dedicated to schools and local public safety in the state constitution.

(b) This measure builds on a broader state budget plan that has made billions of dollars in permanent cuts to state spending.

(c) The measure guarantees solid, reliable funding for schools, community colleges, and public safety while helping balance the budget and preventing further devastating cuts to services for seniors, middle-class, working families, children and small businesses.

(d) This measure gives constitutional protection to the shift of local public safety programs from state to local control and the shift of state revenues to local government to pay for those programs. It guarantees that schools are not harmed by providing even more funding than schools would have received without the shift.

(e) This measure guarantees that the new revenues it raises will be sent directly to school districts for classroom expenses, not administrative costs. This school funding cannot be suspended or withheld no matter what happens with the state budget.

(f) All revenues from this measure are subject to local audit every year, and audit by the independent Controller to ensure that they will be used only for schools and local public safety.

Sec. 4. Section 36 is added to Article XIII of the California Constitution, to read:

SEC. 36. (a) For purposes of this section:

(1) "Public Safety Services" includes the following:

(A) Employing and training public safety officials, including law enforcement personnel, attorneys assigned to criminal proceedings, and court security staff.

(B) Managing local jails and providing housing, treatment, and services for, and supervision of, juvenile and adult offenders.

(C) Preventing child abuse, neglect, or exploitation; providing services to children and youth who are abused, neglected, or exploited, or who are at risk of abuse, neglect, or exploitation, and the families of those children; providing adoption services; and providing adult protective services.

(D) Providing mental health services to children and adults to reduce failure in school, harm to self or others, homelessness, and preventable incarceration or institutionalization.

(E) Preventing, treating, and providing recovery services for substance abuse.

(2) "2011 Realignment Legislation" means legislation enacted on or before September 30, 2012, to implement the state budget plan, that is entitled 2011 Realignment and provides for the assignment of Public Safety Services responsibilities to local agencies, including related reporting responsibilities. The legislation shall provide local agencies with maximum flexibility and control over the design, administration, and delivery of Public Safety Services consistent with federal law and funding requirements, as determined by the Legislature. However, 2011 Realignment Legislation shall include no new programs assigned to local agencies after January 1, 2012 except for the early periodic screening, diagnosis, and treatment (EPSDT) program and mental health managed care.

(b)(1) Except as provided in (d), commencing in fiscal year 2011-2012 and continuing thereafter, the following amounts shall be deposited into the Local Revenue Fund 2011, as established by Section 30025 of the Government Code, as follows:

(A) All revenues, less refunds, derived from the taxes described in Sections 6051.15 and 6201.15 of the Revenue and Taxation Code, as those sections read on July 1, 2011.

(B) All revenues, less refunds, derived from the vehicle license fees described in Section 11005 of the Revenue and Taxation Code, as that section read on July 1, 2011.

(2) On and after July 1, 2011, the revenues deposited pursuant to paragraph (1) shall not be considered General Fund revenues or proceeds of taxes for purposes of Section 8 of Article XVI of the California Constitution.

(c)(1) Funds deposited in the Local Revenue Fund 2011, are continuously appropriated exclusively to fund the provision of Public Safety Services by local agencies. Pending full implementation of the 2011 Realignment Legislation, funds may also be used to reimburse the State for program costs incurred in providing Public Safety Services on behalf of local agencies. The methodology for allocating funds shall be as specified in the 2011 Realignment Legislation.

(2) The county treasurer, city and county treasurer, or other appropriate official shall create a County Local Revenue Fund 2011 within the treasury of each county or city

and county. The money in each County Local Revenue Fund 2011 shall be exclusively used to fund the provision of Public Safety Services by local agencies as specified by the 2011 Realignment Legislation.

(3) Notwithstanding Section 6 of Article XIII B, or any other constitutional provision, a mandate of a new program or higher level of service on a local agency imposed by the 2011 Realignment Legislation, or by any regulation adopted or any executive order or administrative directive issued to implement that legislation, shall not constitute a mandate requiring the State to provide a subvention of funds within the meaning of that section. Any requirement that a local agency comply with Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code, with respect to performing its Public Safety Services responsibilities, or any other matter, shall not be a reimbursable mandate under Section 6 of Article XIII B.

(4)(A) Legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation shall apply to local agencies only to the extent that the State provides annual funding for the cost increase. Local agencies shall not be obligated to provide programs or levels of service required by legislation, described in this subparagraph, above the level for which funding has been provided.

(B) Regulations, executive orders, or administrative directives, implemented after October 9, 2011, that are not necessary to implement the 2011 Realignment Legislation, and that have an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation, shall apply to local agencies only to the extent that the State provides annual funding for the cost increase. Local agencies shall not be obligated to provide programs or levels of service pursuant to new regulations, executive orders, or administrative directives, described in this subparagraph, above the level for which funding has been provided.

(C) Any new program or higher level of service provided by local agencies, as described in subparagraphs (A) and (B), above the level for which funding has been provided, shall not require a subvention of funds by the State nor otherwise be subject to Section 6 of Article XIII B. This paragraph shall not apply to legislation currently exempt from subvention under paragraph (2) of subdivision (a) of Section 6 of Article XIII B as that paragraph read on January 2, 2011.

(D) The State shall not submit to the federal government any plans or waivers, or amendments to those plans or waivers, that have an overall effect of increasing the cost borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation, except to the extent that the plans, waivers, or amendments are required by federal law, or the State provides annual funding for the cost increase.

(E) The State shall not be required to provide a subvention of funds pursuant to this paragraph for a mandate that is imposed by the State at the request of a local agency or to comply with federal law. State funds required by this paragraph shall be from a source other than those described in subdivisions (b) and (d), ad valorem property taxes, or the Social Services Subaccount of the Sales Tax Account of the Local Revenue Fund.

(5)(A) For programs described in subparagraphs (C) to (E) inclusive, of paragraph (1) of subdivision (a) and included in the 2011 Realignment Legislation, if there are subsequent changes in federal statutes or regulations that alter the conditions under which federal matching funds as described in the 2011 Realignment Legislation are obtained, and have the overall effect of increasing the costs incurred by a local agency, the State shall annually provide at least 50 percent of the nonfederal share of those costs as determined by the State.

(B) When the State is a party to any complaint brought in a federal judicial or administrative proceeding that involves one or more of the programs described in subparagraphs (C) to (E) inclusive, of paragraph (1) of subdivision (a) and included in the 2011 Realignment Legislation, and there is a settlement or judicial or administrative order that imposes a cost in the form of a monetary penalty or has the overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by the 2011 Realignment Legislation, the State shall annually provide at least 50 percent of the nonfederal share of those costs as determined by the State. Payment by the State is not required if the State determines that the settlement or order relates to one or more local agencies failing to perform a ministerial duty, failing to perform a legal obligation in good faith, or acting in a negligent or reckless manner.

(C) The state funds provided in this paragraph shall be from funding sources other than those described in subdivisions (b) and (d), ad valorem property taxes, or the Social Services Subaccount of the Sales Tax Account of the Local Revenue Fund.

(6) If the State or a local agency fails to perform a duty or obligation under this section or under the 2011 Realignment Legislation, an appropriate party may seek judicial relief. These proceedings shall have priority over all other civil matters.

(7) The funds deposited into a County Local Revenue Fund 2011 shall be spent in a manner designed to maintain the State's eligibility for federal matching funds, and to ensure compliance by the State with applicable federal standards governing the State's provision of Public Safety Services.

(8) The funds deposited into a County Local Revenue Fund 2011 shall not be used by local agencies to supplant other funding for Public Safety Services.

(d) If the taxes described in subdivision (b) are reduced or cease to be operative, the State shall annually provide moneys to the Local Revenue Fund 2011 in an amount equal to or greater than the aggregate amount that otherwise would have been provided

by the taxes described in subdivision (b). The method for determining that amount shall be described in the 2011 Realignment Legislation, and the State shall be obligated to provide that amount for so long as the local agencies are required to perform the Public Safety Services responsibilities assigned by the 2011 Realignment Legislation. If the State fails to annually appropriate that amount, the Controller shall transfer that amount from the General Fund in pro rata monthly shares to the Local Revenue Fund 2011. Thereafter, the Controller shall disburse these amounts to local agencies in the manner directed by the 2011 Realignment Legislation. The state obligations under this subdivision shall have a lower priority claim to General Fund money than the first priority for money to be set apart under Section 8 of Article XVI and the second priority to pay voter-approved debts and liabilities described in Section 1 of Article XVI.

(e)(1) To ensure that public education is not harmed in the process of providing critical protection to local Public Safety Services, the Education Protection Account is hereby created in the General Fund to receive and disburse the revenues derived from the incremental increases in taxes imposed by this section as specified in subdivision (f).

(2)(A) Before June 30, 2013, and before June 30th of each year thereafter through 2018, the Director of Finance shall estimate the total amount of additional revenues, less refunds, that will be derived from the incremental increases in tax rates made in subdivision (f) that will be available for transfer into the Education Protection Account during the next fiscal year. The Director of Finance shall make the same estimate by January 10, 2013, for additional revenues, less refunds, that will be received by the end of the 2012-13 fiscal year.

(B) During the last ten days of the quarter of each of the first three quarters of each fiscal year from 2013-14 through 2018-19, the Controller shall transfer into the Education Protection Account one fourth of the total amount estimated pursuant to subparagraph (A) for that fiscal year, except as this amount may be adjusted pursuant to subparagraph (D).

(C) In each of the fiscal years 2012-13 through 2020-21, the Director of Finance shall calculate an adjustment to the Education Protection Account, as specified by subparagraph (D), by adding together the following amounts, as applicable:

(i) In the last quarter of each fiscal year from 2012-13 through 2018-19, the Director of Finance shall recalculate the estimate made for the fiscal year pursuant to subparagraph (A), and shall subtract from this updated estimate the amounts previously transferred to the Education Protection Account for that fiscal year.

(ii) In June 2015 and in every June through 2021, the Director of Finance shall make a final determination of the amount of additional revenues, less refunds, derived from the incremental increases in tax rates made in subdivision (f) for the fiscal year ending two years prior. The amount of the updated estimate calculated in clause (i) for the fiscal year ending two years prior shall be subtracted from the amount of this final determination.

(D) If the sum determined pursuant to subparagraph (C) is positive, the Controller shall transfer an amount equal to that sum into the Education Protection Account within 10 days preceding the end of the fiscal year. If that amount is negative, the Controller shall suspend or reduce subsequent quarterly transfers, if any, to the Education Protection Account until the total reduction equals the negative amount herein described. For purposes of any calculation made pursuant to clause (i) of subparagraph (C), the amount of a quarterly transfer shall not be modified to reflect any suspension or reduction made pursuant to this subparagraph.

(3) All moneys in the Education Protection Account are hereby continuously appropriated for the support of school districts, county offices of education, charter schools, and community college districts as set forth in this paragraph.

