

AGENDA  
ELK GROVE UNIFIED SCHOOL DISTRICT  
Regular Meeting of the Board of Education  
Board Room, Education Center  
9510 Elk Grove-Florin Road  
Elk Grove, CA 95624  
March 3, 2015  
Closed Session – 4:30 p.m.  
Regular Session – 6:00 p.m.

Item

Time - Approximate

Public Comment on Items on Agenda or Not on the Agenda

**NOTICE**

Cards are available at the table just outside of the Board Room for anyone who wishes to address the Board. If you wish to address the Board, complete a card and hand it to a staff member at the table to the left as you enter the Board Room. Please be sure to complete the card indicating whether the matter you wish to address is on the agenda or not on the agenda. If the matter is on the agenda, we will assume you wish to speak when it comes time to address that item on the agenda and will hold your card until then. Presentations will be limited to a maximum of three (3) minutes, with a total of thirty (30) minutes designated for public comment on an item. Time limitations are at the discretion of the President of the Board of Trustees. The meeting is recorded on video and audio. Videos are available on the Elk Grove Unified School District's You Tube channel at [http://www.youtube.com /user/Elk Grove Unified](http://www.youtube.com/user/Elk%20Grove%20Unified).

CLOSED SESSION – 4:30 P.M.

1. Government Code Section 54957  
Public Employee Discipline/Dismissal/Release/Complaint
  
2. Government Code Section 54956.9(d)(1)  
Conference with Legal Counsel - Existing Litigation  
Names of Cases: Case Numbers 11309498 & 11309480 &  
12467889 CT, 13499706, 08228787 & 11302292, 13502364, 12480972,  
10286060 & 13498428, 01450739, 12475071 & B001372, 12477531
  
3. Government Code Section 54957.6  
Conference with Labor Negotiators  
Agency designated representatives: Christopher Hoffman,  
Brandon Krueger, Richard Fagan, Karen Rezendes  
Employee Organizations: All Elk Grove Unified School District  
Bargaining Units and Unrepresented Employees
  
- I. Pledge of Allegiance
  
- II. Presentations/Recognitions
  
4. High School Student Representatives – Franklin, Pleasant  
Grove and William Daylor 15 Minutes
  
5. Academic Recognition of Spring Student-Athletes and Coaches 10 Minutes
  
- III. Student Expulsion Recommendations – None

AGENDA  
ELK GROVE UNIFIED SCHOOL DISTRICT  
Regular Meeting of the Board of Education  
March 3, 2015

Page 2

<u>Item</u>	<u>Time – Approximate</u>
IV. LCAP	
6. Local Control Accountability Plan (LCAP) Update	10 Minutes
V. Budget Update	
7. Preliminary 2014-15 Second Interim Report and Budget Update	20 Minutes
VI. Public Comment	
VII. Bargaining Units	
VIII. Reports	
IX. Public Hearing/Action Item	
X. Discussion Items	
8. Board Policy 4030 Nondiscrimination in Employment – First Reading	10 Minutes
9. New High School Course	10 Minutes
10. High School Mathematics Instructional Materials Adoption	10 Minutes
XI. Discussion/Action Items - None	
XII. Action Items	
11. Release and Non-Reelection of Long-Term Substitute and Temporary Certificated Staff	5 Minutes
12. Resolution of Release and Reassignment of Certificated Administrator(s), Education Code Section 44951s	5 Minutes
13. Resolution of Non-Reelection of Probationary Certificated (Education Code Section 44929.21)	5 Minutes
XIII. Board Member and Superintendent Reports	10 Minutes
XIV. Consent Agenda – Action	
14. Approval of Minutes	
15. Change of Board Meeting Date	
16. Personnel Actions	
17. Certification of Administrator’s Competence to Evaluate	
18. Approval of Purchase Order History	
19. Acceptance of Gifts	

AGENDA  
ELK GROVE UNIFIED SCHOOL DISTRICT  
Regular Meeting of the Board of Education  
March 3, 2015

Page 3

Item

Time – Approximate

XIV. Consent Agenda – Action (Continued)

- 20. Ratification of Contracts
- 21. Ratification of Non Public School/Non Pubic Agency Contracts
- 22. Investment Policy
- 23. Project Inspector for Central Kitchen Boiler Replacement
- 24. Out-of-State Field Trip Approval
- 25. Consolidated Application, Part II
- 26. Approval of Annual Site Local Control Accountability Plans
- 27. Instructional Materials Adoption
- 28. Board Policy 6145.2, Instruction – Athletic Competition

XV. Other Action Items

- 29. Discussion and Action on Items Removed From the Consent Agenda

XVI. Information Items

- 30. Other Items from the Floor

XVII. Adjournment

**AMERICAN WITH DISABILITIES COMPLIANCE NOTICE**

In compliance with the Americans with Disabilities Act, those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board Secretary, Arlene Hein, at (916) 686-7700. Notification of at least 24 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodation, auxiliary aids or services.

**DOCUMENT AVAILABILITY**

Documents provided to a majority of the Governing Board regarding an open session item on this agenda will be made available for public inspection in District office located at 9510 Elk Grove-Florin Road, Elk Grove, CA during normal business hours.

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Agenda Item No: 5

Board Agenda Item

Supplement No. \_\_\_\_\_

Meeting Date: March 3, 2015

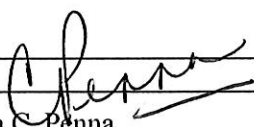

**Subject:** Academic Recognition of Spring Student-Athletes and Coaches      **Division:** Secondary Education

**Action Requested:**  
The Board of Education is asked to recognize spring student-athletes for their outstanding academic performance.

**Discussion:**  
The Elk Grove Unified School District, in conjunction with the nine comprehensive high school Athletic Directors, recognizes the coaches and teams who have achieved the highest combined Grade Point Average of any varsity athletic team during the winter sports season. The team's captain(s) and head coach will represent each team. Honored teams are:

<b>Cosumnes Oaks High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Kevin Scott Sr.	Women's Basketball	3.66	
<b>Elk Grove High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Greg LeCount	Women's Basketball	3.5	
<b>Florin High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Tawn Givens	Cheerleading	3.4	
<b>Franklin High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Jesse Formaker Mitch McLaughlin	Men's Basketball	3.15	
<b>Laguna Creek High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Cody Norman	Women's Basketball	3.67	
<b>Monterey Trail High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Alen Argumedo Brandon Bridges	Wrestling	3.368	
<b>Pleasant Grove High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
James McKeever	Women's Basketball	3.49	
<b>Sheldon High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Albert Burgos	Women's Basketball	3.17	
<b>Valley High School:</b>			
<b>Coach</b>	<b>Honored Team</b>	<b>Team GPA</b>	<b>Captains</b>
Steve Farr	Women's Basketball	2.95	

**Financial Summary:** N/A

Prepared By: Rod Edmiston      Division Approval: Christina C. Penna   
Prepared By: \_\_\_\_\_      Superintendent Approval: Christopher R. Hoffman 

Agenda Item No: \_\_\_\_\_

Supplement No. \_\_\_\_\_

Meeting Date March 3, 2015

**Board Agenda Item**

**Subject:** \_\_\_\_\_ **Department:** Education Services  
**Local Control Accountability Plan (LCAP) Update**

**Action Requested:**  
The Board of Education is asked to receive an update on the District's Local Control Accountability Plan (LCAP).

**Discussion:**  
The purpose of the presentation is to provide an update on the Local Control Accountability Plan (LCAP) that will provide information for staff, parents, and the community.

**Financial Summary:**

Prepared By: Mark Cerutti Approval: Mark Cerutti  
Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 7

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date: March 3, 2015

**Subject:**

PRELIMINARY 2014-15 SECOND INTERIM REPORT &  
BUDGET UPDATE

**Department:**

Budget

**Action Requested:**

The Board is asked to hear a report on factors affecting the District's financial status for the Second Interim reporting period and reporting on the current status of the 2015-16 Budget.

**Discussion:**

A report will be provided to update the Board on the financial status of the District as of the Second Interim reporting period for 2014-15, which ended January 31, 2015 and reporting on the current status of the 2015-16 Budget.

Attachment to follow.

**Financial Summary:**

Prepared By: Shannon Stenross

Division Approval:

Rich Fagan

Prepared By: \_\_\_\_\_

Superintendent Approval:

Christopher R. Hoffman

Agenda Item No: \_\_\_\_\_

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date March 3, 2015

Subject:

Department: Human Resources

**BOARD POLICIES: FIRST READING  
4030 NONDISCRIMINATION IN EMPLOYMENT**

Action Requested:


The Board of Education is asked to hear the first reading of modifications made to Board Policy 4030 NONDISCRIMINATION IN EMPLOYMENT.

Discussion:

Proposed changes to Board Policy 4030 – Employee Nondiscrimination – reflect a finding in the recent FPM review of district policies and also reflect necessary changes based on several recent bills passed by the legislature including but not limited to an expansion of protected categories in Government Code 12940 to include unpaid interns and volunteers.

Financial Summary:

Prepared By: L. Deissroth Division Approval: Brandon Krueger, Ed.D. 

Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman 

**BP 4030**

**NONDISCRIMINATION IN EMPLOYMENT**

**LAST DISTRICT REVISION DATE**

**October 2012**

**CSBA LAST REVISION DATE**

**October 2012**

**\* Policy being updated in advance of CSBA policy changes to respond to FPM review and recent legislative changes to state employment discrimination statutes**



**BP 4030**

**NONDISCRIMINATION IN EMPLOYMENT**

**REDLINED COPY**

**NONDISCRIMINATION IN EMPLOYMENT**

The Governing Board desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board prohibits any district employee from harassing or discriminating against any other district employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military or veteran status, gender, gender identity, gender expression, sex, ~~or~~ sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

\*\*\* Note: This addition is based on recent case law recognizing a claim for "association" with persons who have a protected characteristic. In *Rope v. Auto-Chlor System of Washington, Inc.* (2013) 220 Cal.App.4th 635, the California Court of Appeal recognized that discrimination under the California Fair Employment & Housing Act (FEHA) occurs when one is discriminated or retaliated against because the person is "associated" with a person who has, or is perceived to have, any of those characteristics. The Fair Employment and Housing Act is construed broadly to prevent discrimination. The parameters of this type of claim are still being developed in court decisions.  
\*\*\*

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above.

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board prohibits discrimination and/or harassment based on a person's application for or participation in apprenticeship training programs, other training programs leading to employment, unpaid internships, volunteer positions and other limited duration programs to

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

provide unpaid work experience. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

\*\*\* Note: This addition is based on Assembly Bill 1443 (2014), effective January 1, 2015, which amended the FEHA to prohibit discrimination in apprenticeship programs and volunteer, intern, or work experience programs. AB 1443 amended Government Code section 12940 to say that it is unlawful: "For any person to discriminate against any person in the selection or , TERMINATION, training , OR OTHER TERMS OR TREATMENT of that person in any apprenticeship training program or , any other training program leading to employment , AN UNPAID INTERNSHIP, OR ANOTHER LIMITED DURATION PROGRAM TO PROVIDE UNPAID WORK EXPERIENCE FOR THAT PERSON because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status of the person discriminated against." \*\*\*

It is an unlawful employment practice to discriminate against any applicant or employee on the basis of their possession of a driver's license issued by the Department of Motor Vehicles to persons without proof of lawful permission to reside in the United States pursuant to California Vehicle Code section 12801.9.

\*\*\* Note: This addition is based on Assembly Bill 1660 (2014), effective January 1, 2015. California law requires the Department of Motor Vehicles (DMV) to issue an original driver's license to a person who is unable to submit satisfactory proof that the applicant's presence in the United States is authorized under federal law if he or she meets all other qualifications for licensure. AB 1660 makes it a violation of the FEHA for an employer to discriminate against covered persons because he or she holds this type of driver's license. AB 1660 amends Government Code section 12926 to state that it is unlawful national origin discrimination to act based on the possession of such a license. \*\*\*

It is also an unlawful employment practice to discharge an employee or in any manner discriminate, retaliate, or take any adverse action against an employee based on the employee's lawful change of name, social security number, or federal employment authorization document.

\*\*\* Note: This addition is based on Assembly Bill 2751 (2014), effective January 1, 2015, which makes it unlawful to discriminate based on an employee's change of name, social security number, or other federal employment authorization document. AB 2751 amends section 1024.6 of the Labor Code as stated in the main body of text. \*\*\*

The Board prohibits actions that discourage or prevent applicants or employees from enrolling or continuing enrollment in public benefit programs, nor may applicants or employees be discriminated against for enrollment or participation in such programs. The District shall not disclose to any person or entity, unless otherwise permitted by state or federal law, that an employee receives or is applying for public benefits.

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

\*\*\* Note: This addition is based on Assembly Bill 1792 (2014), effective January 1, 2015, which adds section 13084 to the Government Code, stating in part:

f) Nothing in this section shall be construed to authorize an employer to discourage or prevent an employee from enrolling or continuing enrollment in a public benefit program while employed nor to discriminate against an applicant for employment or employee for applying to be or being enrolled in a public assistance program.

(g) The department and the Employment Development Department shall be permitted access to, and be provided data and information from, other state agencies as required to implement this section, to the extent not prohibited by state and federal confidentiality statutes and regulations. The department may enter into interagency agreements or adopt regulations as are reasonably necessary to implement this section.

(h) (1) An employer shall not discharge or in any manner discriminate or retaliate against an employee who enrolls in a public assistance program and shall not refuse to hire a beneficiary for reason of being enrolled in a public assistance program. (2) An employer shall not disclose to any person or entity, unless otherwise permitted by state or federal law, that an employee receives or is applying for public benefits.

(i) This section shall remain in effect only until January 1, 2020, and as of that date is repealed. \*\*\*

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The following position is designated as Coordinator for Nondiscrimination in Employment:

Associate Superintendent, Human Resources, Elk Grove Unified School District, Robert L. Trigg Education Center, Room 103, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624;  
Telephone: (916) 686-7795

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with BP & AR 1312.1 – Complaint Procedures.

(cf. BP & AR 1312.1 – Complaint Procedures)

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

(cf. 4131- Staff Development)

(cf. 4231- Staff Development)

(cf. 4331- Staff Development)

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

**PENAL CODE**

422.56 Definitions, hate crimes

**CODE OF REGULATIONS, TITLE 2**

7287.6 Terms, conditions and privileges of employment

**CODE OF REGULATIONS, TITLE 5**

4900-4965 Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1681-1688 Title IX of the Education Amendments of 1972

**UNITED STATES CODE, TITLE 29**

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

**UNITED STATES CODE, TITLE 42**

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

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

**CODE OF FEDERAL REGULATIONS, TITLE 28**

35.101-35.190 Americans with Disabilities Act

**CODE OF FEDERAL REGULATIONS, TITLE 34**

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

**COURT DECISIONS**

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

Management Resources:

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS**

Questions and Answers: Religious Discrimination in the Workplace, 2008

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Notice of Non-Discrimination, August 2010

**WEB SITES**

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

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

**Policy**

Adopted: May 16, 1994

Revised: April 6, 1998

Revised: July 1, 2002

Revised: October 16, 2012

Revised: March \_\_\_\_, 2015

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Elk Grove, California

**BP 4030**

**NONDISCRIMINATION IN EMPLOYMENT**

**CSBA SAMPLE POLICY**



# CSBA Sample

## Board Policy

### Nondiscrimination In Employment

BP 4030

#### Personnel

\*\*\*Note: The following policy reflects the provisions of the California Fair Employment and Housing Act (FEHA) (Government Code 12900-12996), which prohibits employers from discriminating against employees and job applicants on the basis of actual or perceived race, color, ancestry, national origin, age, sex, sexual orientation, gender, gender identity, gender expression, religious creed, physical or mental disability, medical condition, marital status, or genetic information. All of these protections also are provided under various provisions of federal law, including Title VI of the Civil Rights Act of 1964 (42 USC 2000d-2000d-7), Title VII of the Civil Rights Act of 1964 (42 USC 2000e-2000e-17), Title IX of the Education Amendments of 1972 (20 USC 1681-1688), the Americans with Disabilities Act (42 USC 12101-12213), Section 504 of the Rehabilitation Act of 1973 (29 USC 794), and the Genetic Information Nondiscrimination Act (42 USC 2000ff-2000ff-11).\*\*\*

\*\*\*Note: For policy addressing sexual harassment of and by employees, see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.\*\*\*

The Governing Board desires to provide a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of

discrimination listed above.

\*\*\*Note: Government Code 12940, as amended by AB 1964 (Ch. 287, Statutes of 2012), provides that a district may not discriminate against an employee or job applicant based on the person's religious beliefs, observances, or dress or grooming practices unless it can demonstrate that it has explored available reasonable alternative means of accommodating the person but is unable to reasonably accommodate him/her. In addition, Government Code 12926, as amended by AB 2386 (Ch. 701, Statutes of 2012), clarifies the definitions of "religious creed" and "sex," as stated below.\*\*\*

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe or pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

\*\*\*Note: In *Thompson v. North American Stainless LP*, the U.S. Supreme Court held that a third party may file an antiretaliation suit.\*\*\*

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

\*\*\*Note: Many nondiscrimination laws and regulations require identification of an employee who will be responsible for compliance with the nondiscrimination laws, as provided in the following paragraph. For example, pursuant to 34 CFR 104.7 and 106.8, the district is required to designate the person(s) responsible for the overall implementation of the requirements of Title IX and Section 504, which prohibit discrimination on the basis of sex and disability.\*\*\*

The following position is designated as Coordinator for Nondiscrimination in Employment:

(position title)

(address)

(telephone number)

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

\*\*\*Note: For a sample procedure to be used by district employees or job applicants to complain about perceived discrimination in employment, see AR 4031 - Complaints Concerning Discrimination in Employment.\*\*\*

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

(cf. 4031 - Complaints Concerning Discrimination in Employment)

\*\*\*Note: Pursuant to 2 CCR 7287.6, in certain instances, an employee's (especially a supervisor's) knowledge or notice of harassment may subject the district to liability. Therefore, it is recommended that the district require its employees with knowledge of harassment or discrimination to report the incident to the appropriate district authorities. In addition, Government Code 12940 provides that an employer may be responsible for the sexual harassment of employees by nonemployees where the employer knows or should have known of the conduct and failed to take immediate and corrective action. See BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment.\*\*\*

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

#### Training and Notifications

\*\*\*Note: Government Code 12950.1 requires any district with 50 or more employees to provide two hours of sexual harassment training and education to supervisory employees once every two years.\*\*\*

\*\*\*Note: In addition, Government Code 12940 requires districts to take all reasonable steps to prevent prohibited discrimination and harassment. Such steps include adopting an effective policy that contains provisions for training employees and providing them with required notifications. See AR 4119.11/4219.11/4319.11 - Sexual Harassment for information regarding sexual harassment training.\*\*\*

\*\*\*Note: Although not required by law, risk managers and legal counsel often recommend that all employees receive training regarding harassment in order to help mitigate damages in the event of litigation.\*\*\*

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

(cf. 4131- Staff Development)

(cf. 4231- Staff Development)

(cf. 4331- Staff Development)

\*\*\*Note: Pursuant to 34 CFR 100.6(d) and 106.9 and 28 CFR 35.106, the district is required to continually notify job applicants that it does not discriminate on the basis of race, color, national origin, sex, disability, or age.\*\*\*

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20  
1681-1688 Title IX of the Education Amendments of 1972  
UNITED STATES CODE, TITLE 29  
621-634 Age Discrimination in Employment Act  
794 Section 504 of the Rehabilitation Act of 1973  
UNITED STATES CODE, TITLE 42  
2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended  
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended  
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age discrimination in federally assisted programs  
12101-12213 Americans with Disabilities Act  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.101-35.190 Americans with Disabilities Act  
CODE OF FEDERAL REGULATIONS, TITLE 34  
100.6 Compliance information  
104.7 Designation of responsible employee for Section 504  
104.8 Notice  
106.8 Designation of responsible employee and adoption of grievance procedures  
106.9 Dissemination of policy  
110.1-110.39 Nondiscrimination on the basis of age  
COURT DECISIONS  
Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863  
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

Management Resources:

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS  
PUBLICATIONS

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the  
Americans with Disabilities Act, October 2002

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by  
Supervisors, June 1999

WEB SITES

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

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

**BP 4030**

**NONDISCRIMINATION IN EMPLOYMENT**

**CLEAN COPY**

**NONDISCRIMINATION IN EMPLOYMENT**

The Governing Board desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board prohibits any district employee from harassing or discriminating against any other district employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military or veteran status, gender, gender identity, gender expression, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above.

Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board prohibits discrimination and/or harassment based on a person's application for or participation in apprenticeship training programs, other training programs leading to employment, unpaid internships, volunteer positions and other limited duration programs to provide unpaid work experience. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

It is also an unlawful employment practice to discharge an employee or in any manner discriminate, retaliate, or take any adverse action against an employee based on the employee's lawful change of name, social security number, or federal employment authorization document.

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

The Board prohibits actions that discourage or prevent applicants or employees from enrolling or continuing enrollment in public benefit programs, nor may applicants or employees be discriminated against for enrollment or participation in such programs. The District shall not disclose to any person or entity, unless otherwise permitted by state or federal law, that an employee receives or is applying for public benefits.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The following position is designated as Coordinator for Nondiscrimination in Employment:

Associate Superintendent, Human Resources, Elk Grove Unified School District, Robert L. Trigg Education Center, Room 103, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624; Telephone: (916) 686-7795

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with BP & AR 1312.1 – Complaint Procedures.

(cf. BP & AR 1312.1 – Complaint Procedures)

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

**Training and Notifications**

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.



**NONDISCRIMINATION IN EMPLOYMENT (continued)**

(cf. 4131- Staff Development)

(cf. 4231- Staff Development)

(cf. 4331- Staff Development)

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended  
2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age discrimination in federally assisted programs  
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28  
35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34  
100.6 Compliance information  
104.7 Designation of responsible employee for Section 504  
104.8 Notice  
106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

**COURT DECISIONS**

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863  
Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

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Questions and Answers: Religious Discrimination in the Workplace, 2008  
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002  
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
Notice of Non-Discrimination, August 2010

**WEB SITES**

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>  
U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>  
U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

Policy

Adopted: May 16, 1994

Revised: April 6, 1998

Revised: July 1, 2002

Revised: October 16, 2012

Revised: March \_\_\_\_, 2015

ELK GROVE UNIFIED SCHOOL DISTRICT

Elk Grove, California

Board Agenda Item

**Subject:** Department: Curriculum/Professional Learning  
**New High School Course**

**Action Requested:**  
 The Board of Education is requested to receive information on the following new high school mathematics course.

**Discussion:**  
 The Curriculum/Professional Learning Department will present to the Board of Education the following high school mathematics course for discussion. This course has undergone review and approval by the Secondary Mathematics Steering Committee, EGUSD secondary school teachers and administrators, and the Curriculum Standards Committee.

**Mathematics**

**Mathematics I** (Grades 8-12, 10 Credits) Mathematics I is the first course in a series of three that uses an integrated approach to cover the following domains: Number and Quantity, Algebra, Functions, Geometry, and Statistics and Probability. The problem situations, models, and technology used will foster connections to the eight standards of mathematical practice, which develop concepts from multiple perspectives. Mathematics I topics focus on the interconnectedness of function elements, tables, graphs, and equations; comparison and contrast and decision-making using Algebraic models; proving Geometric theorems about two-dimensional figures; and modeling using mathematical probability. Technology will be used to introduce and expand upon all areas of focus.

**Financial Summary:**  
 If approved, this course will be offered using existing FTE.

**Prepared By:** Anna Trunnell *AT*      **Division Approval:** Mark Cerutti *M.C.*  
**Prepared By:** \_\_\_\_\_      **Superintendent's Approval:** Christopher R. Hoffman *CRH*

Board Agenda Item

**Subject:****Department:** Curriculum/Professional Learning**High School Mathematics Instructional Materials Adoption****Action Requested:**

The Board of Education is requested to receive information on a portion of the recommended series of instructional materials for the high school mathematics instructional materials adoption.

**Discussion:**

The Curriculum/Professional Learning Department will present to the Board of Education the following materials for discussion. The materials were reviewed by the Secondary Mathematics Steering Committee, EGUSD secondary school teachers and administrators, and the Curriculum Standards Committee.

**BASIC**

*Integrated Mathematics 1, Volume 1 and Volume 2*, Copyright 2015 by Houghton Mifflin Harcourt (Mathematics I, Grades 8-12)

**Financial Summary:**

The cost of these new textbooks is planned for and budgeted in a multi-year textbook budget within Curriculum and Professional Learning Department. Based upon projected student numbers and projected costs of the instructional materials, \$899,637 has been allocated for this expenditure.

Prepared By: Anna Trunnell  Division Approval: Mark Cerutti Prepared By: \_\_\_\_\_ Superintendent's Approval: Christopher R. Hoffman 

**Board Agenda Item**

**Subject:**

Department: Human Resources

**RELEASE AND NON-REELECTION OF LONG-TERM SUBSTITUTE AND TEMPORARY CERTIFICATED STAFF**

**Action Requested:**

Adopt Resolution No. 46, 2014-2015 authorizing the Governing Board to release and non-reelect Long Term Substitute and Temporary certificated staff.

**Discussion:**

The district has employed Long Term Substitute and Temporary certificated staff during the 2014-2015 school year. The Board is asked to release these employees pursuant to Education Code Section 44954(b) and 44929.21. It is anticipated that some of the staff may be rehired for the 2015-2016 school year when staffing figures are finalized.

**Financial Summary:**

Prepared By: Bindy Grewal, Ed.D. *BG* Division Approval:  Brandon Krueger, Ed.D.

Prepared By: \_\_\_\_\_ Superintendent Approval:  Christopher R. Hoffman

**BOARD OF EDUCATION  
OF THE  
ELK GROVE UNIFIED SCHOOL DISTRICT**

Resolution No. 46

**RESOLUTION OF NON-REEMPLOYMENT OF LONG-TERM  
SUBSTITUTE AND TEMPORARY CERTIFICATED EMPLOYEES**

**WHEREAS**, Education Code section 44954 authorizes the Board of Education to give notice to any long-term substitute and temporary certificated employee of the Board's decision not to reelect the employee for the next succeeding school year to such a position by the end of the school year; and

**WHEREAS**, the employees listed in Exhibit A to this Resolution are long-term substitute and temporary certificated employees working under a temporary contract with the District; and

**WHEREAS**, the Board of Education has decided, on the recommendation of the Superintendent, to release the employees listed in Exhibit A at the end of the 2014-2015 school year.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Education of the Elk Grove Unified School District hereby authorizes the Superintendent or the Superintendent's designee to notify the long-term substitute and temporary certificated employees of the Board's decision not to retain them for the 2015-2016 school year in accordance with the requirements of Education Code section 44954. The Superintendent or the Superintendent's designee is authorized to take any other actions necessary to carry out the intent of this Resolution.

**PASSED AND ADOPTED** by the Elk Grove Unified School District Board of Education on this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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

\_\_\_\_\_  
Bobbie Singh-Allen,  
President, Board of Education

\_\_\_\_\_  
Christopher R. Hoffman,  
Superintendent/Secretary to the  
Board of Education, Elk Grove Unified School District

**CONFIDENTIAL**

**EXHIBIT A**

[Insert employee name(s)]



**Board Agenda Item**

**Subject:**

Department: Human Resources

**RESOLUTION OF RELEASE AND REASSIGNMENT OF CERTIFICATED ADMINISTRATOR(S)  
Education Code Section 44951**

**Action Requested:**

Adopt Resolution No. 47 2014-2015 authorizing the Governing Board to release and reassign administrators in the District as itemized in Exhibit A.

**Discussion:**

Pursuant to Education Code §44951, the Board of Education is asked to adopt the Resolution attached to release and reassign administrators in the District as itemized in Exhibit A and that the Superintendent or his designee be directed to send appropriate notices to all certificated administrator(s) listed in Exhibit A of the Governing Board's decision to release them from their present assignment(s) for the 2014-2015 school year, effective June 30, 2015, and reassign them to another position(s) for the 2015-2016 school year in accordance with Education Code section 44951.

**Financial Summary:**

Prepared By: Bindy Grewal, Ed.D. *BG*      Division Approval: *BK* Brandon Krueger, Ed.D.

Prepared By: \_\_\_\_\_      Superintendent Approval: Christopher R. Hoffman *CH*

**BOARD OF EDUCATION**  
**OF THE**  
**ELK GROVE UNIFIED SCHOOL DISTRICT**

**Resolution No. 47**

**RESOLUTION OF RELEASE OF  
CERTIFICATED ADMINISTRATORS**

WHEREAS, Education Code section 44951 authorizes the Board of Education to release and reassign administrators provided that notice of release and reassignment is provided to the administrator prior to March 15th and notice of the administrator's actual reassignment is issued by June 30th;

WHEREAS, the employees whose names are listed in Exhibit A attached hereto are certificated administrators who have been employed in the District during the 2014-2015 school year; and

WHEREAS, pursuant to Education Code section 44951, the Board of Education has received a recommendation from the Superintendent or Superintendent's designee that notices of reassignment be given to the certificated administrator(s) listed in Exhibit A that the administrator(s) will be reassigned from their current position/positions to another position.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Elk Grove Unified School District hereby authorizes the District Superintendent or the Superintendent's designee to notify the administrator(s) whose name(s) are listed on Exhibit A attached hereto of the Board of Education's decision that they will be released from their present assignment(s) for the 2014-2015 school year, and reassigned to another position(s) for the 2015-2016 school year in accordance with Education Code section 44951. The District Superintendent or the Superintendent's designee is further authorized to take any further actions necessary to carry out the intent of this Resolution.