(A) Eleven percent of the moneys appropriated pursuant to this paragraph shall be allocated quarterly by the Board of Governors of the California Community Colleges to community college districts to provide general purpose funding to community college districts in proportion to the amounts determined pursuant to Section 84750.5 of the Education Code, as that code section read upon the enactment of this section. The allocations calculated pursuant to this subparagraph shall be offset by the amounts specified in subdivisions (a), (c) and (d) of Section 84751 of the Education Code, as that section read upon enactment of this section, that are in excess of the amounts calculated pursuant to Section 84750.5 of the Education Code, as that section read upon enactment of this section, provided that no community college district shall receive less than one hundred dollars (\$100) per full time equivalent student.

(B) Eighty nine percent of the moneys appropriated pursuant to this paragraph shall be allocated quarterly by the Superintendent of Public Instruction to provide general purpose funding to school districts, county offices of education, and state general-purpose funding to charter schools in proportion to the revenue limits calculated pursuant to Sections 2558 and 42238 and the amounts calculated pursuant to Section 47633 of the Education Code for county offices of education, school districts, and charter schools, respectively, as those sections read upon enactment of this section. The amounts so calculated shall be offset by the amounts specified in subdivision (c) of Section 2558; paragraphs (1) through (7) of subdivision (h) of Section 42238, and Section 47635 of the Education Code for county offices of education, school districts, and charter schools, respectively, as those sections read upon enactment of this section, which are in excess of the amounts calculated pursuant to Sections 2558, 42238, and 47633 of the Education Code for county offices of education, school districts, and charter schools, respectively, as those sections read upon enactment of this section, provided that no school district, county office of education, or charter school shall receive less than two hundred dollars (\$200) per unit of average daily attendance.

(4) This subdivision is self-executing and requires no legislative action to take effect. Distribution of the moneys in the Education Protection Account by the Board of

Governors of the California Community Colleges and the Superintendent of Public Instruction shall not be delayed or otherwise affected by failure of the Legislature and Governor to enact an annual budget bill pursuant to Section 12 of Article IV, by invocation of paragraph (h) of Section 8 of Article XVI, or by any other action or failure to act by the Legislature or Governor.

(5) Notwithstanding any other provision of law, the moneys deposited in the Education Protection Account shall not be used to pay any costs incurred by the Legislature, Governor or any agency of state government.

(6) A community college district, county office of education, school district, and charter school shall have sole authority to determine how the moneys received from the Education Protection Account are spent in the school or schools within its jurisdiction, provided, however, that the appropriate governing board or body shall make these spending determinations in open session of a public meeting of the governing board or body and shall not use any of the funds from the Education Protection Account for salaries or benefits of administrators or any other administrative costs. Each community college district, county office of education, school district, and charter school shall annually publish on its Internet Web site an accounting of how much money was received from the Education Protection Account and how that money was spent.

(7) The annual independent financial and compliance audit required of community college districts, county offices of education, school districts, and charter schools shall, in addition to all other requirements of law, ascertain and verify whether the funds provided from the Education Protection Account have been properly disbursed and expended as required by this section. Expenses incurred by those entities to comply with the additional audit requirement of this section may be paid with funding from the Education Protection Account and shall not be considered administrative costs for purposes of this section.

(8) Revenues, less refunds, derived pursuant to subdivision (f) for deposit in the Education Protection Account pursuant to this section shall be deemed "General Fund revenues," "General Fund proceeds of taxes" and "moneys to be applied by the State for the support of school districts and community college districts" for purposes of Section 8 of Article XVI.

(f)(1)(A) In addition to the taxes imposed by Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, for the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers at the rate of 1/4 percent of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in this state on and after January 1, 2013, and before January 1, 2017.

(B) In addition to the taxes imposed by Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code, an excise tax is hereby imposed on the storage, use, or other consumption in this state of tangible personal property purchased

from any retailer on and after January 1, 2013, and before January 1, 2017, for storage, use, or other consumption in this state at the rate of 1/4 percent of the sales price of the property.

(C) The Sales and Use Tax Law, including any amendments enacted on or after the effective date of this section, shall apply to the taxes imposed pursuant to this paragraph.

(D) This paragraph shall cease to be operative on January 1, 2017.

(2) For any taxable year beginning on or after January 1, 2012, and before January 1, 2019, with respect to the tax imposed pursuant to Section 17041 of the Revenue and Taxation Code, the income tax bracket and the rate of 9.3 percent set forth in paragraph (1) of subdivision (a) of Section 17041 of the Revenue and Taxation Code shall be modified by each of the following:

(A)(i) For that portion of taxable income that is over two hundred and fifty thousand dollars (\$250,000) but not over three hundred thousand dollars (\$300,000) the tax rate is 10.3 percent of the excess over two hundred and fifty thousand dollars (\$250,000).

(ii) For that portion of taxable income that is over three hundred thousand dollars (\$300,000) but not over five hundred thousand dollars (\$500,000) the tax rate is 11.3 percent of the excess over three hundred thousand dollars (\$300,000).

(iii) For that portion of taxable income that is over five hundred thousand dollars (\$500,000), the tax rate is 12.3 percent of the excess over five hundred thousand dollars (\$500,000).

(B) The income tax brackets specified in clauses (i), (ii), and (iii) of subparagraph (A) shall be recomputed, as otherwise provided in subdivision (h) of Section 17041 of the Revenue and Taxation Code, only for taxable years beginning on and after January 1, 2013.

(C)(i) For purposes of subdivision (g) of Section 19136 of the Revenue and Taxation Code, this provision shall be considered to be chaptered on the date it becomes effective.

(ii) For purposes of Part 10 (commencing with Section 17001) and Part 10.2 (commencing with Section 18401) of Division 2 of the Revenue and Taxation Code, the modified tax brackets and tax rates established and imposed by this paragraph shall be deemed to be established and imposed under Section 17041 of the Revenue and Taxation Code.

(D) This paragraph shall cease to be operative on December 1, 2019.

(3) For any taxable year beginning on or after January 1, 2012, and before January 1, 2019, with respect to the tax imposed pursuant to Section 17041 of the Revenue and Taxation Code, the income tax bracket and the rate of 9.3 percent set forth in paragraph (1) of subdivision (c) of Section 17041 of the Revenue and Taxation Code shall be modified by each of the following:

(A)(i) For that portion of taxable income that is over three hundred forty thousand dollars (\$340,000) but not over four hundred eight thousand dollars (\$408,000) the tax rate is 10.3 percent of the excess over three hundred forty thousand dollars (\$340,000).

(ii) For that portion of taxable income that is over four hundred eight thousand dollars (\$408,000) but not over six hundred eighty thousand dollars (\$680,000) the tax rate is 11.3 percent of the excess over four hundred eight thousand dollars (\$408,000).

(iii) For that portion of taxable income that is over six hundred eighty thousand dollars (\$680,000), the tax rate is 12.3 percent of the excess over six hundred eighty thousand dollars (\$680,000).

(B) The income tax brackets specified in clauses (i), (ii), and (iii) of subparagraph (A) shall be recomputed, as otherwise provided in subdivision (h) of Section 17041 of the Revenue and Taxation Code, only for taxable years beginning on and after January 1, 2013.

(C)(i) For purposes of subdivision (g) of Section 19136 of the Revenue and Taxation Code, this provision shall be considered to be chaptered on the date it becomes effective.

(ii) For purposes of Part 10 (commencing with Section 17001) and Part 10.2 (commencing with Section 18401) of Division 2 of the Revenue and Taxation Code, the modified tax brackets and tax rates established and imposed by this paragraph shall be deemed to be established and imposed under Section 17041 of the Revenue and Taxation Code.

(D) This paragraph shall cease to be operative on December 1, 2019.

(g)(1) The Controller, pursuant to his or her statutory authority, may perform audits of expenditures from the Local Revenue Fund 2011 and any County Local Revenue Fund 2011, and shall audit the Education Protection Account to ensure that those funds are used and accounted for in a manner consistent with this section.

(2) The Attorney General or local district attorney shall expeditiously investigate, and may seek civil or criminal penalties for, any misuse of moneys from the County Local Revenue Fund 2011 or the Education Protection Account.

Sec. 5. Effective Date.

Subdivision (b) of Section 36 of Article XIII, as added by this measure, shall be operative as of July 1, 2011. Paragraphs (2) and (3) of subdivision (f) of Section 36 of Article XIII, as added by this measure, shall be operative as of January 1, 2012. All other provisions of this measure shall take effect the day after the election in which it is approved by a majority of the voters voting on the measure provided.

Sec. 6. Conflicting Measures.

In the event that this measure and another measure that imposes an incremental increase in the tax rates for personal income shall appear on the same statewide ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than a measure deemed to be in conflict with it, the provisions of this measure shall prevail in their entirety, and the other measure or measures shall be null and void.

Sec. 7.

This measure provides funding for school districts and community college districts in an amount that equals or exceeds that which would have been provided if the revenues deposited pursuant to Sections 6051.15 and 6201.15 of the Revenue and Taxation Code pursuant to Chapter 43 of the Statutes of 2011 had been considered "General Fund revenues" or "General Fund proceeds of taxes" for purposes of Section 8 of Article XVI of the California Constitution.

OUR CHILDREN, OUR FUTURE: LOCAL SCHOOLS AND EARLY EDUCATION INVESTMENT AND BOND DEBT REDUCTION ACT

SECTION 1. Title.

This measure shall be known and may be cited as "Our Children, Our Future: Local Schools and Early Education Investment and Bond Debt Reduction Act."

SECTION 2. Findings and Declaration of Purpose.

1. California is shortchanging the future of our children and our state. Today, our state ranks 46th nationally in what we invest to educate each student. California also ranks dead last, 50th out of 50 states, with the largest class sizes in the nation.
2. Recent budget cuts are putting our schools even farther behind. Over the last 3 years, more than \$20 billion has been cut from California schools; essential programs and services that all children need to be successful have been eliminated or cut; and over 40,000 educators have been laid off.
3. We are also failing with our early childhood development programs, which many studies confirm are one of the best educational investments we can make. Our underfunded public preschool programs serve only 40 percent of eligible 3 and 4 year olds. Only five percent of very low income infants and toddlers, who need the support most, have access to early childhood programs.
4. We can and must do better. Children are our future. Investing in our schools and early childhood programs to prepare children to succeed is the best thing we can do for our children and the future of our economy and our state. Without a quality education, our children will not be able to compete in a global economy. Without a skilled workforce, our state will not be able to compete for jobs. We owe it to our children and to ourselves to improve our children's education.
5. It is time to make a real difference: no more half-measures but real, transformative investment in the schools on which the future of our state and our families depends. This Act will enable schools to provide a well-rounded education that supports college and career readiness for every student, including a high quality curriculum of the arts, music, physical education, science, technology, engineering, math and vocational and technical education courses; smaller class sizes; school libraries, school nurses, and counselors.
6. This Act requires that decisions about how best to use new funds to improve our schools must be made not in Sacramento, but locally, with respect for the voices of parents, teachers, other school staff and community members. It requires local school boards to work with parents, teachers, other school staff and community members to decide what is most needed at each particular school.