The foregoing Resolution was PASSED and ADOPTED at a regular meeting of the Board of Education of the ELK GROVE UNIFIED SCHOOL DISTRICT on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

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

\_\_\_\_\_  
Bobbie Singh-Allen,  
President, Board of Education

\_\_\_\_\_  
Christopher R. Hoffman,  
Superintendent/Secretary to the  
Board of Education, Elk Grove Unified  
School District

## EXHIBIT A

<u>Job Title /Classification</u>	<u>FTE</u>
Principal EIN 124837	1.0
Vice Principal EIN 136257	1.0
EIN 128552	1.0

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No.: 13

Board Agenda Item

Supplement No.: \_\_\_\_\_

Meeting Date: March 3, 2015

Subject:

Department: Human Resources

**RESOLUTION OF NON-REELECTION OF PROBATIONARY CERTIFICATED EMPLOYEES  
(EDUCATION CODE SECTION 44929.21)**


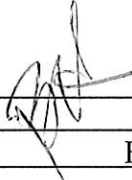
Action Requested:

Adopt Resolution No. 48, 2014/2015 authorizing the Governing Board to non-reelect Probationary certificated employees.

Discussion:

A non-reelection is a process that puts a certificated, probationary employee on notice that his/her employment contract will not be renewed for the following school year. Education Code section 4429.21 authorizes the Governing Board to give notice to a probationary certificated employee of the Board's decision to non-reelect the employee for the next succeeding school year to such a position at any time prior to March 15<sup>th</sup> of the employee's second complete consecutive school year of employment by the District. The Board of Education is asked to adopt the Resolution attached to non-reelect the certificated employees as itemized in Exhibit A and that the Superintendent or his designee be directed to send appropriate notices to all employees whose services shall be terminated by virtue of this action.

Financial Summary:

Prepared By: Bindy Grewal, Ed.D.  Division Approval:  Brandon Krueger, Ed.D.

Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman 

**BOARD OF EDUCATION**  
**OF THE**  
**ELK GROVE UNIFIED SCHOOL DISTRICT**

**Resolution No. 48**

**RESOLUTION OF NON-REELECTION OF  
PROBATIONARY CERTIFICATED EMPLOYEES**

**WHEREAS**, Education Code section 44929.21(b) authorizes the Board of Education to give notice to a probationary certificated employee of the Board's decision to non-reelect the employee for the next succeeding school year to such a position at any time prior to March 15th of the employee's second complete consecutive school year of employment by the District; and

**WHEREAS**, the employee(s) listed in Exhibit A to this Resolution are probationary certificated employees who have been employed by the District during the 2014-2015 school year; and

**WHEREAS**, the Board of Education has received a recommendation from the District Superintendent or designee not to reelect the employee(s) whose names are listed in Exhibit A; and

**WHEREAS**, the Board of Education has decided not to reelect these employees for the 2015-2016 school year.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Education of the Elk Grove Unified School District hereby authorizes the District Superintendent or the Superintendent's designee to notify the employee(s) listed in Exhibit A of the Board's decision not to reelect them for the 2015-2016 school year in accordance with the requirements of Education Code section 44929.21(b). The District Superintendent or the Superintendent's designee is further authorized to take any other actions necessary to carry out the intent of this Resolution.

The foregoing Resolution was PASSED and ADOPTED at a regular meeting of the Board of Education of the Elk Grove Unified School District on the \_\_\_\_\_ day of \_\_\_\_\_, 2015 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

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

\_\_\_\_\_  
Bobbie Singh-Allen,  
President, Board of Education

\_\_\_\_\_  
Christopher R. Hoffman,  
Superintendent/Secretary to the  
Board of Education, Elk Grove Unified School District

**ATTACHMENT A TO RESOLUTION  
OF NON-REELECTION OF PROBATIONARY  
CERTIFICATED EMPLOYEES**

Probationary Certificated Employee(s)

135944  
110137  
129933  
137392  
135768  
137367  
138680



ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 14

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date 3-3-15

Subject: Approval of Minutes


Department: Board of Education

Action Requested: Approve minutes of the regular board meeting held February 17, 2015.

Discussion:

Financial Summary:

Prepared By: \_\_\_\_\_ Department Approval: \_\_\_\_\_

Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman 

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 15

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date 3-3-15


Subject: Change of Board Meeting Date Division: Administration

Action Requested:  
The Board is requested to approve changing the June 2 and 16, 2015, Board meetings to June 9 and 23, 2015.

Discussion:

This recommended change will better meet the needs of the 2015-16 Budget adoption timeline.

Financial Summary:

Prepared By: \_\_\_\_\_ Division Approval: \_\_\_\_\_  
Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman 





**Board Agenda Item**

**Subject:** Personnel Actions **Division:** Human Resources

**Action Requested:**  
Recommend the Board of Education approve the personnel actions as attached.

**Discussion:**  
**CERTIFICATED:**  
APPROVE:  
1. New Hire(s) [7]  
2. Deceased  
3. Leave(s) of Absence  
4. Promotion(s)  
5. Resignation(s)  
6. Retirement(s)  
  
**CLASSIFIED:**  
APPROVE:  
1. New Hire(s) [8]  
2. Leave(s) of Absence  
3. Probationary Release(s)  
4. Promotion(s)  
5. Rehire(s)  
6. Retirement(s)  
7. Returning from Leave(s) of Absence  
8. Status Change(s)

**Financial Summary:**

**Prepared by:** Bindy Grewal, Ed.D.  **Departmental Approval:**  Brandon Krueger, Ed.D.  
**Prepared by:** Evelyn Laluan  **Superintendent Approval:**  Christopher R. Hoffman

Board Agenda Item

Supplement No. \_\_\_\_\_

Meeting Date March 3, 2015

**Subject:** Certification of Administrator's Competence to Evaluate      **Department:** Curriculum and Professional Learning

**Action Requested:**  
The Board of Education is requested to grant Certification of Administrator's Competence to Evaluate to the below newly-hired district administrator who has successfully completed the District's training process.

**Discussion:**  
The District provides training to all newly-hired administrators to certify their competence to evaluate employees. Following Education Code 35160.5, Requirement of District Policies for Competency of Personnel Assigned to Evaluate and Board Policy 4115.1, Certification of Administrator's Competence to Evaluate, the District uses the following process to certify each administrator's competence to evaluate:

1. Individual instruction or attendance at a series of workshops on evaluation processes and procedures;
2. Demonstration of effective evaluation skills as certified by a trained observer who is a certificated manager.

The following administrator has successfully completed the administrative training process and is being recommended to obtain their Certification of Administrator's Competence to Evaluate:

Nicole Kent, Anna Kirchgater Elementary

**Financial Summary:**  
N/A

Prepared By: Anna Trunnell      Division Approval: Mark Cerutti *M.C.*  
Prepared By: \_\_\_\_\_      Superintendent's Approval: Christopher R. Hoffman *CH*

Board Agenda Item

**Subject:**  
**APPROVAL OF PURCHASE ORDER HISTORY.** Department: Finance & School Support

**Action Requested:**  
 The Board of Education is asked to approve purchase orders for the weeks of January 23, 2015 through February 6, 2015..

**Discussion:**  
 The Purchase Order History and Cost Modifications for the month January 23, 2015 through February 6, 2015 are listed below. The purchase orders are on file in the Purchasing Department if you wish to review them.

**Encumbrances:**

<u>Fund</u>	<u>Purchase Orders Issued</u>	<u>Purchase Order Encumbrance Costs</u>
01 General Fund	316	\$ 1,202,314.79
11 Adult Education Funding	1	\$ 2,700.00
12 Child Development Fund	1	\$ 90.48
13 Cafeteria Special Revenue Fund	7	\$ 18,238.79
25 Capital Facilities Fund	1	\$ 5,950.00
49 Special Projects Fund	3	\$ 97,235.96
<b>Total Encumbrances</b>		<b>\$ 1,326,530.02</b>

**Modifications:**

<u>Fund</u>	<u>Purchase Orders Modified</u>	<u>Purchase Order Modification Costs</u>
01 General Fund	31	\$ 252,466.04
11 Adult Education Fund	2	\$ 2,700.00
13 Cafeteria Special Revenue Fund	2	\$ 20,000.00
<b>Total Modifications</b>		<b>\$ 275,166.04</b>
<b>Financial Summary Grand Total</b>		<b>\$ 1,601,696.06</b>

Prepared By: Ruth Dew Division Approval: Rich Fagan  
 Prepared By: Ruth Dew Superintendent Approval: Christopher R. Hoffman

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Agenda Item No: 19

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date: March 3, 2015

**Subject:** Acceptance of Gifts **Department:** Fiscal Services

**Action Requested:**  
The Board is asked to accept the following donations to the District's schools/programs.

**Discussion:**

<u>Item</u>	<u>Donor</u>	<u>School/Program</u>	<u>Requested Use</u>	<u>Value</u>	<u>Date Received</u>
Cash Donation	Wells Fargo Community Support Campaign	Helen Carr Castello Elementary School	Principal's discretion	\$269.22	1/30/2015
Cash Donation	Target Field Trips Scholarship America	Helen Carr Castello Elementary School	Field trip costs	\$700.00	2/4/2015
4 Chromebooks	Mrs. Foster's Class Parents	Helen Carr Castello Elementary School	Classroom use	\$1,075.64	10/4/2014
Cash Donation	Kerr Knights Wrestling	Joseph Kerr Middle School	Joseph Kerr Middle School athletics	\$350.00	1/27/2015
Cash Donation	Joseph Kerr Middle School ASB	Joseph Kerr Middle School	Joseph Kerr Middle School music	\$3,494.71	1/27/2015
Laptop	Kim Porbanic	Elk Grove Elementary School	Mrs. Burkett's 1st grade class	\$260.00	3/28/2014
Laptop	Kim Porbanic	Elk Grove Elementary School	Mrs. McHale's 3rd grade class	\$260.00	3/28/2014
Cash Donation	Wells Fargo Foundation	Florin High School	Principal's discretion	\$70.00	2/11/2015
6 Samsung XF303C12-A01US Chromebooks	DonorsChoose.org	Samuel Kennedy Elementary School	Classroom use	\$1,980.13	12/1/2014
Document Camera	DonorsChoose.org	Elk Grove High School	Classroom use	\$831.00	1/16/2015
Fabric, Storage Chests, Pattern & Notions	Bonnie Eagleton	Katherine Albani Middle School	Classroom use	\$370.00	1/28/2015
Cash Donation	Beutler HVAC #8130	Laguna Creek High School	GETA Academy	\$100.00	2/5/2015
Cash Donation	Anonymous	Elk Grove Unified School District	Superintendent's art contest	\$500.00	1/15/2015
Cash Donation	Safety Center Incorporated	Cosumnes Oaks High School	Driver's Ed contest award - 1st place	\$500.00	12/15/2014

**Prepared By:** Carrie Hargis *Carrie Hargis*

**Division Approval:** Rich Fagan *[Signature]*

**Prepared By:** \_\_\_\_\_

**Superintendent Approval:** Christopher R. Hoffman *[Signature]*

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 20  
Supplement No.  
Meeting Date: March 3, 2015

Board Agenda Item

**Subject:** Ratification of Contracts  
**Department:** Fiscal Services

**Action Requested:**  
The Board is asked to ratify contracts which have been signed by authorized district staff, in accordance with Board Policy 3312-Contracts.

**Discussion:**  
  
Under current Board Policy 3312 "contracts under the bid limits can be approved by the Designated Personnel, subject to Board ratification." Staff recommends that the Board ratify the contracts on the attached sheet, which are under the bid limit of \$86,000 and have been approved by authorized district staff.  
  
Copies of the contracts are on file with Fiscal Services, should you wish to review them in detail.

**Financial Summary:**  
Please see funding information provided on attached schedule.

Prepared By: Carrie Hargis *Carrie Hargis* Division Approval: Rich Fagan *[Signature]*  
Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman *[Signature]*

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Fiscal Services

**March 3, 2015 Board of Education Meeting**

**Agenda Item – Ratification of Contracts**

Contracts under bid limit authorized through 2/11/2015

	<b>Agreement With</b>	<b>Services Provided</b>	<b>Term of Agreement</b>	<b>Department</b>	<b>Funding Source</b>	<b>Amount</b>
*1.	Healthy Community Forum for the Greater Sacramento Region (DBA Sacramento Covered)	Assist Healthy Start families with health insurance applications at Prairie Elementary School	Expires 6/30/17	Student Support & Health Services	No cost	No cost
*2.	Healthy Community Forum for the Greater Sacramento Region (DBA Sacramento Covered)	Assist Healthy Start families with health insurance applications at David Reese Elementary School	Expires 6/30/17	Student Support & Health Services	No cost	No cost
3.	Mercy Education	Instructional services, meetings, student assessment, recordkeeping, parent/staff consultation and administrative fees at St. Charles Borromeo School	7/1/14 – 6/30/15	Learning Support Services	Title I	\$6,987.79
4.	Mercy Education	Instructional services, meetings, student assessment, recordkeeping, parent/staff consultation and administrative fees at Southpointe Christian School	7/1/14 – 6/30/15	Learning Support Services	Title I	\$1,232.84
5.	Robert Half International, Inc. (addendum to 11/4/14 BAI #32, item #10)	Technology consultant	10/16/14 – 6/30/15	Technology Services	General Fund (unrestricted)	Increase of \$24,000 to total estimate of \$48,500
6.	Mercy Education	Instructional services, meetings, student assessment, recordkeeping, parent/staff consultation and administrative fees at Al Argam Islamic School	7/1/14 – 6/30/15	Learning Support Services	Title I	\$6,562.00
7.	Sacramento Fire Department	Student fire observer intern placement agreement and curricular program statement	2/3/15 – 5/31/15	Secondary Education	No cost	No cost



**ELK GROVE UNIFIED SCHOOL DISTRICT**

Fiscal Services

**March 3, 2015 Board of Education Meeting**

**Agenda Item – Ratification of Contracts**

Contracts under bid limit authorized through 2/11/2015

	<b>Agreement With</b>	<b>Services Provided</b>	<b>Term of Agreement</b>	<b>Department</b>	<b>Funding Source</b>	<b>Amount</b>
*8.	Girl Scouts Heart of Central California	Girl Scout Outreach troop program for Florin Elementary School	3/2/15 – 5/18/15	Learning Support Services	After School Grant Funds	\$1,725.00
9.	Lauren Levine (Independent Contractor Agreement) – contract previously approved at 1/16/15 Board meeting (BAI #16, item #8)	PBIS video	9/8/14 – 2/28/15	Special Education	Special Education Funds	Increase of \$20,580 to a total of \$30,000
10.	Derek Clark/ Never Limit Your Life (Independent Contractor Agreement)	Keynote presentation and breakout session	2/20/15 – 2/21/15	Student Support & Health Services	Title I Delinquent	\$5,000
11.	Jeffrey Miller, Ph.D. (Independent Contractor Agreement)	Psychoeducational or academic evaluations	2/11/15 – 5/30/15	Student Services	Special Education Funds	Not to exceed \$2,000
12.	Christine Keefe (Independent Contractor Agreement)	Academic assessment	1/20/15 – 6/30/15	Student Services	Special Education Funds	Not to exceed \$2,000
13.	Frontier Communications	Upgrade for Ethernet access circuits at 9250 Bond Road and Gerber Road	1/26/15 – 1/26/20	Technology Services	General Fund (unrestricted)	\$1,495
14.	Frontier Communications	Upgrade for Ethernet access circuits at Cosumnes River Elementary School and Robert L. Trigg Education Center	1/26/15 – 1/26/17	Technology Services	General Fund (unrestricted)	\$3,797
15.	CSM Consulting	Provide completed forms related to Priority One and Priority Two applications of the Federal Communications Commission E-Rate filings with the schools and library division for 2015-16 and 2016-17	7/2/14 – 6/30/17	Technology Services	General Fund (unrestricted)	\$36,500
16.	Los Rios Community College District	Facilities use	1/20/15 – 5/19/15	EGACE	N/A	N/A

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 21

**Board Agenda Item**

Supplement No. \_\_\_\_\_

Meeting Date: March 3, 2015

**Subject:** Department: Finance & School Support  
Ratification of Non Public School/Non Public Agency (NPS/NPA) Contracts

**Action Requested:**  
The Board is asked to ratify NPA/NPS contracts which have been signed by authorized district staff, in accordance with Board Policy 3312-Contracts.

**Discussion:**  
On May 6, 2014, the Board of Education approved the 2014-15 Master Contract for Non Public Schools and Non Public Agencies. These contracts are not predetermined, fixed amounts, but rather for hourly or daily rates for services as approved by a students' Individualized Education Plan (IEP). The rates are set by the District. The following agreements were signed by authorized district staff and staff is requesting Board ratification:

Provider Name	PO#	Estimated Amount
Occupational Therapy for Children	# 505928	\$ 7,500.00
Clarinda Academy	# 506184	\$ 263,552.00

**Financial Summary:**  
Costs are funded from Special Education.

Prepared By: Ruth Dew Division Approval: Rich Fagan  
Prepared By: Ruth Dew Superintendent Approval: Christopher R. Hoffman

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 22

Board Agenda Item

Supplement No.

Meeting Date: March 3, 2015

Subject: Investment Policy Department: Fiscal Services

Action Requested: The Board is asked to receive a quarterly report of investments.

Discussion: Under state law, the District's surplus funds are deposited in the County Treasury... As of December 31, 2014, EGUSD has \$101,226,418 from all District Funds...

Financial Summary: The surplus funds of the District are conservatively managed by the County Treasury. We are confident that the funds are now and will continue to be available upon demand to satisfy District needs.

Prepared By: Shelley Clark Division Approval: Rich Fagan Prepared By: Carrie Hargis Superintendent Approval: Christopher R. Hoffman

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Fiscal Services Department

February 13, 2015

**Cash per Fund for Quarterly Investment Report  
2014-2015**

<b>Fund</b>	<b>Fund Name</b>	<b>9/30/2014</b>	<b>12/31/2014</b>
01	General Fund	\$ 35,944,300	\$ 28,077,608
09	Elk Grove Charter School	\$ 3,046,377	3,167,361
11	Adult Education Fund	\$ 1,226,453	\$ 1,039,128
12	Child Development Fund	\$ (317,727)	\$ (78,982)
13	Food & Nutrition Services Fund	\$ 1,754,551	\$ 1,220,632
14	Deferred Maintenance Fund	\$ 916,713	\$ 917,573
17	Special Reserve - Non Capital	\$ -	\$ -
25	Developer Fees Capital Facilities Fund	\$ 16,678,701	\$ 12,996,772
35	State School Construction Fund	\$ 38,694,692	\$ 31,161,904
40	Special Reserve Fund	\$ 960,136	\$ 727,115
47	Mello Roos Bond Sale Proceeds (#6)	\$ 31,625	\$ 31,627
49	Special Projects Fund	\$ 9,725,297	\$ 9,187,700
52	Debt Service Fund	\$ 93,717	\$ 1,314,143
67	Self Insurance Fund	\$ 11,386,896	\$ 11,463,836
	<b>Total</b>	<b>\$ 120,141,733</b>	<b>\$ 101,226,418</b>
<b>Cash with County Treasurer (Mello-Roos Investments)</b>			
	Series 87	\$ 1,220,115	\$ 188,128
	Series 91	\$ -	\$ -
	Series 94	\$ -	\$ -
	Series 95	\$ 3,122,549	\$ 11,428
	Series 98/2012 Refunding	\$ 9,614,471	\$ 7,609,333
	Series 01	\$ -	\$ -
	Series 03	\$ 1,411,481	\$ 1,365
	Series 05	\$ 2,177,358	\$ 642,380
	Series 08	\$ 4,526,642	\$ 3,494,296
	<b>Total</b>	<b>\$ 22,072,616</b>	<b>\$ 11,946,929</b>
	<b>Total Cash All</b>	<b>\$ 142,214,349</b>	<b>\$ 113,173,348</b>
	Total County Pool	\$ 2,401,839,686	\$ 2,923,171,037
	<b>EGUSD % of Total Pool</b>	<b>5.92%</b>	<b>3.87%</b>

**Board Agenda Item**

**Subject:** Project Inspector for Central Kitchen Boiler Replacement **Division:** Facilities and Planning

**Action Requested:**  
The Board of Education is requested to, upon consideration of evidence, (1) award an inspection service agreement to **Robert Toumey**, to provide inspection services, and (2) authorize a designated signatory, to sign the Agreements.

**Discussion:**  
In accordance with the Education Code and Title 24 of the California Code of Regulations, the Elk Grove Unified School District ("District") contracts out inspection services for applicable construction and modernization projects.  
The District has not historically employed full-time Inspection Services. The nature of school construction and modernization work is cyclical and Inspection Services are provided on an as needed basis, during construction or modernization. Inspection Services cannot be provided by using persons selected through the District's regular or ordinary District hiring process because inspectors must go through specialized training certification, and, ultimately, submit an application to the Division of State Architects to receive approval prior to performing Inspection Services for a particular individual project.  
Pursuant to Education Code section 45103.1, the Elk Grove Unified School District ("District") may contract out for personnel services, such as the Inspection Services, if any one of the following seven specified statutory conditions can be met:  
(1) The contract is for new school district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.  
(2) The services contracted are not available within the district, cannot be performed satisfactorily by school district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the school district.  
(3) The services are incidental to a contract for the purchase or lease of real or personal property. Contracts under this criterion, known as "service agreements," shall include, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.  
(4) The policy, administrative, or legal goals and purposes of the district cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary school district hiring process.

**Financial Summary:**  
Funded with State School Building Funds, Measure A proceeds and/or Developer Fees.

**Prepared By:** Stacey Allison SA **Division Approval:** Robert Pierce  
**Prepared By:** Lee Leavelle **Superintendent Approval:** Christopher R. Hoffman

- (5) The nature of the work is such that the criteria for emergency appointments apply. "Emergency appointment" means an appointment made for a period not to exceed 60 working days either during an actual emergency to prevent the stoppage of public business or because of the limited duration of the work.
- (6) The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the school district in the location where the services are to be performed.
- (7) The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under the district's regular or ordinary hiring process would frustrate their very purpose.

### Analysis

First, pursuant to Education Code section 45103.1(b)(2) the District may contract for Inspection Services with **Robert Toumey**, on this Project because the services are not available within the District and cannot be performed satisfactorily by District employees. Inspection Services are not available on a full time basis within any existing District employee classification and cannot be satisfactorily performed as part of any existing District employee classification. Because Inspection Services are not currently or customarily performed by District employees, District employees do not have the requisite qualifications to perform the job functions required.

Second, Education Code section 45103.1(b)(4) allows Inspection Services to be contracted out to **Robert Toumey** on this Project because the policy, administrative or legal goals and purposes of the District cannot be accomplished through the use of persons selected through the District's normal hiring process. The District's administrative policy does not provide for the hiring of persons to perform Inspection Services through the District's regular or ordinary school hiring process, as no classification exists for the full-time position of Inspection Services. The District would have to create such a position to retain the services of a full-time Inspector for this Project. Moreover, it is against District policy to hire classified personnel and then layoff these same individuals during a lull in work.

Third, Education Code section 45103.1(b)(7) provides that the District may contract out Inspection Services to **Robert Toumey** because such services are of such an urgent, temporary or occasional nature that the delay in obtaining such services through the District's ordinary hiring process would frustrate the purpose of such services. Employing personnel to provide Inspection Services on this Project would delay the Project until the District could complete the hiring process for each District employee required to provide Inspection Services.

Based on these specific facts and circumstances, the District finds that at least three of the seven statutory conditions set forth in Section 45103.1 of the Education Code exist for the following consultant proposed to provide Inspection Services at this specific Project: **Robert Toumey, Central Kitchen Boiler Replacement.**

### Recommendation

It is recommended that the Board consider all relevant factors set forth in Education Code section 45103.1 (b), and approve the Inspection Services Contract for the Project after consideration of the evidence supporting the conclusions set forth above with:

#### **Robert Toumey for Central Kitchen Boiler Replacement.**

This contract is being awarded to individuals/firms that are fully qualified to perform the services, and have demonstrated competence in this area of professional consulting.

## AGREEMENT FOR INSPECTOR

THIS AGREEMENT, authorized by the Board of Education on **March 3, 2015**, made and entered on this **5th** day of **March 2015**, by and between the ELK GROVE UNIFIED SCHOOL DISTRICT, 9510 Elk Grove-Florin Road, Elk Grove, CA 95624, hereinafter referred to as "DISTRICT", and **Robert Toumey, P.O. Box 162, Wilton, CA 95693**, hereinafter referred to as "INSPECTOR."

### WITNESSETH:

WHEREAS, the DISTRICT is constructing the **Central Kitchen Boiler Replacement**.

WHEREAS, INSPECTOR, is a qualified school construction inspector as that term is defined by Education Code section 39153(h) and is willing to perform such services.

NOW, THEREFORE, DISTRICT hereby hires INSPECTOR as an independent contractor as a professional expert specifically qualified to inspect the construction of school buildings. INSPECTOR shall not be a member of the classified service as that term is defined by Education Code section 45103, or be considered an employee of the DISTRICT. INSPECTOR understands and agrees that he shall not be considered an officer, employee or agent of the DISTRICT, and is not entitled to benefits of any kind or nature normally provided employees of the DISTRICT and/or to which DISTRICT'S employees are normally entitled, including but not limited to, state unemployment compensation or workers compensation. INSPECTOR assumes the full responsibility for his/her own acts and/or omissions as they relate to the services to be provided under this agreement. INSPECTOR shall assume full responsibility for payment of all federal, state, and local taxes of contributions, including unemployment insurance, Social Security, and income taxes as may be required by law in conjunction with the agreement.

#### **1. SCOPE OF WORK**

INSPECTOR shall inspect the construction of the project as set forth in **Exhibit "A"** attached hereto, and in accordance with the plans and specifications therefore and other provisions of law.

#### **2. COMPENSATION**

INSPECTOR shall be compensated at a rate of **\$67.50** per hour. The District has 30 days to issue payment upon receipt of an approved invoice. This rate of compensation applies to the project(s) listed in **Exhibit "A"** only and may not apply to future assignments. INSPECTOR shall work at the project site whenever construction activity is taking place at the sites and/or as set forth in **Exhibit "A"**.

As an independent contractor, INSPECTOR is responsible for any health and welfare or workers' compensation coverage for himself/herself. DISTRICT and INSPECTOR expressly agree that INSPECTOR is not included in, or covered by, any of the DISTRICT'S employee benefit programs whatsoever.

**3. NON-REIMBURSABLE COSTS**

INSPECTOR will not be reimbursed for transportation costs. INSPECTOR shall provide a cellular phone (with voice mail capabilities). Cell phone is to be operational at all times while performing services and voicemail thereafter. INSPECTOR shall not be reimbursed for costs of these items.

**4. CONTROL OF WORK**

DISTRICT and INSPECTOR mutually agree that the INSPECTOR, in performing the specified services, shall act as an independent contractor, and shall have control of his/her inspection work and the manner in which it is to be performed. He/she shall be free to contract for similar services to be performed for other owners while he remains under contract with the DISTRICT.

As an independent contractor, the INSPECTOR shall have the authority to control and direct the performance of the work done under the Agreement. However, the work shall be subject to the owner's general right of supervision to secure the satisfactory completion of the school construction project in accordance with the plans and specifications governing the project.

**5. PERSONAL SERVICES**

INSPECTOR shall superintend the execution of all work covered by this Agreement.

**6. TERM OF AGREEMENT**

The DISTRICT shall notify the INSPECTOR of the starting date for the project.

This Agreement shall be binding for the period of construction of the project which shall terminate when (1) the Notice of Completion is filed with the County Recorder, or, (2) the Contractor has completed all of the requirements of the contract documents, whichever occurs first.

The DISTRICT may choose to continue the services of INSPECTOR on an "as needed" basis even after thirty days beyond the date of completion. The applicable provisions of this Agreement shall remain in full force and effect while such services are provided.

**7. DIVISION OF STATE ARCHITECT (DSA) APPROVAL**

The DISTRICT and the INSPECTOR understand and agree that in order for the INSPECTOR to provide services for this project as provided in this Agreement, he must be approved by the Division of the State Architect (DSA) unless otherwise waived by school district.

**8. TERMINATION**

Upon failure to perform by either party during the first 90 days of service, the other party may terminate this Agreement upon seven (7) days written notice delivered via certified mail. Thereafter, either party may terminate this Agreement for any reason by giving 30 days advance written notice to the other party.

**9. ASSIGNMENT**



No assignment of this Agreement shall occur without the express and prior written permission of the DISTRICT. The INSPECTOR shall arrange for a qualified substitute INSPECTOR with prior approval of the DISTRICT to cover vacation time and other absences.

**10. MATERIALS AND EQUIPMENT**

The INSPECTOR at his/her expense shall furnish all materials and equipment needed by the INSPECTOR to carry out the work to be performed under this Agreement.

**11. DVBE COMPLIANCE**

INSPECTOR shall be required to submit documentation demonstrating compliance with the provisions relating to disabled veterans business enterprise contract requirements of the Office of Public School Construction (OPSC) of the State of California, if applicable.

**12. ALCOHOLIC BEVERAGES AND SMOKING**

INSPECTOR shall not drink alcoholic beverages, nor use tobacco products on any District site.

**13. SPECIAL CONDITIONS**

Disputes between parties, arising out of or relating to this Agreement which cannot be resolved by reasonable negotiations shall be decided by arbitration in accordance with the construction industry arbitration rules of the American Arbitration Association.