7. In order for all our schools to be transformed, so that all our children benefit, this Act makes sure that new funding gets to every local school – including charter schools, county schools and schools for children with special needs – and is allocated fairly and transparently. New funding will be allocated to every local school on a per-pupil basis, with funds required to be spent at local schools, not district headquarters.

8. This measure holds local school boards accountable for how they spend new taxpayer money. They are required to explain how expenditures will improve educational outcomes and how they propose to determine whether the expenditures were successful. They will be required to report back on what results were achieved so that parents, teachers, and the community will know whether their money is being used wisely.

9. This Act limits what schools can spend from these new funds on administrative costs to no more than 1 percent and ensures schools may not use these new funds to increase salaries and benefits.

10. This Act will help prepare disadvantaged young children to succeed in school and in life by raising standards for early childhood education programs and by expanding the number of children who can attend.

11. As Californians, we all should share in the cost of improving our schools and early education programs because we all share in the benefits that better schools and a well-educated workforce will bring to our economy and the quality of life in our state.

12. Our schools and early childhood programs have suffered from years of being shortchanged. Rather than allow further cutbacks, we need to increase funding to provide every child an opportunity to succeed. If we all join together to send more resources to all our children and classrooms, and we all participate in ensuring good decisions are made about how to use these funds effectively, we can once again make California schools great and grow our economy.

13. This measure raises the money needed to invest in our children through a sliding scale income tax increase which varies with taxpayers' ability to pay, with the highest income earners contributing the most.

14. During the first four years of this initiative, as described below, 60% of the funds will go to K-12 schools, 10% will go to early education and 30% will go to reduce state debt and prevent further harmful budget cuts that could undermine these new educational investments. For the remaining eight years of the initiative, from 2017 on, one hundred percent of the funds will go to increase K-12 and early education funding. To avoid wide fluctuations in revenue and ensure continued investment in needed school and early education facilities, any revenues that exceed the rate of growth of California per capita personal income will be used to help service and pay down existing state education bond debt, ensuring California's ability to issue new bonds, as needed, to build and modernize school and early education facilities.

15. All the new money raised by this initiative will be put in a separate trust fund that can *only* be spent for local schools, for early childhood care and education, and to help service and retire school bond debt, according to the provisions of this Act. The Legislature and Governor will not be allowed to use this money for anything else, nor will they be able to change the per-pupil allocation system that ensures money flows fairly to every local school.

16. This initiative contains tough, effective accountability provisions that require oversight, audits and public disclosure. For the first time, we will have transparent school site budgets and know exactly how our money is being spent in every school. Anyone who knowingly violates the allocation or distribution provisions of this Act will be guilty of a felony.

17. The initiative also builds in an extra layer of accountability by ending the tax after twelve years unless it is re-approved by the voters. That gives our schools enough time to show that the new funds have actually improved educational outcomes, while protecting taxpayers by eliminating the tax if voters decide they don't want to keep it.

18. This initiative will be taking effect as California grapples with one of the worst economic downturns in its history. If the initiative were fully implemented immediately and nothing were done to help close our state's budget deficit, continuing extreme budget cuts could deprive our schools and children of the support they need to fully benefit from the educational investments provided by this Act. Therefore, this initiative will be implemented in two phases. For the first four fiscal years, until the end of 2016-2017, thirty percent (30%) of the funds—about \$3 billion—will go to service and retire state school bond and other bond debt, freeing up a like amount to meet other budget needs critical to the overall well-being of children and the families and communities in which they live. Beginning in fiscal 2017-2018, the initiative will be fully implemented, and one hundred percent of the funds will be new money, which cannot be used in place of Proposition 98 or any other current funding for K-12 education or early childhood programs. The result of this phased approach will be that, beginning immediately, seventy percent (70%) of the funds will be used to increase funding for schools and early education programs as required by this Act, and after four years, all of the funds—one hundred percent (100%)—must be spent for that purpose to fulfill our obligation to our children and our future..

SECTION 3. Purpose and Intent.

The people of the State of California declare that this Act is intended to do the following:

1. To strengthen and support California's public schools, including charter schools, by increasing per-pupil funding to improve academic performance, graduation rates, and vocational, college, career and life readiness.

2. To strengthen and support the education of California's children by restoring funding, improving quality, and expanding access to early care and education programs for disadvantaged and at-risk children.
3. To create more accountability, transparency, and community involvement in how public education funds are spent.
4. To ensure that the revenues generated by this Act will be used for K-12 educational activities at the school site; to expand and strengthen early care and education for disadvantaged children; and, to the limited extent and under the limited circumstances specifically permitted by this Act, to strengthen the overall fiscal position of the state and encourage adequate future investment in educational facilities by reducing the burden of current state education bond debt.
5. To ensure that the revenues generated by this Act cannot be used to supplant existing state funding for K-12 education or early care, and education.
6. To ensure that the Legislature cannot borrow or divert the revenues generated by this Act for any other purpose, nor dictate to local school communities how those funds shall be spent.

SECTION 4. Part 9.7 is added to Division 1 of the Education Code, to read:

Part 9.7. Our Children, Our Future: Local Schools, Early Education Investment and Bond Debt Reduction Act.

SEC. 14800. This part shall be known and may be cited as the Our Children, Our Future: Local Schools, Early Education Investment and Bond Debt Reduction Act.

SEC. 14800.5. For purposes of this Part, and of Chapter 1.8 of Part 6, Division 1 of this Code, the following definitions apply:

(a) "Local education agency" or "LEA" includes school districts, county offices of education, governing boards of independent public charter schools, and the governing bodies of direct instructional services provided by the state, including the California Schools for the Deaf and the California School for the Blind.

(b) "K-12 school" or "school" means any public school, including but without limitation any charter school, county school or school for special needs children, that annually enrolls, and provides direct instructional services to, students in any or all of grades/kindergarten through 12 and that is under the operational jurisdiction of any LEA. The term "kindergarten" in this Part includes Transitional Kindergarten.

(c) "Early care and education" or "ECE" means preschool and other programs that are designed to care for and further the education of children from birth to kindergarten eligibility, including both programs providing early care and education to

children and programs that strengthen the early care and education capacity of parents and caregivers so that they can better serve children.

(d) For the 2013-2014 school year, a school's "enrollment" means the October enrollment figures reported for the 2012-13 school year, reduced or increased by the average percentage growth or decline in its October enrollment figures over the past three school years. For all subsequent years, a school's "enrollment" means the average monthly active enrollment for the prior school year calculated pursuant to section 46305 of this Code, or the October enrollment for the prior school year if the section 46305 figure is not available, reduced or increased by the average percentage growth or decline in these enrollment figures over the past three school years. Each LEA's enrollment shall be the sum of enrollments at all schools under that LEA's jurisdiction. Statewide enrollment shall be the sum of all LEAs' enrollments.

(e) "Educational program" means expenditures for the following purposes at a K-12 school site, approved at a public hearing by the governing board of the LEA with jurisdiction over the school, to improve the students' academic performance, graduation rates, and vocational, career, college and life readiness:

- (1) instruction in the arts, physical education, science, technology, engineering, mathematics, history, civics, financial literacy, English and foreign languages, and technical, vocational or career education;
- (2) smaller class sizes;
- (3) more counselors, librarians, school nurses and other support staff at the school site;
- (4) extended learning time through longer school days or longer school years, summer school, preschool, after school enrichment programs and tutoring;
- (5) additional social and academic support for English language learners, low income students and students with special needs;
- (6) alternative education models that build students' capacity for critical thinking and creativity; and
- (7) more communication and engagement with parents as true partners with schools in helping all children succeed.

(f) "CETF funds" means those revenues deposited in the California Education Trust Fund pursuant to Section 17041.1 of the Revenue and Taxation Code, together with all interest earned on those funds pending their initial allocation and all interest earned on any recaptured funds pending their reallocation.

(g) "Superintendent" or "State Superintendent" means the California State Superintendent of Public Instruction.

SEC. 14801. (a) The California Education Trust Fund is hereby created in the State Treasury. CETF funds are held in trust and, notwithstanding section 13340 of the Government Code, are continuously appropriated, without regard to fiscal years, for the exclusive purposes set forth in this Act.

(b) CETF funds transferred and allocated to or from the California Education Trust Fund shall not constitute appropriations subject to limitation for purposes of Article XIII B of the California Constitution. CETF funds are held in trust for purposes of this Act only and shall not be considered General Fund revenues or proceeds of taxes, and thus shall not be included in the calculations required by section 8 of article XVI of the California Constitution, nor subject to the provisions of section 12 of article IV or section 20 of article XVI of the California Constitution.

(c) CETF funds shall be allocated and used exclusively as set forth in this Act and shall not be used to pay administrative costs except as specifically authorized by the Act. Notwithstanding any other provision of law, CETF funds shall not be transferred or loaned to the General Fund or to any other fund, person or entity for any purpose or at any time except as expressly permitted in section 14813.

(d) CETF funds allocated to LEA's and the State Superintendent from the California Education Trust Fund shall supplement state, local and federal funds committed for public K-12 schools and early care and education as of November 1, 2012, and shall not be used to supplant or replace the per capita state, local or federal funding levels that were in place for these purposes as of that date, corrected for changes in the cost of living and, with respect to federal funds, for any overall decline in federal funding availability. The amounts appropriated from funds other than the CETF for support of the K-12 education system and early care and education programs, whether constitutionally mandated or otherwise, shall not be reduced as a result of funds allocated pursuant to this Act.

SEC. 14802. (a) The Fiscal Oversight Board is hereby created to provide oversight and accountability in the distribution and use of all CETF funds. The members of the Board are the State Controller, State Auditor, State Treasurer, Attorney General, and Director of Finance. The Fiscal Oversight Board shall be responsible for ensuring that CETF funds are distributed exactly as provided by this Act and are used solely for the purposes set forth in this Act.

(b) Notwithstanding any other provision of law, the actual costs incurred by the Fiscal Oversight Board, the Controller, and the State Superintendent in administering the California Education Trust Fund shall be paid by CETF funds; provided, however, that such costs may not exceed three-tenths of one percent of all revenues collected in the Fund over any three-year period, an average of one-tenth of one percent annually. Until the end of fiscal year 2016-2017, thirty percent (30%) of the costs authorized by this

section shall be deducted from the temporary support funds provided pursuant to section 14802.1, sixty percent (60%) of the costs authorized by this section shall be deducted from the funds set aside for K-12 pursuant to section 14803, and ten percent (10%) of the costs authorized by this section shall be deducted from the funds set aside for ECE pursuant to section 14803. Thereafter, eighty-five percent (85%) of the costs authorized by this section shall be deducted from the funds set aside for K-12, and fifteen percent (15%) shall be deducted from the funds set aside for ECE, pursuant to section 14803.

(c) The Fiscal Oversight Board may adopt such regulations, including emergency regulations, as are necessary to fulfill its obligations under this Act.

SEC. 14802.1. (a) Until the end of fiscal year 2016-17, the Controller shall allocate thirty percent (30%) of CETF Funds as provided in this section and the remainder in accordance with sections 14803, 14804, 14805, 14806 and 14807. Thereafter, all CETF Funds (100%) shall be allocated pursuant to sections 14803, 14804, 14805, 14806, and 14807.

(b) Until the end of fiscal year 2016-17, the term "CETF funds" as used in section 14803 shall refer to the seventy percent (70%) of CETF funds that are allocated in accordance with sections 14803, 14804, 14805, 14806 and 14808, and the term "temporary support funds" shall refer to the thirty percent (30%) of CETF funds that are allocated pursuant to this section.

(c) Until the end of fiscal year 2016-2017, on a quarterly basis, the Controller shall draw warrants on and distribute the temporary support funds to the Education Debt Service Fund established by section 14813 for distribution pursuant to that section.

SEC. 14803. (a) During the first two full fiscal years following the effective date of this Act, the Controller shall set aside eighty-five percent of CETF funds for allocation to local education agencies for K-12 schools, and fifteen percent of CETF funds for allocation to the State Superintendent for provision to early care and education programs, in the amounts and manner set forth in this Act. These funds, minus actual costs pursuant to subdivision (b) of section 14802, shall be deemed "available revenues" under section 14804.

(b) In order to provide stability and avoid wide fluctuations in funding, CETF funds shall be distributed as follows in each fiscal year subsequent to the first two full fiscal years following the effective date of this Act:

(1) (A) Commencing with the year 2015-16 and for every year other than 2017-18, at the beginning of the fiscal year, the Fiscal Oversight Board shall determine the average rate at which California personal income per capita has grown over the previous five years and shall apply that percentage rate of growth to the CETF funds that were distributed to LEAs and the State Superintendent from the California Education Trust Fund in the fiscal year just ended.

(B) For 2017-2018 only, in order to make the transition from the temporary support funds provided by subdivision (a) of 14802.1 to full funding of K-12 schools and ECE programs, at the beginning of the fiscal year, the Fiscal Oversight Board shall determine the average rate at which California personal income per capita has grown over the previous five years and shall apply that percentage rate of growth to the product of 1.429 times the amount of CETF funds that were distributed to LEAs and the State Superintendent from the California Education Trust Fund in the fiscal year just ended.

(2) The amount determined pursuant to paragraph (1), minus actual costs pursuant to subdivision (b) of section 14802, shall be deemed "available revenues" under section 14804 and shall be available for distribution on a quarterly basis to LEAs and the State Superintendent in the fiscal year then beginning.

(c) CETF funds that exceed available revenues shall be distributed at the end of the fiscal year pursuant to section 14813.

(d) All CETF funds allocated to LEAs must be spent by LEAs within one year of receipt; provided, however, that LEAs may carry over no more than ten percent of these moneys for expenditure in the following school year. The Fiscal Oversight Board shall recapture any funds not expended within the original one-year period and any funds carried over but not spent within the following year. All funds that are recaptured shall be deemed available revenues, shall be combined with other available revenues, and shall be reallocated in accordance with section 14804.

SEC. 14804. (a) On a quarterly basis, the Controller shall draw warrants on and distribute fifteen percent of the available revenues to the Superintendent of Public Instruction for provision to early care and education programs and supports in the manner and amounts provided by Chapter 1.8 of Part 6 of Division 1 of this Code.

(b) On a quarterly basis, the Controller shall draw warrants on and distribute eighty-five percent of the available revenues to LEAs, earmarked for expenditure at each K-12 school within each LEA's jurisdiction, in the amounts calculated by the Controller pursuant to sections 14805 through 14807.

(c) This section, and sections 14802.1, 14803, 14805, 14806 and 14807 are self-executing and require no legislative action to take effect. Distribution of CETF funds and temporary support funds shall not be delayed or otherwise affected by failure of the Legislature and Governor to enact an annual budget bill pursuant to section 12 of article IV of the California Constitution, nor by any other action or inaction on the part of the Governor or the Legislature.

SEC. 14805. Of the available revenues allocated for quarterly distribution to LEAs under section 14804(b), the Controller shall distribute seventy percent as per-pupil educational program grants. The number and size of the educational program grants to be distributed to each LEA, and the number and size of the educational program grants to be earmarked for each K-12 school under the LEA's jurisdiction, shall be as follows:

(a) The Controller shall establish a uniform, statewide per-pupil grant for each of three grade level groupings: kindergarten through third grade (the "K-3 grant"), 4th through 8th grade (the "4-8 grant") and 9th through 12th grade (the "9-12 grant").

(b) These uniform grants shall be based on total statewide enrollment in each of the three grade level groupings. The per-pupil 4-8 grant amount shall be one hundred twenty percent of the per-pupil K-3 grant amount, and the per-pupil 9-12 grant amount shall be one hundred forty percent of the per-pupil K-3 grant amount.

(c) Each LEA shall receive the same number of K-3 grants as it has enrollment in kindergarten through third grade; the same number of 4-8 grants as it has enrollment in fourth through eighth grade; and the same number of 9-12 grants as it has enrollment in ninth through twelfth grade.

(d) Each of these per-pupil grants shall be earmarked for the specific K-12 school whose enrollment gave rise to the LEA's eligibility for that grant.

(e) The grade level adjustments provided in subdivisions (a) and (b) of this section shall be the only deviation allowed in the equal per-pupil distribution of the educational program funds to all K-12 schools according to their enrollments.

SEC. 14806. Of the available revenues allocated for quarterly distribution to LEAs under section 14804(b), the Controller shall distribute eighteen percent (18%) as low income per-pupil grants. The number and size of the low income per-pupil grants to be distributed to each eligible LEA, and the number and size of the low income per-pupil grants to be earmarked for each K-12 school under the LEA's jurisdiction, shall be as follows:

(a) Based on the total statewide enrollment of students in all K-12 schools who are identified as eligible for free meals under the Income Eligibility Guidelines established by the United States Department of Agriculture to implement the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 ("free meal eligible students"), the Controller shall establish a uniform, statewide per-pupil grant to provide additional educational support for these low income students ("the low income per-pupil grant").

(b) Each LEA shall receive the same number of low income per-pupil grants as it has free meal eligible students.

(c) Each of these low income per-pupil grants shall be earmarked for the specific K-12 school whose free meal eligible student enrollment gave rise to the LEA's eligibility for that grant.

SEC. 14807. Of the available revenues allocated for quarterly distribution to local education agencies under section 14804(b), the Controller shall distribute twelve percent

for training, technology and teaching materials grants on a per pupil basis. The number and size of these grants to be distributed to each LEA, and the number and size of the grants to be earmarked for each K-12 school under the LEA's jurisdiction, shall be as follows:

(a) Based on total statewide enrollment for all K-12 schools, the Controller shall establish a uniform, statewide per-pupil grant to support increased instructional skills for K-12 school staff and up-to-date technology and teaching materials ("training, technology and teaching materials grants" or "3T grants").

(b) Each LEA shall receive the same number of 3T grants as it has students, based on the LEA's enrollment.

(c) Each of these per-pupil 3T grants shall be earmarked for the specific K-12 school whose enrollment gave rise to the LEA's eligibility for that grant.

SEC. 14808. (a) With the limited exceptions provided in subdivision (c)(2) of this section, funds LEAs receive pursuant to sections 14805, 14806 and 14807 shall be expended or encumbered only at the specific K-12 school for which they were earmarked pursuant to subdivisions 14805(d), 14806(c) and 14807(c), respectively, and shall be used exclusively for purposes authorized by this section.

(b) Educational program and low income student grants may be used for educational programs or, up to a total of 200 percent of any school's 3T grants, for any purpose permitted for a 3T grant. 3T grants must be spent exclusively for up-to-date teaching materials and technology and to strengthen skills of school staff in ways that improve students' academic performance, graduation rates, and vocational, career, college and life readiness.

(c)(1) Other than as specifically provided for in paragraph (2) of this subdivision, all funds received pursuant to sections 14805 through 14807 shall be spent only for the direct provision of services or materials at K-12 school sites and cannot be spent on any service or material not physically delivered to the school or its students; nor for any full-time personnel who do not spend at least ninety percent of their compensated time physically present at the school or with the school's students; nor for any personnel except to cover the amount of time the personnel are physically present at the school or with the school's students; nor for any direct or indirect administrative costs incurred by the LEA.

(2)(i) The governing board of each LEA may withhold, on an equal percentage basis from each of the per-pupil grants it receives, an amount sufficient to cover its actual costs in complying with this Part's public meeting, audit, budget and reporting requirements. Funds withheld for such purposes may not exceed two percent of total grants received in any two-year period, an average of one percent per year.

(ii) Costs of skills improvement programs provided off-site to members of the school's staff specifically to enhance their skills in providing services at the site or to the school's students may be covered by these per-pupil grants, when the off-site provision of such services is more cost effective than on-site provision.

(d) No CETF funds may be used to increase salary or benefits for any personnel or category of personnel beyond the salary and benefits that were in place for those personnel or that category of personnel as of November 1, 2012; provided, however, that positions partially or totally funded by the Act may receive from CETF funds salary and benefit increases adopted by a governing board and equivalent to increases being received by other like employees in the school on a proportional basis to their partial or full-time status.

SEC. 14809. (a) No later than 30 days following each quarterly allocation of CETF funds to LEAs, the Fiscal Oversight Board shall create a list of each LEA that received funds and the amount of funds earmarked for each school within that LEA under each of the funding categories specified in sections 14805, 14806 and 14807. The Board shall publish this list online at a suitable location, and the Superintendent shall publish a link to the online listing in a prominent spot on the home page of the Superintendent's website.

SEC. 14810. Neither the Legislature nor the Governor, nor any other state or local governmental body except the governing board of the LEA that has operational jurisdiction over a school, may direct how CETF funds are used at that school. Each LEA's governing board shall have sole authority over that decision, subject, however, to the following: Each year the governing board, in person or through appropriate representatives, shall seek input, at an open public meeting with the school's parents, teachers, administrators, other school staff and students, as appropriate (the "school community"), at or near that school's site, about how CETF funds will be used at that school and why. Following that meeting, the LEA or its appropriate representatives shall offer a written recommendation for use of CETF funds at a second open public meeting at or near the school site at which the school community is given an opportunity to respond to the LEA's recommendation. The governing board shall ensure that, during the decision-making process regarding use of CETF funds, all members of the school community are provided an opportunity to submit input in writing or online. At the time it makes its decision about the use of the funds each year, the governing board shall explain, publicly and online, how its proposed expenditures of CETF funds will improve educational outcomes and how the board will determine whether those improved outcomes have been achieved.

SEC. 14811. (a) As a condition of receiving any CETF funds, each LEA shall establish a separate account for the receipt and expenditure of those moneys, which account shall be clearly identified as the California Education Trust Fund account. Each LEA shall allocate and spend the funds in that account solely in accordance with sections 14805 through 14808.