**14. HOLD HARMLESS**

INSPECTOR agrees to defend, indemnify and hold harmless the DISTRICT, its officers, students, agents and employees from and against all losses and expenses by reason of liability imposed by law upon the DISTRICT for damages because of bodily injury, personal injury, including death at any time resulting therefrom, sustained by any person or persons, or because of damage to property, including loss of use thereof, arising out of or in consequence of the performance of this agreement, providing such injuries to persons or damage to property are due or claimed to be due to the negligence of INSPECTOR.

**15. LICENSES/CERTIFICATES**

INSPECTOR warrants that he possesses any and all required license and/or certificates that may be required by any public agency of jurisdiction for INSPECTOR to perform the services provided for in this Agreement. INSPECTOR shall maintain any such licenses and/or certificates in good standing throughout the term of this Agreement.

**16. FINGERPRINTING REQUIREMENT**

INSPECTOR will comply with California Education Code Section 45125.1 mandating fingerprinting requirements by submitting fingerprint cards to the Department of Justice for clearance.

IN WITNESS WHEREOF, the parties hereto have subscribed their signatures on the day, month and year first above written.

ELK GROVE UNIFIED SCHOOL DISTRICT

By: \_\_\_\_\_

ROBERT TOUMEY

By: \_\_\_\_\_

***EXHIBIT "A"***

**ROBERT TOUMEY SCOPE OF WORK AND RESPONSIBILITIES:**

1. Provide Inspector services for the *Central Kitchen Boiler Replacement* as managed and supervised by Maintenance & Operations Manager **Bill Hartin** in accordance with Division of State Architect and Elk Grove Unified School District requirements.
2. Provide Inspection services from time to time on small projects throughout the District. These projects may include, but not be limited to, portable relocations, scoreboards, dugouts, inspection of repairs made through routine restricted maintenance or deferred maintenance programs, school sponsored improvements, special inspections for DSA closeout, review of materials, plans, or investigations.
3. Provide Reports and Statements:
  - a. Provide daily inspection reports and weekly accounting of services for the previous week on forms provided by the District and delivered to the Project Manager by the first school business day of the week for the previous week.
  - b. Provide all reports as required by Division of State Architect (DSA) and deliver copies to Project Manager in a timely manner.
  - c. Provide Monthly reports to the Project Manager as required.
4. Obtain Division of State Architect (DSA) approval to inspect school construction work as required.
5. Coordinate inspection activities and actions with the appropriate Architect or Engineer.

**Board Agenda Item**



**Subject:**  
 Out-of-State Field trip Division: Secondary Education

**Action Requested:**  
 The Board of Education is asked to approve the Out-of-State Field Trip listed below.

**Discussion:**  
 As part of its consent agenda, the Board is asked to approve the out-of-state field trip listed below:

School	Field Trip Destination	Field Trip Purpose	Dates of Trips
Franklin High School	Philadelphia, PA	University of Pennsylvania	April 22 - 26, 2015

**Financial Summary:**

Prepared By: Libby Sidhu Division Approval:   
 Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman 

ELK GROVE UNIFIED SCHOOL DISTRICT

Agenda Item No: 25

Board Agenda Item

Supplement No. \_\_\_\_\_

Meeting Date March 3, 2015

Subject: Department: Learning Support Services
Consolidated Application, Phase II

Action Requested:
The Board of Education is requested to approve the 2014-2015 Consolidated Application for funding State and Federal Categorical Aid Programs.

Discussion:
The Consolidated Application (ConApp) is used by the California Department of Education (CDE) to distribute categorical funds from various state and federal programs to county offices, school districts, and direct-funded charter schools throughout California.
The winter release of the application is submitted in January of each year and contains the district entitlements for each funded program.
The request for 2014-2015 includes participation in the following programs:
Title I, Part A - LEA Allocation: \$14,817,834
Title I, Part D - Neglected, Delinquent and At-Risk Youth: \$62,584
Title II, Part A - Teacher and Principal Training: \$1,371,345
Title III, Part A - Limited English Proficient (LEP) LEA Allocation: \$1,007,416
This application must be approved by the Board and submitted to the California Department of Education. It has been reviewed and approved by our District Categorical Advisory Committee.

Financial Summary:
The total amount of funds requested through the Consolidated Application for 2014-2015 is \$17,259,179.

Prepared By: Sonjhia Lowery [Signature] Division Approval: Mark Cerutti
Prepared By: Superintendent Approved: Christopher R. Hoffman [Signature]

ELK GROVE UNIFIED SCHOOL DISTRICT

Learning Support Services

March 3, 2015

2014/15 FISCAL YEAR

CONSOLIDATED APPLICATION  
FOR CATEGORICAL AID PROGRAMS  
(WINTER DATA COLLECTION)



MEETING OF THE BOARD OF EDUCATION

March 3, 2015

Prepared by: Sonjhia Lowery, Director of Learning Support Services  
Shannon Stenroos, Director of Budgets

ELK GROVE UNIFIED SCHOOL DISTRICT  
Learning Support Services  
March 3, 2015

2014/15 FISCAL YEAR  
CONSOLIDATED APPLICATION FOR CATEGORICAL AID PROGRAMS  
TABLE OF CONTENTS

<u>Item</u>		
<u>No.</u>	<u>Description</u>	<u>Page No.</u>
1.	Certifications	1
2.	2012-13 Title I, Part A Closeout Report	2
3.	2012-13 Title II, Part A Expenditure and Close-Out Report, 27 months	3
4.	2012-13 Title III, Part A LEP YTD Obligations Report, 27 months	4
5.	2013-14 Economic Impact Aid Carryover	5
6.	2013-14 Title I, Part A Carryover	6
7.	2013-14 Title III, Part A LEP YTD Expenditure Report, 18 months	7
8.	2014-15 Title I, Part A Notification of Authorization of School Wide Program	8 - 11
9.	2014-15 Title I, Part A LEA Allocation	12
10.	2014-15 Title I, Part A Reservations, Required	13 - 14
11.	2014-15 Title I, Part A Reservations, Allowed	15 - 16
12.	2014-15 Title I, Part A School Allocations	17 - 21
13.	2014-15 Title I, Part A Program Improvement Midyear Activity & Expenditure Report	22
14.	2014-15 Title I, Part D LEA Allocations and Reservations	23
15.	2014-15 Title II, Part A LEA Allocations and Reservations	24
16.	2014-15 Title III, Part A LEP LEA Allocations	25
17.	2014-15 Title III, Part A LEP Expenditure Report 6 months	26
18.	2014-15 Consolidation of Administrative Funds	27

**CONSOLIDATED APPLICATION AND REPORTING SYSTEM (CARS)**

Elk Grove Unified (34-67314-0000000)

2014-15 CONSOLIDATED APPLICATION  
FOR FUNDING CATEGORICAL AID PROGRAMS (WINTER DATA COLLECTION)

The application for funding declares that the local education agency (LEA) authorized by the local governing board is applying for specified categorical aid funds.

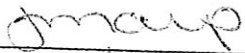
In order to receive apportionments for 2014-15, the LEA must:

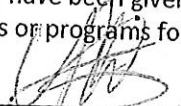
- Select "Yes" for participation and certify the 2014-15 Application for Categorical Program Funding data collection no later than June 20, 2014.
- Have a State Board of Education (SBE) approved LEA Plan.
- Submit a Cash Management Data Collection (CMDC) cash balance report during the reporting window.

The following data collections are being requested:

- 2012-12 Fiscal Year
  - Title I, Part A Closeout Report
  - Title II, Part A Expenditure and Close-Out Report, 27 months
  - Title III, Part A LEP Expenditure and Close-Out Report, 27 months
- 2013-14 Fiscal Year
  - Economic Impact Aid Carryover
  - Title I, Part A Carryover
  - Title III, Part A LEP Expenditure Report, 18 months
- 2014-15 Fiscal Year
  - Title I, Part A Notification of Authorization of School Wide Program
  - Title I, Part A LEA Allocation
  - Title I, Part A Reservations, Required
  - Title I, Part A Reservations, Allowed
  - Title I, Part A School Allocations
  - Title I, Part A Program Improvement Midyear Activity & Expenditure Report
  - Title I, Part D LEA Allocations and Reservations
  - Title II, Part A LEA Allocations and Reservations
  - Title III, Part A LEP LEA Allocations
  - Title III, Part A LEP Expenditure Report, 6 months
  - Consolidation of Administrative Funds

Advisory Committees: The undersigned certify that they have been given the opportunity to advise on the pages in this application related to compensatory education programs or programs for English Learners.

  
Print Name: June Mays  
District Categorical Advisory Chairperson

  
Print Name: YOLANDA CONTRERAS  
District English Learner Advisory Chairperson

Certification: I hereby certify that all of the applicable state and federal rules and regulations will be observed by this applicant; that to the best of my knowledge the information contained in this application is correct and complete; and I agree to have the use of these funds reviewed and/or audited according to the standards and criteria set forth in the California Department of Education's Federal Program Monitoring (FPM) Manual. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained on site. I certify that we accept all assurances except for those for which a waiver has been obtained or requested. A copy of all waivers or requests is on file. I certify that actual ink signatures for this page are on file.

  
Christopher R. Hoffman, Superintendent

  
Date



**2012-13 Title I, Part A Closeout Report**

Report fiscal year expenditures to determine 2012-13 Title I, Part A unspent funds.

**CDE Program Contact:**

Jyoti Singh, Title I Policy & Program Guidance, [jysingh@cde.ca.gov](mailto:jysingh@cde.ca.gov), 916-319-0372

Rina DeRose-Swinscoe, Title I Policy & Program Guidance, [RDeroseswinscoe@cde.ca.gov](mailto:RDeroseswinscoe@cde.ca.gov), 916-323-0472

**2012-13 Reported 15 Month Carryover**

2012-13 Title I, Part A Entitlement	\$12,637,103
Transferred in	\$0
Title I, Part A available allocation	\$12,637,103
Expenditures and encumbrances from July 1, 2012 through September 30, 2013 (15 Months)	\$11,407,356
Reported carryover as of September 30, 2013	\$1,229,747
Carryover adjustment amount (Funds invoiced by CDE)	\$0
Adjusted carryover amount	\$1,229,747

**2012-13 Final Expenditure Reporting**

Carryover spent through September 30, 2014	\$1,229,747
Unspent funds to be returned to CDE	\$0
Note: CDE will invoice the LEA to return the unused 2012-13 funds.	

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

**2012-13 Title II, Part A Fiscal Year Expenditure Report, 27 Months**

A report of year-to-date expenditures and encumbrances by activity. Activity period covered is July 1, 2012 through September 30, 2014.

**CDE Program Contact:**

Jackie Rose, Title II Leadership, [jrose@cde.ca.gov](mailto:jrose@cde.ca.gov), 916-322-9503

2012-13 Title II, Part A entitlement	\$1,499,784
<b>Professional Development Expenditures</b>	
Professional development for teachers	\$1,013,521
Professional development for administrators	
Subject matter project	
Other professional development expenditures	
<b>Exams and Test Preparation Expenditures</b>	
Exam fees, reimbursement	
Test preparation training and or materials	
Other exam and test preparation expenditures	
<b>Recruitment, Training, and Retaining Expenditures</b>	
Recruitment activities	
Hiring incentive and or relocation allotment	
National Board Certification and or stipend	
Verification process for special settings (VPSS)	
University course work	
Other recruitment training and retaining expenditures	
<b>Miscellaneous Expenditures</b>	
Class size reduction	\$405,250
Administrative and indirect costs	\$81,013
Total funds transferred to Title I, Part A	
Other allowable expenditures or encumbrances	
Total expenditures and encumbrances	\$1,499,784
2012-13 Unspent Funds	\$0
Note: CDE will invoice the LEA for the amount of 2012-13 unspent funds.	
General Comment (Maximum 500 characters)	

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

**2012-13 Title III, Part A LEP YTD Expenditure Report, 27 Months**

A report of year-to-date expenditures by activity. Activity period covered is July 1, 2012 through September 30, 2014.

**CDE Program Contact:**

Patty Stevens, Title III Language Policy & Leadership Office, [pstevens@cde.ca.gov](mailto:pstevens@cde.ca.gov), 916-323-5838  
 Geoffrey Ndirangu, Language Policy & Leadership Office, [gndirang@cde.ca.gov](mailto:gndirang@cde.ca.gov), 916-323-5831

**Required and Authorized LEP Sub-grantee Activities**

**Required**

Section 3115 (c)(1) To increase the English Proficiency by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs.

Section 3115 (c)(2) To provide high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel.

**Authorized**

- (1) Upgrading program objectives and effective instruction strategies.
- (2) Improving the instruction program for limited English proficient children by identifying acquiring and upgrading curricula, instruction materials, educational software, and assessment procedures.
- (3) Providing tutorials and academic or vocational education for limited English proficient children and intensified instruction.
- (4) Developing and implementing elementary school or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
- (5) Improving the English proficiency and academic achievement of limited English proficient children.
- (6) Providing community participation programs, family literacy services and parent outreach and training activities to limited English proficient children and their families.

2012-13 Title III, Part A LEP entitlement	\$1,003,844
<b>Object Code - Activity</b>	
1000-1999 Certificated personnel salaries	\$729,080
2000-2999 Classified personnel salaries	\$8,252
3000-3999 Employee benefits	\$187,219
4000-4999 Books and supplies	\$20,763
5000-5999 Services and other operating expenditures	\$38,847
Administrative and indirect costs	\$19,683
Total year-to-date expenditures	\$1,003,844
2012-13 Unspent funds	\$0
Note: CDE will invoice the LEA for the amount of 2012-13 unspent funds.	

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

**2013-14 Economic Impact Aid Carryover**

Funds allocated as Economic Impact Aid must be used as originally purposed for English learners and educationally disadvantaged youth. The categorical intent continues to be in effect for funds previously allocated. The purpose of this data collection is to identify carryover funds for fiscal year 2014-15 use.

**CDE Program Contact:**

Mark Klinesteker , EIA / SCE, [mklinesteker@cde.ca.gov](mailto:mklinesteker@cde.ca.gov), 916-319-0256  
Sonia Petrozello , EIA / LEP, [SPetrozello@cde.ca.gov](mailto:SPetrozello@cde.ca.gov), 916-319-0950

<b>Note: Carryover reported below will be used to determine 2014-15 Economic Impact Aid school allocations.</b>	
Economic Impact Aid carryover (Amount should include all prior fiscal year unspent funds.)	\$0

**\*\*\*Warning\*\*\***

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Report Date:2/11/2015

**2013-14 Title I Part A Carryover**

Report only expenditures for fiscal year 2013-14 allocation to determine funds to be carried over to fiscal year 2014-15.