(b) The independent financial and compliance audit required of school districts shall, in addition to all other requirements of law, ascertain and verify whether CETF funds have been properly disbursed and expended as required by this Part. This requirement shall be added to the audit guide requirements for school districts and shall be part of the audit reports annually reviewed and monitored by the Controller pursuant to section 14504.

(c) LEAs shall annually prepare and post on their websites, within 60 days after the close of each school year, a clear and transparent report of exactly how CETF funds were spent at each of the schools within their jurisdiction, what the goals for those expenditures were as relayed to the school community under section 14810, and the extent to which they achieved the goals established. The State Superintendent shall provide a link on his or her website that enables community members and researchers to access all such reports statewide within two weeks after they are posted by LEAs.

SEC. 14812. (a) Beginning with the 2012-13 school year, as a condition of receiving CETF funds, the governing board of each LEA that receives funds under this Act shall create and publish online a budget for every school within the LEA's jurisdiction that compares actual funding and expenditures for that school from the prior fiscal year with the budgeted funding and expenditures for that school for the current fiscal year. The website of the Superintendent shall provide a link enabling community members and researchers to access all such budgets statewide, for current and past years, dating back to 2012-2013. The budget shall show the source and amount of all funds being spent at the school, including but not limited to funds provided under this Act, and how each source category of funds is being spent. The budget shall be in a uniform format designed and approved by the Superintendent of Public Instruction. Expenditures shall be reported overall per pupil and by average teacher salary, as well as by instruction, instructional support, administration, maintenance and other important categories. The Department of Education shall require and ensure that districts and schools uniformly report expenditures by appropriate category and uniformly distinguish between school and district expenditures. The budget shall also include personnel costs described by number, type, and seniority of personnel and use actual salary and benefit figures for employees at the school without any individual identifying information. Each K-12 school receiving money from the California Education Trust Fund shall also include these funds as a separate section in a single school plan which substantially meets the criteria of sections 64001(d), (f) and (h).

(b) Allocations from the California Education Trust Fund are intended to provide students with additional supports and programs beyond those currently provided from other state, local, and federal sources. Beginning in fiscal year 2013-14, LEAs shall make every reasonable effort to maintain, from funds other than those provided under this Act, per-pupil expenditures at each of their schools at least equal to the 2012-13 per-pupil expenditures, adjusted for changes in the cost of living. This shall be known as the "maintenance of effort target" for that school. The uniform school site budget required by subdivision (a) shall include a clear statement of what the per-pupil expenditures were at that school in 2012-13 from all fund sources other than those provided under this Act,

and a projection of what those expenditures would be for the current school year if the school had annually met its maintenance of effort target. If in any year an LEA cannot meet its maintenance of effort target for any of its schools, it will explain why in its school site budget for that school and will discuss that explanation at a public meeting to be held at or near the school site pursuant to section 14810. At that meeting, officials from the LEA shall address why it is not possible to meet the maintenance of effort target for that particular school, and how the agency proposes to keep the failure to meet the target from having a negative impact on students and their families.

SEC. 14813. (a) Funds allocated pursuant to section 14802.1(a) and CETF funds that are determined by the Fiscal Oversight Board to exceed both available revenues and the Board and Controller's actual reimbursable costs pursuant to section 14803 shall be transferred on a quarterly basis by the Controller to the Education Debt Service Fund, which is hereby created in the State Treasury. Education Debt Service Fund moneys are held in trust and, notwithstanding Section 13340 of the Government Code, are continuously appropriated, without regard to fiscal years, for the exclusive purposes set forth in this section.

(b) Moneys in the Education Debt Service Fund shall be used solely to pay debt service on bonds, or to redeem or defease bonds, maturing in a subsequent fiscal year, that either (i) were or are issued by the state for the construction, reconstruction, rehabilitation, or replacement of pre-kindergarten through university school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for such school facilities ("school bonds"); or (ii) to the limited extent permitted by subdivision (c) of this section, were or are issued by the state for children's hospital or other general obligation bonds.

(c) From moneys transferred to the Education Debt Service Fund, the Controller shall transfer, as an expenditure reduction to the General Fund, amounts necessary to offset the cost of current year debt service payments made from the General Fund on school bonds, children's hospital, or other general obligation bonds, or to redeem or defease school bonds, children's hospital, or other general obligation bonds, as directed by the Director of Finance; provided, however, that no funds in the Education Debt Service Fund shall be used to offset the cost of current year debt service payments on children's hospital or other general obligation bonds, or to redeem or defease children's hospital or other general obligation bonds, until and unless the Controller, at the direction of the Director of Finance, has first fully reimbursed the General Fund for the cost of current year debt service payments on all outstanding school bonds. Funds so transferred shall not constitute General Fund proceeds of taxes appropriated pursuant to article XIII B for purposes of section 8 of article XVI of the California Constitution.

SEC. 14814. (a) No later than six months following the end of each fiscal year, the Fiscal Oversight Board shall cause an independent audit to be conducted of the California Education Trust Fund and shall submit to the Legislature and Governor, and shall post prominently on the website of the Fiscal Oversight Board, with a link to the report clearly displayed on the Superintendent's home page, both the full audit report and

an easily understandable summary of the results of that audit. The report shall include an accounting of all proceeds of the personal tax increments established pursuant to sections 17041.1 of the Revenue and Taxation Code, all transfers of those proceeds to the California Education Trust Fund, a listing of the amount of funds received from the California Education Trust Fund that fiscal year by each LEA and each school within that LEA's jurisdiction, and a summary, based on the reports required of all LEAs by section 14811(c), showing the way each LEA used the funds at each of its schools and the results the LEA was seeking and achieved.

(b) The Superintendent of Public Instruction, in consultation with the Fiscal Oversight Board, shall design and provide to each LEA and early care and education provider a form or format for ensuring uniform reporting of the information required for the audit report.

(c) The costs of performing the annual audit, and of creating, distributing and collecting the required reports, shall be determined by the Fiscal Oversight Board to ensure prudent use of funding while ensuring the intent of this Act is carried out. Such costs shall be included within the items whose actual cost may be paid for by CETF funds pursuant to subdivision (b) of section 14802.

(d) In the course of performing and reporting on the annual audit, the independent auditor shall promptly report to the Attorney General and the public any suspected allocation or use of funds in contravention of this Act, whether by the Fiscal Oversight Board or its agents, or by any LEA.

(e) Every officer charged with the allocation or distribution of funds pursuant to Sections 14803, 14804, 14805, 14806, and 14807 who knowingly fails to allocate or distribute the funds to each LEA and each local school on a per-pupil basis as specified in those sections is guilty of a felony subject to prosecution by the Attorney General, or if he or she fails to act promptly, the district attorney of any county, pursuant to subdivision (a) of Section 425 of the Penal Code. The Attorney General, or if the Attorney General fails to act the district attorney of any county, shall expeditiously investigate and may seek criminal penalties and immediate injunctive relief for any allocation or distribution of funds in contravention of Sections 14803, 14804, 14805, 14806, and 14807 of this Code.

SECTION 5. Section 46305 of the Education Code is amended to read:

SEC. 46305. Each elementary, high school, and unified school district, *and each independent charter school, county office of education and state-run school*, shall report to the Superintendent of Public Instruction on forms prepared by the Department of Education in addition to all other attendance data as required, the active enrollment as of the third Wednesday of each school month and the actual attendance on the third Wednesday of each school month; except that if such day is a school holiday, the active enrollment and actual attendance of the first immediate preceding schoolday shall be reported. "Active enrollment" on a day a count is taken means the pupils in enrollment in

the regular schooldays of the district on the first day of the school year on which the schools were in session, plus all later enrollees, minus all ~~withdrawals since that day~~ pupils who have not been in attendance for at least one day between the first day of the school year or the first schoolday immediately following the next preceding day for which a count was taken pursuant to this section, whichever is later, and the day the count is being taken, inclusive. The Superintendent of Public Instruction may, as necessary, modify the collection dates or methodologies in order to reduce any local agency's administrative duties in the implementation of this section.

SECTION 6. Chapter 1.8 is added to Part 6 of Division 1 of the Education Code to read:

EARLY CHILDHOOD QUALITY IMPROVEMENT AND EXPANSION PROGRAM

ARTICLE 1. GENERAL PROVISIONS

SEC. 8160. The following definitions shall apply throughout this Chapter:

(a) The terms "early care and education program" or "ECE program" mean any state-funded or state-subsidized preschool, child care or other state-funded or state-subsidized early care and education program for children from birth to kindergarten eligibility, including but not limited to programs supported in whole or in part with funds from the California Children and Families Trust Fund. Where an ECE program is not funded exclusively with state funds, the term "ECE program" means that portion of the program that is state-funded.

(b) The term "ECE provider" or "provider" means any person or agency legally authorized to deliver an ECE program.

(c) The term "take-up rates" means the degree to which ECE providers apply for and are granted program funding under the provisions of this Chapter.

(d) The term "reimbursement rate" means the per-child payment ECE providers receive on behalf of eligible families from state funds to cover their costs in providing ECE services.

(e) The term "ECE funds" means the funds allocated to early care and education pursuant to sections 14803 and 14804 of this Code.

(f) The term "SAE funds" means funds set aside for strengthening and expanding ECE programs pursuant to section 8161(b) of this Chapter.

(g) The term "highly at-risk children" means children who are from low income birth families, low income foster families or low income group homes and who also (1) are in foster care or have been referred to Child Protective Services, (2) are the

children of young parents who are themselves in foster care, or (3) are otherwise abused, neglected or exploited, or provably in danger of being abused, neglected or exploited, as will be further defined by the State Superintendent.

SEC. 8161. ECE funds shall be allocated annually to the State Superintendent to be used as follows:

(a) No more than twenty-three percent of the ECE funds shall be used as follows:

(1) \$300 million for existing ECE programs to restore funding to fiscal year 2008-2009 levels in proportion to reductions made to each ECE program in fiscal years 2009-10 through 2012-2013, subject to the following:

- (i) Restoration will apply equally to all types of reductions, whether accomplished by reduced child eligibility, reduced reimbursement rates, reduction in contract amounts, reduction in number of contracts let, or otherwise;
- (ii) To the extent the State Superintendent must allocate funds to the Department of Social Services or any successor agency to accomplish this restoration of funds, he/she will do so;
- (iii) If the State Superintendent and the Department of Social Services jointly find that any funds cannot be restored due to shortfalls in take-up rates, those funds shall be used to increase the baseline quality reimbursement rates established pursuant to Section 8168(b) of this Chapter.

(2) \$5 million to the Community Care Licensing department of the Department of Social Services, or any successor agency, to increase the frequency of licensing inspections of ECE providers beyond 2011-12 levels under terms agreed upon by the State Superintendent and the Department of Social Services or any successor agency by no later than July 1, 2013.

(3) Up to \$10 million to develop and implement the database established pursuant to Section 8171 of this Chapter to track the educational progress of children who have participated in the state's ECE programs.