**CDE Program Contact:**

Jyoti Singh, Title I Policy & Program Guidance, [jysingh@cde.ca.gov](mailto:jysingh@cde.ca.gov), 916-319-0372

Rina DeRose-Swinscoe, Title I Policy & Program Guidance, [RDeroseswinscoe@cde.ca.gov](mailto:RDeroseswinscoe@cde.ca.gov), 916-323-0472

**2013-14 Carryover Calculation**

2013-14 Title I Part A Entitlement	\$12,410,510
Transferred in	\$0
Title I Part A available allocation	\$12,410,510
Expenditures and obligations from July 1, 2013 through June 30, 2014 (12 Months)	\$8,017,597
Carryover as of June 30, 2014	\$4,392,913
Carryover percent as of June 30, 2014	35.40%
Expenditures and obligations from July 1, 2013 through September 30, 2014 (15 Months)	\$10,913,878
Carryover as of September 30, 2014	\$1,496,632
Carryover percent as of September 30, 2014	12.06%

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

**2013-14 Title III, Part A LEP YTD Expenditure Report, 18 Months**

A report of year-to-date expenditures by activity. Activity period covered is July 1, 2013 through December 31, 2014.

**CDE Program Contact:**

Patty Stevens, Title III Language Policy & Leadership Office, [pstevens@cde.ca.gov](mailto:pstevens@cde.ca.gov), 916-323-5838  
 Geoffrey Ndirangu, Language Policy & Leadership Office, [gndirang@cde.ca.gov](mailto:gndirang@cde.ca.gov), 916-323-5831

**Required and Authorized LEP Sub-grantee Activities**

**Required**

Section 3115 (c)(1) To increase the English Proficiency by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs.

Section 3115 (c)(2) To provide high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel.

**Authorized**

- (1) Upgrading program objectives and effective instruction strategies.
- (2) Improving the instruction program for limited English proficient children by identifying acquiring and upgrading curricula, instruction materials, educational software, and assessment procedures.
- (3) Providing tutorials and academic or vocational education for limited English proficient children and intensified instruction.
- (4) Developing and implementing elementary school or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
- (5) Improving the English proficiency and academic achievement of limited English proficient children.
- (6) Providing community participation programs, family literacy services and parent outreach and training activities to limited English proficient children and their families.

2013-14 Title III, Part A LEP entitlement	\$938,380
<b>Object Code - Activity</b>	
1000-1999 Certificated personnel salaries	\$321,589
2000-2999 Classified personnel salaries	\$0
3000-3999 Employee benefits	\$83,932
4000-4999 Books and supplies	\$694
5000-5999 Services and other operating expenditures	\$8,156
Administrative and indirect costs	\$8,288
Total year-to-date expenditures	\$422,659
2013-14 Unspent funds	\$515,721
General comment	
(Maximum 500 characters)	

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Report Date: 2/11/2015

**2014-15 Title I, Part A Notification of Authorization of School Wide Program**

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as School Wide Program

**CDE Program Contact:**

Franco Rozic, Title I Monitoring & Support, [frozi@cde.ca.gov](mailto:frozi@cde.ca.gov), 916-319-0269

**Note:**

In order for CDE program staff to have visibility to all SWP authorized schools, it is important to have an Authorized Representative certify this Notification of Authorization data collection after a change is made.

School Name	School Code	Authorized	Local Board Approval Date (ex. 04/30/2014)	SIG Approval Date (ex. 04/30/2014)	Poverty Level %
Anna Kirchgater Elementary	6032981	Y	07/28/1998		67.00%
Arlene Hein Elementary	0105908	N			
Arnold Adreani Elementary	0108720	N			
Arthur C. Butler Elementary	6109516	N			
Barbara Comstock Morse Elementary	6113179	Y	04/05/2004		71.00%
C. W. Dillard Elementary	6033039	N			
Calvine High	3430311	N			
Carroll Elementary	0111112	N			
Charles E. Mack Elementary	6033005	Y	07/11/2001		88.00%
Cosumnes Oaks High	0116897	N			
Cosumnes River Elementary	6033013	N			
David Reese Elementary	6033021	Y	07/11/2001		75.00%
Daylor (William) High (Continuation)	3432002	N			
Edna Batey Elementary	0101790	N			

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2014-15 Title I, Part A Notification of Authorization of School Wide Program

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as School Wide Program

School Name	School Code	Authorized	Local Board Approval Date (ex. 04/30/2014)	SIG Approval Date (ex. 04/30/2014)	Poverty Level %
Edward Harris, Jr. Middle	0105924	N			
Elitha Donner Elementary	6112106	N			
Elizabeth Pinkerton Middle	0116871	N			
Elk Grove Charter	6112254	N			
Elk Grove Elementary	6033047	N			
Elk Grove High	3432572	N			
Ellen Feickert Elementary	6101844	N			
Elliott Ranch Elementary	6120034	N			
Florence Markofer Elementary	6098743	N			
Florin Elementary	6033054	Y	07/11/2001		85.00%
Florin High	3430477	N			
Foulks Ranch Elementary	6107700	N			
Franklin Elementary	6033062	N			
Franklin High	3430873	N			
Harriet G. Eddy Middle	6112031	N			
Helen Carr Castello Elementary	0108738	N			
Herman Leimbach Elementary	6077291	Y	07/11/2001		85.00%
Irene B. West Elementary	6120018	Y	04/04/2006		52.00%
Isabelle Jackson Elementary	6106355	Y	04/05/2004		69.00%
James A. McKee Elementary	6033088	N			

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2014-15 Title I, Part A Notification of Authorization of School Wide Program

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as School Wide Program

School Name	School Code	Authorized	Local Board Approval Date (ex. 04/30/2014)	SIG Approval Date (ex. 04/30/2014)	Poverty Level %
James Rutter Middle	6059174	N			
Jessie Baker	6032999	N			
John Ehrhardt Elementary	6110118	N			
John Reith Elementary	6107916	Y	07/28/1998		71.00%
Joseph Kerr Middle	6061808	N			
Joseph Sims Elementary	6116818	N			
Katherine L. Albani Middle	0108746	N			
Laguna Creek High	3430592	N			
Las Flores High (Alternative)	3430352	N			
Maeola E. Beitzel Elementary	6113187	N			
Mary Tsukamoto Elementary	6110985	N			
Monterey Trail High	0105916	N			
Pleasant Grove Elementary	6033096	N			
Pleasant Grove High	0108753	N			
Prairie Elementary	6098750	Y	07/11/2001		86.00%
Raymond Case Elementary	6118046	N			
Rio Cazadero High (Continuation)	3430329	N			
Robert J. Fite Elementary	6120026	N			
Roy Herburger Elementary	0105932	N			
Samuel Jackman Middle	6109821	N			

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2014-15 Title I, Part A Notification of Authorization of School Wide Program

This report provides notification to the California Department of Education of a school's eligibility and local board approval to operate under and report as School Wide Program

School Name	School Code	Authorized	Local Board Approval Date (ex. 04/30/2014)	SIG Approval Date (ex. 04/30/2014)	Poverty Level %
Samuel Kennedy Elementary	6033104	Y	07/11/2001		91.00%
Sheldon High	3430618	N			
Sierra-Enterprise Elementary	6033112	Y	07/11/2001		65.00%
Stone Lake Elementary	6118053	N			
Sunrise Elementary	0114702	N			
T. R. Smedberg Middle	6113831	N			
Toby Johnson Middle	6120000	N			
Transition High (Continuation)	3430535	N			
Union House Elementary	6107718	Y	07/28/1998		65.00%
Valley High	3430170	N			

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2014-15 Title I, Part A LEA Allocation

The purpose of this data collection is to calculate the full Title I Part A allocation available to the LEA.

**CDE Program Contact:**

Stephanie Smith, Title I Policy & Program Guidance, [SSmith@cde.ca.gov](mailto:SSmith@cde.ca.gov), 916-319-0948  
 Jyoti Singh, Title I Policy & Program Guidance, [jsingh@cde.ca.gov](mailto:jsingh@cde.ca.gov), 916-319-0372

2014-15 Title I, Part A entitlement	\$14,817,834
Transferred-in amount	\$0
Title I, Part A entitlement after transfers	\$14,817,834
<b>Note:</b>	
In order for the 2013-14 Carryover amount to be pre-populated, the 2013-14 Title I, Part A Carryover data collection should be completed and saved before beginning data entry.	
2013-14 Carryover (Allowable values are the 12 or 15 month 2013-14 carryover. The default value displayed is the 15 month calculated carryover.)	\$4,392,913
Repayment of funds	\$0
2014-15 Total allocation	\$19,210,747
Indirect cost reservation	\$768,562
Administrative reservation	\$1,210,441
2014-15 Title I, Part A adjusted allocation	\$17,231,744
<b>Indirect Cost and Administration Calculation Tool</b>	
To help determine allowable indirect cost and administration reserves, based on your Approved Indirect Cost Rate as defined on <a href="http://www.cde.ca.gov/fg/ac/ic/">http://www.cde.ca.gov/fg/ac/ic/</a> , below are recommended values.	
2014-15 Approved indirect cost rate	5.44%
Maximum allowable indirect cost reservation	\$991,146
Recommended administration reservation	\$1,890,465

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Report Date:2/11/2015

**2014-15 Title I, Part A Reservations, Required**

To report LEA required reservations before distributing funds to schools, and to calculate and report nonprofit private school set-aside values.

**CDE Program Contact:**

Nancy Bodenhausen, Title I Policy & Program Guidance, [NBodenhausen@cde.ca.gov](mailto:NBodenhausen@cde.ca.gov), 916-445-4904  
 Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956

**Nonprofit Private School Equitable Services Percentage Calculation**

Total participating nonprofit school low income students	57
Total participating attendance area low income students	8,220
Percent of nonprofit private school low income students for equitable service calculations	0.69%

**Required Reservations**

Title I Part A adjusted allocation	\$17,231,744
------------------------------------	--------------

**Parental Involvement**

Parental involvement (1% of the entitlement plus transfers-in if greater than \$500,000.)	\$148,179
Supplemental parental involvement (Optional: Additional discretionary set-aside.)	\$109,522
Nonprofit private school parental involvement set-aside	\$1,778
Amount remaining	\$255,923
Public school parental involvement	\$243,127
Balance available for LEA parental involvement activities	\$12,796

**Direct and Indirect Services**

Direct or indirect services to homeless children, regardless of their school of attendance	\$205,698
Homeless services provided	Project A.C.T. (Assisting Children in Transition) provides backpacks, school supplies, hygiene items and clothing through the clothes closet. We assist with enrollment, transition to the school of origin, tutoring and counseling, and referrals to other services and agencies. We provide in-service to district staff and the community on the rights and laws regarding homeless students. We maintain a webpage and a list of resources & services available to parents, students, staff and the community.

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Report Date: 2/11/2015

**2014-15 Title I, Part A Reservations, Required**

To report LEA required reservations before distributing funds to schools, and to calculate and report nonprofit private school set-aside values.

**CDE Program Contact:**

Nancy Bodenhausen, Title I Policy & Program Guidance, [NBodenhausen@cde.ca.gov](mailto:NBodenhausen@cde.ca.gov), 916-445-4904  
 Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956

(Maximum 500 characters)	
Local neglected institutions	Yes
Does the LEA have local institutions for neglected children or children currently classified as neglected?	
Direct or indirect services in local institutions for neglected children	\$1,736,366
Local delinquent institutions	Yes
Does the LEA have local institutions for delinquent children?	
Other neglected or delinquent services	\$0

**Program Improvement (PI)**

The following reservations are required if the LEA is in Program Improvement, or has one or more schools in Program Improvement.

Public school choice transportation (Choice)	\$740,892
Supplemental educational services (SES)	\$2,193,098
Parent outreach and assistance for Choice and SES	\$29,577
Program Improvement general comments	
(Maximum 500 characters)	

**Program Improvement Professional Development**

Professional development funds	No
Will the LEA use PI school-level professional development funds to help meet the LEA 10% minimum professional development requirement?	
PI professional development (Minimum 10% of the entitlement plus transfers in.)	\$1,390,210
2013-14 PI professional development carryover	
Total PI professional development	\$1,390,210

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Report Date: 2/11/2015

2014-15 Title I, Part A Reservations, Allowed

To report LEA allowable reservations before distributing funds to schools, and to calculate and report nonprofit private school set-aside values.

**CDE Program Contact:**

Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956  
 Karen Neilsen, Title I Policy & Program Guidance, [KNeilsen@cde.ca.gov](mailto:KNeilsen@cde.ca.gov), 916-319-0946

**Allowed Reservations**

**Professional Development for Highly Qualified Teachers and Paraprofessionals**

Professional development for highly qualified teachers and paraprofessionals	\$0
Nonprofit private school equitable services	\$0
Professional development reserved for public schools	\$0

**District-wide Instructional Programs**

District-wide instructional programs (Non-PI activities)	\$0
Nonprofit private school equitable services	\$0
District-wide instructional programs for Title I public schools	\$0

**Other School Programs**

Other school programs Including summer school or intersession programs or before and after school programs.	\$601,532
Nonprofit private school equitable services	\$4,151
Other school programs reserved for public schools.	\$597,381

**Other Allowable Reservations**

Salary differentials	\$0
Preschool programs	\$1,732,938
Capital expenses for nonprofit private schools	\$0

**Program Improvement Activities**

Teacher incentives and rewards (Maximum 5% of entitlement after transfers.)	\$0
Professional development of highly qualified teachers	\$1,375,947
Technical assistance to schools	\$1,462,716
Summer school, intersession programs or before and after school programs	

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Report Date:2/11/2015

2014-15 Title I, Part A Reservations, Allowed

To report LEA allowable reservations before distributing funds to schools, and to calculate and report nonprofit private school set-aside values.

**CDE Program Contact:**

Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956

Karen Neilsen, Title I Policy & Program Guidance, [KNeilsen@cde.ca.gov](mailto:KNeilsen@cde.ca.gov), 916-319-0946

**Reservation Summary**

Adjusted Allocation	\$17,231,744
Total required reservations	\$6,308,637
Total allowed reservations	\$5,168,982
Allocations after reservations	\$5,754,125
Total nonprofit private school set aside	\$4,151
Private nonprofit school Parental Involvement set-aside	\$1,778
Public school Parental Involvement set-aside	\$243,127
Amount available for Title I, Part A school allocations	\$5,505,069

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

California Department of Education

Elk Grove Unified (34 67314 0000000)

Consolidated Application

Status: Certified  
 Saved by: Shannon Stenroos  
 Date: 2/11/2015 11:46 AM

2014-15 Title I, Part A School Allocations

This identifies the amount of Title I, Part A funds to allocated to eligible public schools and equitable services to students in nonprofit private schools.  
**CDE Program Contact:**

Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956  
 Nancy Bodenhausen, Title I Policy & Program Guidance, [NBodenhausen@cde.ca.gov](mailto:NBodenhausen@cde.ca.gov), 916-445-4904

If an exception to funding is needed, enter an Exception Reason. Use lower case only.