(4) \$40 million to develop, implement, and maintain the Early Learning Quality Rating and Improvement System ("the QRIS system") established pursuant to Article 4 of this Chapter. Funds provided by this section shall not be used for increases in provider reimbursement rates or other provider compensation but rather for the design, implementation, and evaluation of the system, for ECE provider assessment and skills development, for improving and expanding the ECE skills development programs offered by community colleges and other high-quality trainers, for data keeping and analysis, and for communication with the public about the quality levels being achieved by ECE providers.

(5) The amounts set forth in paragraphs 1 through 4 of this subdivision shall be adjusted annually by the inflation adjustment calculated pursuant to subdivision (b) of Section 42238.1 as it read on the date of enactment of this section.

(6) In any year in which ECE funds are insufficient to cover the requirements of paragraphs (1), (3) and (4) of this subdivision, the amounts required by those paragraphs shall be reduced pro-rata.

(b) After allocating the restoration and system improvement funds provided in subdivision (a) of this section, the State Superintendent shall use the remaining ECE funds, to be known as "the SAE funds" pursuant to section 8160(f), to Strengthen And Expand ECE programs as set forth in this Chapter.

(c) ECE funds allocated to the State Superintendent must be spent for the purposes provided in this Chapter within one year of their receipt by the State Superintendent. The Fiscal Oversight Board established pursuant to section 14802 of this Code shall annually recover any unspent funds, and they shall again become part of the ECE funds, to be re-allocated pursuant to this Chapter.

SEC. 8162. (a) Except as may be required by federal law, any child's eligibility for any ECE program, including but not limited to any ECE program established, improved, or expanded with funds allocated under this Chapter, shall be established once annually upon the child's enrollment in the program. Subsequent to enrollment, a child shall be deemed eligible to participate in the program for the remainder of the program year, and then may re-establish eligibility in subsequent years on an annual basis.

(b) Beginning in fiscal year 2013-2014, the annual appropriation for ECE programs as a percentage of the General Fund shall not be reduced as a result of funds allocated pursuant to this Act below the percentage of General Fund revenues appropriated for ECE programs in 2012-2013.

SEC. 8163. The State Superintendent shall allocate SAE funds as follows:

(a) Twenty-five percent of the SAE funds shall be allocated for the benefit of children aged birth to 3 years pursuant to this subdivision as follows:

(1) Up to one percent of the SAE funds shall be allocated to raise the reimbursement rate in contracted group care programs for children younger than 18 months to the baseline quality reimbursement rate established pursuant to section 8168(b);

(2) Up to two and a half percent of the SAE funds, as take-up rates permit, shall be allocated to increase reimbursement rates above 2012-13 rates through a supplement provided under the QRIS system for those ECE programs and providers serving children aged birth to 3 years that improve their quality standards under the QRIS system or

demonstrate that they already meet a QRIS quality standard higher than the baseline quality standard established pursuant to section 8168(b);

(3) Twenty-one and a half percent of the SAE funds shall be allocated to the California Early Head Start program established pursuant to Article 2. No less than thirty-five percent of the SAE funds allocated to the California Early Head Start program under this paragraph shall be used specifically for strengthening parents and other caregivers pursuant to section 8164(d) of Article 2.

(b) Seventy-five percent of the SAE funds shall be used to expand and strengthen preschool programs for children ages 3-5 years, as set forth in Article 3.

(c) No more than three percent of the SAE funds shall be spent for administrative costs incurred at the state level.

(d) No more than fifteen percent of the funding an ECE provider receives from SAE funds may be used for re-purposing, renovation, development, maintenance or rent and lease expense for an appropriate program facility. The State Superintendent shall promulgate appropriate regulations to oversee and structure appropriate use of SAE funds for facilities.

ARTICLE 2. CALIFORNIA EARLY HEAD START PROGRAM

SEC. 8164. Using the funds allocated pursuant to section 8163(a)(3), the State Superintendent shall develop and implement the California Early Head Start Program to expand care for children ages birth to 3 years as follows:

(a) The program shall be under the ongoing regulation and control of the State Superintendent, but it shall be modeled on the federal Early Head Start program established pursuant to 42 U.S.C. § 9840a. In consultation with the Early Learning Advisory Council described in section 8167 (the "ELAC"), the State Superintendent shall ensure that, at minimum, the program complies with all content and quality standards and requirements in place as of November, 2011 for the federal Early Head Start program. The Superintendent may adopt subsequent Early Head Start program standards and requirements at his or her discretion.

(b) Funds used for the California Early Head Start program shall not be used to supplant money currently spent on any other state or federal program for children ages birth to 3.

(c) The Superintendent shall adopt the same eligibility standards used by the federal Early Head Start program as of November, 2011; provided, however, that highest priority for enrollment will go first to highly at-risk children as defined in Section 8160(g)(1), then to highly at-risk children as defined in Section 8160(g)(2), and then to highly at-risk children as defined in Section 8160(g)(3).

(d) In addition to providing high quality group care in licensed centers and family child care homes, the California Early Head Start program shall provide services to families and caregivers of children who are not enrolled in a California Early Head Start group care setting. These services shall be designed to strengthen the capacity of parents and caregivers of children ages birth to 3 to improve the care, education and health of very young children both in group care settings and at home. Services may include any of those that may be offered to families of federal or California Early Head Start group care enrollees, including but not limited to voluntary home visits, early developmental screenings and interventions, family and caregiver literacy programs, and parent and caregiver trainings. Among programs provided to caregivers pursuant to this subdivision, priority will go to programs for license-exempt family, friend and neighbor providers.

(e) In consultation with the ELAC, the State Superintendent shall establish quality standards for the services provided under subdivision (d) of this section, incorporating the standards and training regimens of the federal Early Head Start program. The State Superintendent shall coordinate with other public agencies that operate similar programs to ensure uniform standards across these programs.

(f) California Early Head Start funds may be used to expand the number of children served by existing ECE programs for children ages birth to 3, provided that the programs meet the quality standards described in subdivisions (a) and (e) of this section and the children served meet the eligibility criteria of subdivision (c) of this section.

(g) At least seventy-five percent of the group care spaces created statewide with California Early Head Start funds shall provide full-day, full-year care.

ARTICLE 3. STRENGTHENING AND EXPANDING PRESCHOOL PROGRAMS

SEC. 8165. (a) SAE funds allocated to strengthen and expand preschool programs for 3-5 year olds pursuant to Section 8163(b) shall be allocated as follows:

(1) Up to eight percent of SAE funds, as take-up rates permit, to increase reimbursement rates above 2012-2013 rates through a supplement provided under the QRIS system for those ECE programs and providers serving children ages 3 to 5 years that improve their quality standards under the QRIS system or demonstrate that they already meet a QRIS quality standard higher than the baseline quality standard established pursuant to section 8168(b);

(2) The remainder, no less than sixty-seven percent of all SAE funds, shall be used to expand the number of children served by high quality preschool programs for 3 to 5 year-olds in licensed or K-12 based programs that meet the two highest quality ratings established under the QRIS system. Until the statewide QRIS is established and able to assess the quality of significant numbers of programs, the State Superintendent may issue temporary regulations authorizing use of the expansion funds described in this subdivision for programs otherwise shown to meet high quality standards, including but

not limited to programs having ratings in the top two tiers of pre-existing local or regional QRIS systems, programs with nationally-recognized quality accreditations, or programs meeting the quality standards applicable to Transitional Kindergarten. QRIS program standards shall be established and publicly available no later than January 1, 2014. Providers qualified under the Superintendent's temporary regulations shall receive priority for evaluation under the new system. The temporary regulations shall sunset on January 1, 2015 and the provisionally certified providers must then, to retain funding, be qualified under the established QRIS program standards by no later than January 1, 2017.

(3) At least sixty-five percent of the new spaces created statewide pursuant to subdivision (2) of this section shall be full-day, full-year spaces, which may be created solely through this Chapter or by combining funding from two or more sources to create a combined school day, after-school, and summer enrichment program.

(b) Children shall be deemed to be "3 to 5" and thus eligible for programs funded pursuant to subdivision (a)(2) of this section, if they are 3 or 4 years old as of September 1 of the school year in which they are enrolled in the programs and are not yet eligible to attend kindergarten.

SEC. 8166. (a) Using data from the United States Census Bureau, the State Superintendent shall disburse the funds allocated pursuant to subdivision (a)(2) of Section 8165 (the "preschool expansion funds") according to an income-ordered list of all California neighborhoods, starting with the lowest income neighborhood and progressing as far up the list of neighborhoods by income as the preschool expansion funds permit, as follows:

(1) The State Superintendent shall create a neighborhood list based on median household income and on neighborhoods as defined by zip codes or an equivalent geographic unit. Throughout this section, the term "neighborhood" means a zip code or equivalent geographic unit included in the neighborhood list. Using available data on ECE availability, the State Superintendent shall identify annually the neighborhoods and school districts within which children live who are age-eligible for preschool expansion funds and who do not currently have access to an ECE program or a Transitional Kindergarten program.

(2) For each zip code or equivalent geographic unit, the Superintendent shall determine the number of eligible, unserved children and inform the school district, the licensed Family Child Care Home Education Networks ("licensed networks"), the licensed center-based ECE providers, and the providers of Head Start or other federal ECE programs ("federal providers") operating within the zip code or equivalent geographic unit that they are eligible to expand their programs to serve these children, and solicit applications from them for preschool expansion funding. To be eligible for funding, applicants must be able and willing to serve the eligible children for whom they are applying in the first school year following notification of eligibility.

(3) Licensed networks, licensed center-based ECE programs and federal providers operating within the zip code or other geographic unit will have priority if there are duplicate applications for the same eligibility. By awarding priority to joint applications, the State Superintendent shall encourage school districts, licensed networks, licensed center-based ECE providers and federal providers in eligible areas to cooperate in a joint application that maximizes the strengths of all programs and minimizes disputes. If the eligible school district, the eligible networks, the eligible center-based programs and the federal providers are all unable or decline to serve children they are eligible to serve, or any of them, the State Superintendent shall request proposals from alternative qualified local education agencies, licensed networks, licensed center-based ECE providers and federal providers to serve the eligible children. In seeking alternative qualified providers, the State Superintendent will communicate, specifically but without limitation, with alternative payment providers working in the county where the eligible children reside.

(4) Attendance at preschool, including preschool programs established or expanded pursuant to this Chapter, is voluntary. Unfilled spaces that have been offered in any zip code or equivalent geographic unit for three consecutive years, with effective outreach throughout the eligible community, but have still not been filled, may be deemed declined, and may be offered to the next highest income neighborhood on the neighborhood list.

(5) At least once every five years, the State Superintendent shall review which spaces have been deemed declined and shall restore lost eligibility to any neighborhood to the extent changed conditions indicate that the spaces would now be filled.