**Allowable Exception Reasons**

- a - Meets 35% Low Income Requirement
- c - Funded by Other Allowable Sources
- d - Desegregation Waiver on File
- e - Grandfather Provision
- f - Feeder Pattern
- g - Local Funded Charter Opted Out
- h - Local Funded Chart Opt In
- i - CORE Waiver Eligible High School

Low income measure

FRPM

Yes

49.47%

\$5,505,069

\$243,127

\$4,151

\$1,778

Available Title I, Part A school allocation

Available public school parent involvement reservation

Available nonprofit private school set-asides

Available nonprofit private school parent involvement reservation

School Name	School Code	Grade Span Group	Low Income Students	Low Income Student %	Eligible	\$ Per Low Income Student (0.00)	Carryover	Public School Parent Involvement	Nonprofit Parental Involvement	Nonprofit Private Set Aside	Total School Allocation	Exception Reason	EIA Funded	Other Program Funds	Exception Comment
Samuel Kennedy Elementary	6033104	1	782	85.19	Y	450.00	\$136,689	\$23,291			511860.00		N	N	
David Reese Elementary	6033021	1	737	82.53	Y	450.00	\$74,906	\$21,951			428507.00		N	N	
Anna Kirchgater Elementary	6032981	1	690	77.97	Y	450.00	\$52,799	\$20,551			333850.00		N	N	

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Report Date: 2/11/2015



2014-15 Title I, Part A School Allocations

This identifies the amount of Title I, Part A funds to allocated to eligible public schools and equitable services to students in nonprofit private schools.

School Name	School Code	Grade Span Group	Low Income Students	Low Income Student %	Eligible	\$ Per Low Income Student (0.00)	Carryover	Public School Parental Involvement	Nonprofit Private Parental Involvement	Nonprofit Private Set Aside	Total School Allocation	Exception Reason	EIA Funded	Other Program Funds	Exception Comment
John Reith Elementary	6107916	1	482	77.49	Y	450.00	\$140,086	\$14,356			371342.00		N	N	
Barbara Comstock Morse Elementary	6113179	1	604	77.14	Y	450.00	\$93,300	\$17,990			383090.00		N	N	
Prairie Elementary	6098750	1	819	77.12	Y	450.00	\$378,201	\$24,393			771144.00		N	N	
Union House Elementary	6107718	1	710	76.92	Y	450.00	\$212,122	\$21,147			552789.00		N	N	
Charles E. Mack Elementary	6033005	1	693	74.68	Y	450.00	\$160,886	\$20,640			493376.00		N	N	
Sierra-Enterprise Elementary	6033112	1	361	74.43	Y	450.00	\$129,193	\$10,752			302395.00		N	N	
Mary Tsukamoto Elementary	6110985	1	700	73.84	Y	400.00	\$0	\$20,849			300849.00		N	N	
Isabelle Jackson Elementary	6106355	1	668	72.53	Y	400.00	\$125,016	\$19,896			412112.00		N	N	
Florin Elementary	6033054	1	465	70.35	Y	400.00	\$207,047	\$13,850			406897.00		N	N	
Herman Leibbach Elementary	6077291	1	452	70.19	Y	400.00	\$179,820	\$13,461			374081.00		N	N	
Roy Herburger Elementary	0105932	1	607	63.96	Y	0.00					0.00		N	N	
James A. McKee Elementary	6033088	1	322	61.33	Y	0.00					0.00		N	N	
Irene B. West Elementary	6120018	1	681	61.08	Y	0.00					0.00		N	N	
Eliitha Donner Elementary	6112106	1	540	60.20	Y	0.00					0.00		N	N	
Arthur C. Butler Elementary	6109516	1	568	59.48	Y	0.00					0.00		N	N	
Maeola E. Beitzel Elementary	6113187	1	535	57.10	Y	0.00					0.00		N	N	
Raymond Case Elementary	6118046	1	418	55.36	Y	0.00					0.00		N	N	
Robert J. Fite Elementary	6120026	1	347	51.26	Y	0.00					0.00		N	N	
John Ehrhardt Elementary	6110118	1	469	48.70	N	0.00					0.00		N	N	

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2014-15 Title I, Part A School Allocations

This identifies the amount of Title I, Part A funds to be allocated to eligible public schools and equitable services to students in nonprofit private schools.

School Name	School Code	Grade Span Group	Low Income Students	Low Income Student %	Eligible	\$ Per Low Income Student (0.00)	Carryover	Public School Parental Involvement	Nonprofit Private Parental Involvement	Nonprofit Private Set Aside	Total School Allocation	EIA Funded	Other Program Funds	Exception Reason	Exception Comment
Franklin Elementary	6033062	1	304	44.57	N	0.00					0.00	N	N		
Florence Markofer Elementary	6098743	1	289	40.53	N	0.00					0.00	N	N		
Eileen Feickert Elementary	6101844	1	216	36.73	N	0.00					0.00	N	N		
Foulks Ranch Elementary	6107700	1	338	35.84	N	0.00					0.00	N	N		
Carroll Elementary	0111112	1	394	34.17	N	0.00					0.00	N	N		
Arlene Hein Elementary	0105908	1	388	33.05	N	0.00					0.00	N	N		
Elk Grove Elementary	6033047	1	287	32.43	N	0.00					0.00	N	N		
Joseph Sims Elementary	6116818	1	344	32.00	N	0.00					0.00	N	N		
Helen Carr Castello Elementary	0108738	1	267	30.31	N	0.00					0.00	N	N		
C. W. Dillard Elementary	6033039	1	118	27.51	N	0.00					0.00	N	N		
Edna Batey Elementary	0101790	1	252	26.14	N	0.00					0.00	N	N		
Arnold Adreani Elementary	0108720	1	213	26.10	N	0.00					0.00	N	N		
Stone Lake Elementary	6118053	1	198	23.38	N	0.00					0.00	N	N		
Pleasant Grove Elementary	6033096	1	107	21.75	N	0.00					0.00	N	N		
Elliott Ranch Elementary	6120034	1	176	19.01	N	0.00					0.00	N	N		
Sunrise Elementary	0114702	1	178	17.47	N	0.00					0.00	N	N		
Cosumnes River Elementary	6033013	1	53	10.47	N	0.00					0.00	N	N		
James Rutter Middle	6059174	2	736	85.98	Y	0.00					0.00	N	N		
Edward Harris, Jr. Middle	0105924	2	867	70.83	Y	0.00					0.00	N	Y	c	LOFF
Samuel Jackman Middle	6109821	2	625	70.46	Y	0.00					0.00	N	Y	c	LOFF

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2014-15 Title I, Part A School Allocations

This identifies the amount of Title I, Part A funds to be allocated to eligible public schools and equitable services to students in nonprofit private schools.

School Name	School Code	Grade Span Group	Low Income Students	Low Income Student %	Eligible	\$ Per Low Income Student (0.00)	Carryover	Public School Parental Involvement	Nonprofit Private Parental Involvement	Nonprofit Private Set Aside	Total School Allocation	Exception Reason	EIA Funded	Other Program Funds	Exception Comment
T. R. Smedberg Middle	6113831	2	705	64.27	Y	0.00					0.00	C	N	Y	LCFF
Harriet G. Eddy Middle	6112031	2	468	48.80	N	0.00					0.00		N	N	
Joseph Kerr Middle	6061808	2	395	42.98	N	0.00					0.00		N	N	
Toby Johnson Middle	6120000	2	474	36.55	N	0.00					0.00		N	N	
Elizabeth Pinkerton Middle	0116871	2	323	31.24	N	0.00					0.00		N	N	
Katherine L. Albani Middle	0108746	2	399	28.91	N	0.00					0.00		N	N	
Florin High	3430477	3	1171	79.34	Y	0.00					0.00	C	N	Y	LCFF
Valley High	3430170	3	1202	77.90	Y	0.00					0.00	C	N	Y	LCFF
Monterey Trail High	0105916	3	1279	58.59	Y	0.00					0.00	C	N	Y	LCFF
Sheldon High	3430618	3	1164	49.70	Y	0.00					0.00	C	N	Y	LCFF
Jessie Baker	6032999	3	84	47.46	N	0.00					0.00		N	N	
Laguna Creek High	3430592	3	756	45.05	N	0.00					0.00		N	N	
Rio Cazadero High (Continuation)	3430329	3	92	40.35	N	0.00					0.00		N	N	
Calvine High	3430311	3	92	38.98	N	0.00					0.00		N	N	
Daylor (William) High (Continuation)	3432002	3	55	37.16	N	0.00					0.00		N	N	
Las Flores High (Alternative)	3430352	3	69	32.70	N	0.00					0.00		N	N	
Elk Grove High	3432572	3	611	32.48	N	0.00					0.00		N	N	
Cosumnes Oaks High	0116897	3	656	32.22	N	0.00					0.00		N	N	
Franklin High	3430873	3	884	31.81	N	0.00					0.00		N	N	
Elk Grove Charter	6112254	3	78	29.55	N	0.00					0.00		N	N	

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2014-15 Title I, Part A School Allocations

This identifies the amount of Title I, Part A funds to be allocated to eligible public schools and equitable services to students in nonprofit private schools.

School Name	School Code	Grade Span Group	Low Income Students	Low Income Student %	Eligible	\$ Per Low Income Student (0.00)	Carryover	Public School Parental Involvement	Nonprofit Private Parental Involvement	Nonprofit Private Set Aside	Total School Allocation	Exception Reason	EIA Funded	Other Program Funds	Exception Comment
Pleasant Grove High	0108753	3	663	26.33	N	0.00					0.00		N	N	
Transition High (Continuation)	3430535	3	0	0.00	N	0.00					0.00		N	N	
St. Charles Borromeo	6976567	P	17		Y	400.00	\$11,844		\$530	\$1,238	20412.00		N	N	
Al-Argam Islamic School	7096852	P	16		Y	400.00	\$9,419		\$499	\$1,165	17483.00		N	N	
St. Patrick SUCCEED Academy	6976641	P	16		Y	400.00	\$9,797		\$499	\$1,165	17861.00		N	N	
St. Robert Catholic School	6976666	P	5		Y	400.00	\$0		\$156	\$364	2520.00		N	N	
Southpointe Christian School	7020837	P	3		Y	400.00	\$2,064		\$94	\$219	3577.00		N	N	

\*\*\*Warning\*\*\*

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## 2014-15 Title I, Part A Program Improvement Midyear Activity and Expenditure Report

If one or more schools is in Program Improvement, the LEA is required to provide a mid-year status of activities related to Choice and or SES services.

**CDE Program Contact:**

Stephanie Smith, Title I Policy & Program Guidance, [SSmith@cde.ca.gov](mailto:SSmith@cde.ca.gov), 916-319-0948  
 Lana Zhou, Title I Policy & Program Guidance, [lzhou@cde.ca.gov](mailto:lzhou@cde.ca.gov), 916-319-0956

**Activities**

Number of students who applied for Choice	136
Number of new and continuing students who transferred to attend a non-PI school under ESEA	247
Number of new and continuing students who transferred to attend a non-PI school under a local or state school choice program	5
Number of students who applied for SES	1,201
Number of students who received SES	1,162
Activities comment	
An explanation must be provided if all activities are zero.	

**Expenditures and Encumbrances**

Due to a federal audit comment received, LEAs are required to provide biannual year-to-date PI expenditures and encumbrance in support of Choice and SES activities.

Choice transportation using Title I Part A funds	\$641,470
Choice transportation using non-Title I Part A funds	\$0
SES using Title I Part A funds	\$1,911,782
SES using non-Title I Part A funds	\$0
Parent outreach using Title I Part A funds	\$12,631
Parent outreach using non-Title I Part A funds	\$0
Total expenditures and encumbrance using Title I Part A funds	\$2,565,883
Total expenditures and encumbrance using non-Title I Part A funds	\$0
Expenditure comment	
An explanation is required if no program improvement expenditures or encumbrances have occurred (maximum 500 characters).	

\*\*\*Warning\*\*\*

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**2014-15 Title I, Part D LEA Allocations and Reservations**

The purpose of this data collection is to calculate the total allocation amount available to the LEA for Title I, Part D, Subpart 2, Neglected, Delinquent, and At-Risk Youth, and to report required reservations.

**CDE Program Contact:**

Karen Neilsen, Title I Policy & Program Guidance, [KNeilsen@cde.ca.gov](mailto:KNeilsen@cde.ca.gov), 916-319-0946

2014-15 Title I, Part D Entitlement	\$62,584
2013-14 Carryover	\$0
Repayment of funds	\$0
2014-15 Allocation	\$62,584
Indirect cost reservation	\$3,229
Administrative reservation	\$0
Title I, Part D adjusted allocation	\$59,355
General comment (Maximum 500 characters)	

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

### 2014-15 Title II, Part A LEA Allocations and Reservations

The purpose of this data collection is to calculate the total allocation amount available to the LEA for Title II Part A Teacher & Principal Training & Recruiting, and to report required reservations.

**CDE Program Contact:**

Jackie Rose, Title II Leadership, [jrose@cde.ca.gov](mailto:jrose@cde.ca.gov), 916-322-9503  
Juan J. Sanchez, Section 2141 Contact, [jsanchez@cde.ca.gov](mailto:jsanchez@cde.ca.gov), 916-319-0452

2014-15 Title II Part A entitlement	\$1,371,345
Total funds transferred out of Title II, Part A	\$0
Total entitlement after transfers	\$1,371,345
2013-14 Carryover (as of 06/30/14)	\$369,682
Repayment of funds	\$0
Repayment comment	
Provide an explanation of why repayment dollars were added back to the allocation	
2014-15 Allocation	\$1,741,027
Administrative and indirect costs	\$89,825
Title II Part A adjusted allocation	\$1,651,202

### ESEA Section 2141(c) Reservations

By completing the following reservations, the LEA certifies it will comply with the agreement of Section 2141(c).

Section 2141(c) available budget	\$1,651,202
Note: The available budget amount must be sufficient to cover the cost of activities in Section 2141(c) Non-Compliant Teacher Action Plan.	
<b>Professional Development</b>	
Professional development for teachers	\$1,626,202
Professional development for administrators	\$5,000
Subject matter project	
<b>Exams and Test Preparation</b>	
Exam fees, reimbursement	\$20,000
Test preparation training and or materials	
<b>Recruitment, Training, and Retaining</b>	
Recruitment activities	
Hiring incentive and or relocation allotment	
National Board Certification and or stipend	
Verification process for special settings (VPSS)	
University course work	
Total budgeted	\$1,651,202

**\*\*\*Warning\*\*\***

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Report Date: 2/11/2015

2014-15 Title III, Part A LEP LEA Allocations

The purpose of this data collection is to calculate the total allocation amount available to the LEA for Title III Part A LEP, and to report required reservations.