(b) Children will be eligible to attend programs funded with preschool expansion funds upon proving either that they reside in an eligible zip code or equivalent geographic unit or that their families meet the income eligibility requirements of any existing means-tested ECE program; provided, however that highest priority for enrollment will go first to highly at-risk children as defined in Section 8160(g)(1), then to highly at-risk children as defined in Section 8160 (g)(2), and then to highly at-risk children as defined in Section 8160(g)(3).

ARTICLE 4. CALIFORNIA EARLY LEARNING QUALITY RATING AND IMPROVEMENT SYSTEM

SEC. 8167. As used in this article, the term "Early Learning Advisory Council (ELAC)" means the Early Learning Advisory Council established pursuant to Executive Order S-23-09 or any successor agency.

SEC. 8168. (a) Taking into consideration the report and recommendations prepared by the California Early Learning Quality Improvement System Advisory Committee in 2010, the State Superintendent, in consultation with the ELAC, shall develop and implement an Early Learning Quality Rating and Improvement System ("QRIS system") by no later than January 1, 2014, that includes the following:

(1) A voluntary quality rating scale available to all ECE programs, including preschool, that serve children from birth to five years of age, inclusive, including preschool age children, infants, and toddlers. The quality rating scale shall give highest priority to those features of ECE programs that have been demonstrated to contribute most effectively to young children's healthy social and emotional development and readiness for success in school;

(2) A voluntary assessment and skills-development program to help ECE providers increase the quality ratings of their programs under the QRIS system;

(3) A method for increasing reimbursement rates above 2011-12 rates through a supplement provided for ECE programs and providers that improve their ratings or verify that they already meet higher ratings standards under the QRIS system;

(4) A means by which parents and caregivers receive accurate information about the quality and type of program in which their children are enrolled or may be enrolled, including prompt publication of the quality ratings of programs and providers conducted pursuant to the QRIS system.

(b) The State Superintendent, in consultation with the ELAC, shall also establish baseline quality reimbursement rates that are sufficient to cover the cost of providing ECE programs at the quality standards applicable to those programs under the laws and regulations that governed those programs as of November 1, 2012 (the "baseline quality reimbursement rate"). If any current reimbursement rate is below the baseline quality reimbursement rate, the State Superintendent may use any funds available under section 8161(a)(1)(iii), or for programs for children younger than 18 months, the funds available under section 8163(a)(1), to increase that reimbursement rate.

SEC. 8169. (a) The ELAC and the State Superintendent shall collaborate with Local Planning Councils, the First 5 California Commission, and each county First 5 commission to develop and oversee the QRIS, California Early Head Start and preschool expansion programs established pursuant to Articles 2, 3, and 4 of this Act. They shall work together to utilize local, state, federal, and private resources, including resources available pursuant to the California Children and Families Act of 1998 (Division 108 (commencing with Section 130100) of the Health and Safety Code), as part of a comprehensive effort to advance the efficiency, educational and developmental effectiveness, and community responsiveness of the state's ECE system.

(b) The ELAC shall hold at least one joint public meeting each year in each region of the state with the region's Local Planning Councils and the region's county First 5 Commissions (alternatively known as California Children and Families Commissions) to receive public input and report on the progress of the programs established pursuant to this Act.

(c) Funds provided under Section 8161(a)(4) of this Chapter may be used to fund the collaboration and convening activities required by this Section.

SEC. 8170. (a) The State Superintendent shall account for moneys received pursuant to this Chapter separately from all other moneys received or spent and shall, within 90 days after the close of each fiscal year, prepare an annual report that lists the ECE programs that received funding with their quality ratings as available; the amounts each program received; the number of children they served; the types of services the children received; and the child outcomes achieved as available. The Superintendent shall post the report as soon as it is prepared on the Superintendent's website and provide a link to it on his/ her home page. The report shall be included in the Superintendent's report issued pursuant to section 8236.1. The Fiscal Oversight Board shall verify the contents of the report and include it in the annual audit report required by section 14814(a) of this Code.

(b) The State Superintendent shall also:

(1) Monitor the award of contracts to ensure that ECE providers meet quality standards;

(2) Ensure uniform financial reporting and independent annual audits for all ECE providers receiving funds under this Chapter; and

(3) Receive, investigate, and act upon complaints regarding any aspect of the programs established pursuant to this Chapter.

SEC. 8171. By no later than July 1, 2014, the State Superintendent shall ensure that every child ages birth-5 years who participates in an ECE program is assigned a unique identifier that is recorded and maintained as part of a statewide database (the "Early Education Services Database").

(a) The Early Education Services Database shall be an integral part of the California Pupil Achievement Data System (CALPADS) – or any successor student-level data system that can trace a child's educational path from birth to age 18 – so that any child's full educational history, including ECE participation, will be automatically accessible through the child's unique identifier.

(b) At a minimum, the Early Education Services Database shall include the following for each child:

(1) The child's zip code of residence each year;

(2) What ECE services the child received each year, such as whether the child attended a full or part-day program;

(3) The setting in which the services were delivered;

- (4) The agency that delivered the services;
- (5) The QRIS rating and any other quality rating available for that ECE provider;
- (6) The child's kindergarten-readiness assessment, if available, including but not limited to the child's primary home language, level of fluency, and whether screened for early intervention.

(c) CALPADS will be reimbursed for its actual cost of implementing this section, up to the annual amount allocated in section 8161(a)(3) of this Chapter.

SEC. 8172. The State Superintendent of Public Instruction shall issue regulations, including emergency regulations, in order to implement this Chapter.

SECTION 7. Section 425 of the Penal Code is amended to read:

SEC. 425. (a) Every officer charged with the receipt, safe keeping, or disbursement of public moneys, who neglects or fails to keep and pay over the same in the manner prescribed by law, is guilty of a felony.

(b) Every officer charged with the allocation or distribution of funds pursuant to Sections 14803, 14804, 14805, 14806, and 14807 of the Education Code who knowingly fails to allocate or distribute the funds to each local educational agency or each local school on a per-pupil basis as specified in those sections is guilty of a felony, subject to prosecution by the Attorney General, or if he or she fails to act promptly, the district attorney of any county. The Attorney General, or if the Attorney General fails to act the district attorney of any county, shall expeditiously investigate and may seek criminal penalties and immediate injunctive relief for any allocation or distribution of funds in contravention of Sections 14803, 14804, 14805, 14806, and 14807 of this Code. Any person guilty of violating this subdivision shall be punished pursuant to Section 18 of this Code and shall be disqualified from holding any office in this state.

SECTION 8. Section 17041.1 is added to the Revenue and Taxation Code to read:

SEC. 17041.1. (a) For each taxable year beginning on or after January 1, 2013, in addition to any other taxes imposed by this part, an additional tax is hereby imposed on the taxable income of any taxpayer whose tax is computed under Section 17041(a) to support the California Education Trust Fund. The additional tax for taxable years beginning on or after January 1, 2013 and before January 1, 2014 shall be computed based on the following rate table, with the tax brackets adjusted as provided by subdivision (h) of Section 17041 for the changes in the California Consumer Price Index between 2011 and 2013:

If the taxable income is:
Not over \$7,316

The additional tax on taxable income is:
0

Over \$7,316 but not over \$17,346	0.4% of the excess over \$7,316
Over \$17,346 but not over \$27,377	\$40 plus 0.7% of the excess over \$17,346
Over \$27,377 but not over \$38,004	\$110 plus 1.1% of the excess over \$27,377
Over \$38,004 but not over \$48,029	\$227 plus 1.4% of the excess over \$38,004
Over \$48,029 but not over \$100,000	\$368 plus 1.6% of the excess over \$48,029
Over \$100,000 but not over \$250,000	\$1,199 plus 1.8% of the excess over \$100,000
Over \$250,000 but not over \$500,000	\$3,899 plus 1.9% of the excess over \$250,000
Over \$500,000 but not over \$1,000,000	\$8,649 plus 2.0% of the excess over \$500,000
Over \$1,000,000 but not over \$2,500,000	\$18,649 plus 2.1% of the excess over \$1,000,000
Over \$2,500,000	\$50,149 plus 2.2% of the excess over \$2,500,000

(b) For each taxable year beginning on or after January 1, 2013, in addition to any other taxes imposed by this part, an additional tax is hereby imposed on the taxable income of any taxpayer whose tax is computed under Section 17041(c) to support the California Education Trust Fund. The additional tax for taxable years beginning on or after January 1, 2013 and before January 1, 2014 shall be computed based on the following rate table, with the tax brackets adjusted as provided by subdivision (h) of Section 17041 for the changes in the California Consumer Price Index between 2011 and 2013:

If the taxable income is:	The additional tax on taxable income is:
Not over \$14,642	0%
Over \$14,642 but not over \$34,692	0.4% of the excess over \$14,642
Over \$34,692 but not over \$44,721	\$80 plus 0.7% of the excess over \$34,692
Over \$44,721 but not over \$55,348	\$150 plus 1.1% of the excess over \$44,721
Over \$55,348 but not over \$65,376	\$267 plus 1.4% of the excess over \$55,348
Over \$65,376 but not over \$136,118	\$408 plus 1.6% of the excess over \$65,376
Over \$136,118 but not over \$340,294	\$1,540 plus 1.8% of the excess over \$136,118
Over \$340,294 but not over \$680,589	\$5,215 plus 1.9% of the excess over \$340,294
Over \$680,589 but not over \$1,361,178	\$11,680 plus 2.0% of the excess over \$680,589
Over \$1,361,178 but not over \$3,402,944	\$25,292 plus 2.1% of the excess over \$1,361,178
Over \$3,402,944	\$68,169 plus 2.2% of the excess over \$3,402,944

(c) For taxable years beginning on or after January 1, 2014, the additional tax imposed under this section shall be computed based on the tax rate tables described in subdivisions (a) and (b), with the brackets in effect for taxable years beginning on or after January 1, 2013 and before January 1, 2014, adjusted annually as provided by subdivision (h) of Section 17041 for the change in the California Consumer Price Index.

(d) Except as provided in subdivisions (e) and (f), the additional tax imposed under this section shall be deemed to be a tax imposed under Section 17041 for purposes of all other provisions of this code, including Section 17045 or any successor provision relating to joint returns.

(e) The estimated amount of revenues, less refunds, derived from the additional tax imposed under this section shall be deposited on a monthly basis in the California Education Trust Fund, established by Section 14801 of the Education Code, in a manner that corresponds to the process set forth in Section 19602.5 and is established by regulation by the Franchise Tax Board, based on the additional tax imposed under this section, no later than December 1, 2012. The adoption, amendment, or repeal of a regulation authorized by this section is hereby exempted from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(f) Notwithstanding Section 13340 of the Government Code, the California Education Trust Fund is hereby continuously appropriated, without regard to fiscal year, solely for the funding of the Our Children, Our Future: Local Schools and Early Education Investment and Bond Debt Reduction Act.

(g) The additional tax imposed under this section does not apply to any taxable year beginning on or after January 1, 2025, except as may otherwise be provided in a measure that extends the Our Children, Our Future: Local Schools and Early Education Investment and Bond Debt Reduction Act and is approved by the electorate at a statewide election held on or before the first Tuesday after the first Monday in November of 2024.

SECTION 9. Section 19602 of the Revenue and Taxation Code is amended to read:

SEC. 19602. Except for amounts collected or accrued under Sections 17935, 17941, 17948, 19532, and 19561, ~~and~~ revenues deposited pursuant to Section 19602.5, *and revenues collected pursuant to Section 17041.1*, all moneys and remittances received by the Franchise Tax Board as amounts imposed under Part 10 (commencing with Section 17001), and related penalties, additions to tax, and interest imposed under this part, shall be deposited, after clearance of remittances, in the State Treasury and credited to the Personal Income Tax Fund.

SECTION 10. Severability.

The provisions of this Act are meant to be severable. If any of the provisions of this measure or the applicability of any provision of this measure to any person or circumstances shall be found to be unconstitutional or otherwise invalid, that finding shall not affect the remaining provisions of the Act or the application of this measure to other persons or circumstances.

SECTION 11. Conflicting Initiatives.

(a) In the event that this measure and another measure or measures amending the California personal income tax rate for any taxpayer or group of taxpayers, or amending the rate of tax imposed on retailers for the privilege of selling tangible personal property at retail, or amending the rate of excise tax imposed on the storage, use or other consumption in this state of tangible personal property purchased from any retailer for

storage, use or other consumption in this state, shall appear on the same statewide election ballot, the rate-amending provisions of the other measure or measures and all provisions of that measure that are funded by its rate – amending provisions, shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes than any such other measure, the rate-amending provisions of the other measure, and all provisions of that measure that are funded by its rate – amending provisions, shall be null and void, and the provisions of this measure shall prevail instead.

(b) Conflicts between other provisions not subject to subdivision (a) of this section shall be resolved pursuant to article II, section 10, subdivision (b) of the California Constitution.

SECTION 12. Amendments.

This Act may not be amended except by majority vote of the people in a statewide general election.

SECTION 13. Effective Dates and Expiration.

(a) This measure shall be effective the day after its enactment. Operative dates for the various provisions of this measure shall be those set forth in the Act.

(b) The tax imposed by subdivisions (a) and (b) of Section 17041.1 of the Revenue and Taxation Code, added pursuant to this Act shall cease to be operative and shall expire on December 31, 2024, unless the voters, by majority vote, approve the extension of the Act at a statewide election held on or before the first Tuesday after the first Monday in November, 2024.

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP**

P135

Regular Meeting of May 15, 2012

**ITEM: PROPOSED NEW BOARD POLICY 5148.3 – PRESCHOOL/
EARLY CHILDHOOD EDUCATION**

PREPARED BY: Marsha A. Brown, Director III – Student Services

TYPE OF ITEM: REVIEW & DISCUSSION

BACKGROUND INFORMATION:

The Board adopted new Board Policy 5148.3 – Preschool/Early Childhood Education on April 3, 2012.

This related Administrative Regulation is being brought forward for review and discussion.

FINANCIAL INFORMATION:

None

RECOMMENDATION:

Review new Administrative Regulation 5148.3 – Preschool/ Early Childhood Education

Albany USD

Administrative Regulation

Preschool/Early Childhood Education

AR 5148.3

Students

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

(cf. 5148 - Child Care and Development)

(cf. 5148.1 - Child Care Services for Parenting Students)

(cf. 5148.2 - Before/After School Programs)

Eligibility and Enrollment Priorities for Full-Day and Part-Day Programs

Children eligible for the District's full-day or part-day CSPP program include those who will have their third or fourth birthday on or before December 2 of the fiscal year in which they are enrolled in the program. (Education Code 8235, 8236)

Children shall be eligible for subsidized services if their family meets one or more of the criteria specified in Education Code 8263 and 8263.1. (Education Code 8235)

For a child to be eligible for the District's subsidized full-day program, his/her family shall, in addition to meeting the above criteria, demonstrate need for the services due to any of the following circumstances: (Education Code 8235, 8263)

1. The child is identified by a legal, medical, or social services agency or emergency shelter as a recipient of protective services; as being neglected, abused, or exploited; or as at risk of being neglected, abused, or exploited.
2. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; seeking permanent family housing; or are incapacitated.

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

(cf. 1020 - Youth Services)

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

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

After all such children are enrolled, the District shall give priority to eligible children age 4 years prior to enrolling eligible children age 3 years. (Education Code 8236)

Additional Requirements for Full-Day Program

The District's full-day CSPP program shall operate the number of hours per day necessary to meet the child care and development needs of families and for a minimum of 246 days per year, unless otherwise specified in the program's contract. (Education Code 8235)

Fees for participation in the full-day program shall be assessed and collected in accordance with a fee schedule established by the Superintendent of Public Instruction. (Education Code 8235)

(cf. 3260 - Fees and Charges)

The District shall involve parents/guardians in the decision-making process to determine whether and how much to charge for field trip expenses and whether to require parents/guardians to provide diapers. A child shall not be denied participation in a field trip due to the parent/guardian's inability or refusal to pay the fee, and no adverse action shall be taken against a parent/guardian for that inability or refusal. (Education Code 8263)

Families shall establish eligibility for their children for subsidized services at the time of initial enrollment and shall provide ongoing eligibility documentation as changes in income or family size occur. If a child becomes ineligible for subsidized services, he/she shall continue to be eligible for part-day services, if available, or the family shall pay the full cost to remain in the program.

Reviewed: May 1, 2012

**ALBANY UNIFIED SCHOOL DISTRICT
BOARD AGENDA BACKUP****Regular Meeting of May 15, 2012****ITEM: NEW ADMINISTRATIVE REGULATION 5148 – CHILD
CARE AND DEVELOPMENT****PREPARED BY:** Marsha A. Brown, Director III – Student Services**TYPE OF ITEM: REVIEW & DISCUSSION****BACKGROUND INFORMATION:**

The Board adopted new Board Policy 5148 – Child Care and Development on April 3, 2012.

This related Administrative Regulation is being brought forward for consideration and discussion.

FINANCIAL INFORMATION:

None

RECOMMENDATION:

Review new Administrative Regulation 5148 – Child Care and Development

Albany USD

Administrative Regulation

Child Care And Development

AR 5148

Students

Licensing

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

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

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

Program Components

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

1. A developmental profile recording each child's physical, cognitive, social, and emotional development which shall be used to plan and conduct age- and developmentally appropriate activities (Education Code 8203.5; 5 CCR 18272)

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

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

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

(cf. 6159 - Individualized Education Program)

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

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6174 - Education for English Language Learners)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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

(cf. 6020 - Parent Involvement)

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

(cf. 1020 - Youth Services)

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.23 - Asthma Management)

(cf. 5141.6 - School Health Services)

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

7. A nutrition component which ensures that children in the program have nutritious meals and snacks that meet federal guidelines for child care programs or the National School Lunch program (5 CCR 18278)

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

(cf. 5030 - Student Wellness)

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

(cf. 0500 - Accountability)

Staffing Ratios

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

Enrollment

The District's child care and development services shall accord equal treatment and access to services in accordance with law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

Children shall be eligible for subsidized child care and development services when both of the following conditions are met: (Education Code 8250, 8263, 8263.1, 54745; 5 CCR 18110)

1. The family meets one or more of the following criteria:

- a. Is a current aid recipient
- b. Is income eligible
- c. Is homeless

(cf. 6173 - Education for Homeless Children)

d. Has children who have been identified as being abused, neglected, or exploited or at risk of being abused, neglected, or exploited

2. The family demonstrates need for the services due to any of the following circumstances:

- a. The child is identified by a legal, medical, or social services agency or emergency shelter as a recipient of protective services; as being neglected, abused, or exploited; or as at risk of being neglected, abused, or exploited.
- b. The parents/guardians are engaged in vocational training leading directly to a recognized trade, paraprofession, or profession; are employed or seeking employment; are seeking permanent family housing; or are incapacitated.

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

Second priority for enrollment shall be given equally to eligible families, regardless of the number of parents/guardians in the home, who are income eligible. Families with the lowest gross monthly income in relation to family size shall be admitted first. If two or

more families are in the same priority in relation to income, the family that has a child with disabilities shall be admitted first or, if there is no child with disabilities, the family that has been on the waiting list for the longest time shall be admitted first. (Education Code 8263)

When all such eligible children are enrolled, the District may enroll children from families who do not qualify for subsidized services but who meet the age requirements of the program, giving priority to District students and children of District employees. The Superintendent or designee shall establish a waiting list of such children in the event that applications exceed program capacity.

(cf. 5111.1 - District Residency)

The District's decision to approve or deny services shall be communicated to the family through a written notice mailed or delivered within 30 days from the date the application is signed by the parent/guardian. If services are approved, the notice shall contain the basis of eligibility, daily/hourly fee, if applicable, duration of the eligibility, names of children approved to receive services, and the hours of service approved for each day. If services are denied, the notice shall contain the basis of denial and instructions on how the parents/guardians may request a hearing in accordance with the procedures specified in 5 CCR 18120 and 18121 if they do not agree with the District's decision. (5 CCR 18094, 18118)

Fees

No fees shall be assessed for families whose children are participating in programs prohibited by law from assessing fees.

The Superintendent or designee may charge fees for services according to the fee schedule established by the Superintendent of Public Instruction, the actual cost of services, or the maximum daily/hourly rate specified in the contract, whichever is least. (Education Code 8263; 5 CCR 18108, 18109)

Families receiving services on the basis of having a child at risk of abuse, neglect, or exploitation may be exempt from these fees for up to three months. Families receiving services on the basis of having a child receiving child protective services, or having a certification by a county child welfare agency that child care services continue to be necessary, may be exempt from these fees for up to 12 months. The cumulative period of exemption from these fees for these families shall not exceed 12 months. (Education Code 8263)

Fees shall be collected prior to providing services and shall be considered delinquent after seven days from the date that fees are due. Parents/guardians shall be notified in the event that fees are delinquent. If a reasonable plan for payment of the delinquent fees has not been provided by the parents/guardians, services shall be terminated if all delinquent fees are not paid within 30 days of such notification. Parents/guardians shall receive a

copy of the District's regulations regarding fee collection at the time of initial enrollment into the program. (5 CCR 18114, 18115)

The Superintendent or designee shall establish a process which includes parents/guardians in determining whether and how much to charge parents/guardians for field trip expenses. This process also shall be used to determine whether to require parents/guardians to provide diapers. (Education Code 8263)

Health Examination

A physical examination and evaluation, including age-appropriate immunization, shall be required prior to or within 30 days of enrollment, unless the parent/guardian submits a letter stating that such examination is contrary to his/her religious beliefs. (Education Code 8263)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

Attendance

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

Absences shall be excused for the following reasons:

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

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

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

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

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

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

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

(cf. 5145.6 - Parent Notifications)

Rights of Parents/Guardians

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

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

Records

The Superintendent or designee shall establish and maintain a basic data file for each family receiving child care and development services containing the data specified in 5 CCR 18081.

Reviewed: May 1, 2012