**CDE Program Contact:**

Patty Stevens, Title III Language Policy & Leadership Office, [pstevens@cde.ca.gov](mailto:pstevens@cde.ca.gov), 916-323-5838

2014-15 Title III, Part A LEP entitlement	\$1,007,416
2013-14 Carryover (As of June 30, 2014)	\$529,554
Repayment of funds	\$0
2014-15 Allocation	\$1,536,970
Administrative and indirect costs	\$30,137
2014-15 Adjusted allocation	\$1,506,833

\*\*\*Warning\*\*\*

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Report Date:2/11/2015



**2014-15 Title III, Part A LEP YTD Expenditure Report, 6 Months**

A report of year-to-date expenditures by activity. Activity period covered is July 1, 2014 through December 30, 2014.

**CDE Program Contact:**

Patty Stevens, Title III Language Policy & Leadership Office, [pstevens@cde.ca.gov](mailto:pstevens@cde.ca.gov), 916-323-5838  
 Geoffrey Ndirangu, Language Policy & Leadership Office, [gndirang@cde.ca.gov](mailto:gndirang@cde.ca.gov), 916-323-5831

**Required and Authorized LEP Sub-grantee Activities**

**Required**

Section 3115 (c)(1) To increase the English Proficiency by providing high-quality language instruction educational programs that are based on scientifically based research demonstrating the effectiveness of the programs.

Section 3115 (c)(2) To provide high quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, administrators, and other school or community-based organizational personnel.

**Authorized**

- (1) Upgrading program objectives and effective instruction strategies.
- (2) Improving the instruction program for limited English proficient children by identifying acquiring and upgrading curricula, instruction materials, educational software, and assessment procedures.
- (3) Providing tutorials and academic or vocational education for limited English proficient children and intensified instruction.
- (4) Developing and implementing elementary school or secondary school language instruction educational programs that are coordinated with other relevant programs and services.
- (5) Improving the English proficiency and academic achievement of limited English proficient children.
- (6) Providing community participation programs, family literacy services and parent outreach and training activities to limited English proficient children and their families.

2014-15 Title III, Part A LEP entitlement	\$1,007,416
<b>Object Code - Activity</b>	
1000-1999 Certificated personnel salaries	\$329,285
2000-2999 Classified personnel salaries	\$0
3000-3999 Employee benefits	\$105,778
4000-4999 Books and supplies	\$0
5000-5999 Services and other operating expenditures	\$0
Administrative and indirect costs	\$8,701
Total year-to-date expenditures	\$443,764
2014-15 Unspent funds	\$563,652
General comment (Maximum 500 characters)	

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Report Date:2/11/2015

2014-15 Consolidation of Administrative Funds

A request by the LEA to consolidate administrative funds for specific programs.

**CDE Program Contact:**

Julie Brucklacher, Financial Accountability & Info Srv, [jbruckla@cde.ca.gov](mailto:jbruckla@cde.ca.gov), 916-327-0858

Title I, Part A (Basic) SACS Code 3010	No
Title I, Part C (Migrant Education) SACS Code 3060	No
Title I, Part D (Delinquent) SACS Code 3025	No
Title II, Part A (Teacher Quality) SACS Code 4035	No
Title II, Part A (Administrator Training) SACS Code 4036	No
Title III (Immigrant Students) SACS Code 4201	No
Title III (LEP Students) - 2% maximum SACS Code 4203	No
Title IV, Part B (21st Century Community Learning Centers) SACS Code 4124	No

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Report Date:2/11/2015

**Board Agenda Item**

**Subject:**

Division: Learning Support Services

Approval of the Annual Site Local Control Accountability Plans

**Action Requested:**

The Board of Education is requested to approve the site Local Control Accountability Plans.

**Discussion:**

The 2014-2015 site Local Control Accountability Plans (LCAP) serve as the site-based planning tool to facilitate the implementation and attainment of the Elk Grove Unified School District Local Control Accountability Plan. These site plans will serve as the roadmap for school based planning for the 14-15 school year, and have been consolidated into a comprehensive plan that meets the requirements of the Single Plan for Student Achievement (E.C 64001) and the alignment of the site goals to the Local Control Accountability Plan (E.C. 52062). These plans allows school sites to implement the LCAP goals, in addition to federal requirements, for programs that serve students overall by school, and by subgroup. Based on both the evaluation of the 2013-2014 student performance data and current student data, school sites establish performance targets for the 2014-2015 school year and align appropriate resources to meet those targets. The following funding sources are included in the site LCAP: Title I, Title II, and specific set asides funded from the district LCFF funding.

The process for the development of the site LCAP includes a review of the previous year's data. Site teams including administration, teachers, and parents use data sources to establish school wide goals that are in alignment with the District's LCAP goals. Parents are given the opportunity to provide input at the School Site Council and English Learner Advisory committees. Once site goals are established, the school's resources are aligned to optimally support student achievement. The School Site Council then formally approves both the site LCAP and the budget. Plans are then submitted to the Department of Learning Support Services for review. The last step in the process is for the Board of Education to approve the site plans.

Title I Schools have a "Fundamentally Different" version of the plan as required by Program Improvement. Their plan provides more detailed strategies for academic improvement that are generated by teachers at each grade level through the Decision Making Framework model. Additionally, the fundamentally different school plan includes the site's Corrective Action.

All site plans are available for review in the Office of Learning Support Services and at each site.

**Financial Summary:**

Funding for these plans came from Title I, Title II, and specific set asides funded from the district LCFF funding.

Prepared By: Sonjhia Lowery *SL*

Division Approval: Mark Cerutti *M.C.*

Prepared By: *Sonjhia Lowery*

Superintendent Approval: Christopher R. Hoffman *CRH*

## Board Agenda Item

**Subject:**Department: Curriculum/Professional Learning**Instructional Materials Adoption****Action Requested:**

The Board of Education is requested to adopt the following instructional materials.

**Discussion:**

In accordance with BP 6161.1, the following instructional materials have been reviewed and approved by the appropriate subject-area steering committees, the Curriculum Standards Committee, have the approval of principals, and are being submitted to the Board of Education for adoption.

**BASIC**

*Realidades 3*, Copyright 2014 by Pearson Education, Inc.  
(Spanish for Native Speakers, Level 1, Grades 9-12)

*Realidades 4*, Copyright 2014 by Pearson Education, Inc.  
(Spanish for Native Speakers, Level 2, Grades 9-12)

*Kisetsu 1: Haru-Ichiban, Workbook Volume III*, Copyright 2014 by Kisetsu Educational Group  
(Japanese 1, Grades 7-12, Teacher Use Only)

*Inside Common Core (Language, Literacy, and Content), Fundamentals, Volume 1*,  
Copyright 2014 by National Geographic Learning, Cengage Learning (ELD, Grades 7-8)

**SUPPLEMENTAL**

*Quick-Word Handbook for Beginning Writers*, Copyright 2010 by Curriculum Associates  
(ELA, Grades K-6)

*Quick-Word Handbook for Everyday Writers* Writers, Copyright 2010 by Curriculum Associates  
(ELA, Grades K-6)

*Alice in Wonderland*, Copyright 2001 by Scholastic, Inc. (ELA, Grade 4)

*Academic Vocabulary Toolkit, Grades 3, 4, and 5*, Copyright 2015 by National Geographic Learning,  
Cengage Learning (ELD, Grades 3-5)

**Financial Summary:**

Basic textbooks are textbooks that will be paid for using the EGUSD Instructional Materials budget and Lottery (Prop 20) funds.

Supplemental materials are materials that sites may opt to purchase using site funds.

Prepared By: Anna TrunnellDivision Approval: Mark Cerutti

Prepared By: \_\_\_\_\_

Superintendent's Approval: Christopher R. Hoffman

**Board Agenda Item**

**Subject: :** **Division: Secondary Education**  
Board Policy and Administrative Regulation 6145.2 Instruction/Athletic Competition

**Action Requested:**  
The Board of Education is requested to approve the proposed revisions of Board Policy and Administrative Regulation 6145.2, Instruction/Athletic Competition.

**Discussion:**  
The district has been advised to update its current Board Policy and Administrative Regulation 6145.2 to comply with Assembly Bill 1266, Pupil Rights: (transgender student) sex-segregated school programs and activities. This policy and administrative regulation was last revised in 1994. New and/or replacement language aligns with the California School Board Association (CSBA) model policies. A copy of the proposed language is attached. Significant changes to the policy include inclusion of language to address the following:

- Non-discrimination and equivalent opportunities in athletics to include gender, gender identity and gender expression
- Health and safety information adding concussions and head injuries
- Notifications for parents on how to file a discrimination complaint and of the risk associated with all athletic competition

**Financial Summary:**  
N/A

Prepared By: Rod Edmiston Division Approval: Christina C. Penna

Prepared By: \_\_\_\_\_ Superintendent Approval: Christopher R. Hoffman

# REVISIONS

**Instruction**

**BP 6145.2(a)**

## **INTERSCHOLASTIC COMPETITION**

~~The Governing Board recognizes the interscholastic athletic program constitutes an integral component of the educational program. Within the district's financial and personnel constraints, the interscholastic program shall be geared to students' interests and abilities and varied in scope to ensure wide participation. In accordance with law, the district shall provide equivalent opportunities to both sexes and shall maintain control over all aspects of the program.~~

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

~~Participation in the district interscholastic program is limited to those students who meet the district's eligibility requirements.~~

~~(cf. 6145 Extracurricular and Co-curricular Activities)~~

## **Health and Safety**

~~The Board desires to give student health and safety the highest consideration in planning and conducting interscholastic activities. Universal precautions shall be observed when injuries occur and when handling bloody dressings, mouthguards and other articles containing body fluids.~~

~~(cf. 4119.42 Exposure Control Plan for Bloodborne Pathogens)~~

~~(cf. 4119.43 Universal Precautions)~~

~~All athletic teams shall be supervised by qualified coaches. Athletic events shall be officiated by qualified licensed personnel.~~

~~(cf. 4127 Temporary Athletic Team Coaches)~~

~~Special care shall be taken to ensure that all interscholastic training and competition is conducted in a manner which will not overtax the physical capabilities of the participants. Students shall have a medical examination before participating in the interscholastic program. Protective equipment shall be used to prevent or minimize injuries.~~

~~(cf. 5141.3 Health Examinations)~~

~~(cf. 5143 Insurance)~~

## **Open Participation**

~~The Board recognizes that participation in athletic competition promotes a positive school climate. The Board encourages all students to try out for athletic teams. Coaches shall accept as many students as possible on their teams. Expanded team membership may include students who work out with the team but do not participate in competitions.~~

~~(cf. 5137 Positive School Climate)~~

**INTERSCHOLASTIC COMPETITION (cont'd)****California Interscholastic Federation**

The Board maintains membership in the California Interscholastic Federation (CIF) and requires that interscholastic athletic activities be conducted according to CIF rules, regulations and policies, except as the Board may direct otherwise.

The Board recognizes the importance of selecting CIF representatives who best reflect the needs and concerns of the district. In selecting these representatives, the Board shall consider all qualified parents/guardians, district employees, and other members of the community.

CIF representatives shall report periodically to the Board to ensure that the goals and aims of the district are accurately represented.

**Legal Reference: EDUCATION CODE**

- 40 Prohibited sex discrimination
- 41 School sponsored athletic programs; prohibited sex discrimination
- 200-261 Prohibition of discrimination on the basis of sex
- 33353 California Interscholastic Federation: implementation of policies
- 33353.5 California Interscholastic Federation: insurance program
- 33354 Authority over interscholastic athletics
- 35160.5 District policies; rules and regulations
- 35179 Interscholastic athletics
- 3961-7 Football equipment
- 48930-48938 Student organizations
- 49020 Athletic programs: Legislative intent
- 49021 Equal opportunity for male and female students
- 49022 Apportionment of funds for athletic programs
- 49023 Expenditure of public funds; prohibited sex discrimination

**CODE OF REGULATIONS, TITLE 5**

- 4900-4962 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
- 5531 Supervision of extracurricular activities of pupils
- 5590-5596 Employment of noncertificated coaches
- Hartzell v. Connell (1984) 35 Cal. 3d 889

Policy **ELK GROVE UNIFIED SCHOOL DISTRICT**

Adopted: October 29, 1984 **Elk Grove, California**

Revised: September 8, 1987

Revised: July 5, 1994

**Athletic Competition**

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 5030 - Student Wellness)

(cf. 5137 - Positive School Climate)

(cf. 6142.7 - Physical Education and Activity)

(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

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

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)

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

(cf. 1325 - Advertising and Promotion)

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

(cf. 3290 - Gifts, Grants and Bequests)

**Nondiscrimination and Equivalent Opportunities in the Athletic Program**

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)



**California Interscholastic Federation**

The Board maintains membership in the California Interscholastic Federation (CIF) and requires that interscholastic athletic activities be conducted in accordance with Board policy, administrative regulations, and CIF bylaws and rules. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

Upon recommendation of the Superintendent, the Board shall annually designate an employee from each high school to serve as a representative to the local CIF league. Appointees shall represent the district in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's understanding of the district's goals for student learning and interscholastic and extracurricular activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and individual interpersonal communication and leadership skills.

The Superintendent or designee shall ensure that the district representatives to CIF report regularly to the Board on league, section, and statewide issues, as well as activities and prospective actions related to athletic programs.

(cf. 0500 - Accountability)

**Student Eligibility**

Eligibility requirements for participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement and residency, shall be the same as those set by the district for participation in extracurricular and co-curricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program.

(cf. 3260 - Fees and Charges)

**Sportsmanship**

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Codes of Conduct adopted by CIF. Students and staff may be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5144 - Discipline)

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

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

**Health and Safety**

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5143 - Insurance)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event that an injury occurs, the coach or other appropriate district employee shall observe universal precautions and shall remove the student athlete from the activity and/or seek medical treatment for the student as appropriate.

**Instruction**

**BP 6145.2(d)**

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

270-271 Athletes' Bill of Rights

17578 Cleaning and sterilizing of football equipment

17580-17581 Football equipment

32221.5 Required insurance for athletic activities

33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program

33354 California Department of Education authority over interscholastic athletics

35160.5 District policies; rules and regulations

35179 Interscholastic athletics

48850 Interscholastic athletics; students in foster care

48900 Grounds for suspension and expulsion

48930-48938 Student organizations

49020-49023 Athletic programs; legislative intent, equal opportunity

49030-49034 Performance-enhancing substances

49458 Health examinations, interscholastic athletic program

49475 Health and safety, concussions and head injuries

49700-49701 Education of children of military families

51242 Exemption from physical education for high school students in interscholastic athletic program

PENAL CODE

245.6 Hazing

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs, especially:

4920-4922 Nondiscrimination in intramural, interscholastic, and club activities

5531 Supervision of extracurricular activities of students

5590-5596 Employment of noncertificated coaches

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 Nondiscrimination on the basis of sex in education programs or activities

106.33 Comparable facilities

106.41 Nondiscrimination in athletic programs

COURT DECISIONS

Mansourian v. Regents of University of California, (2010) 594 F. 3d 1095

Kahn v. East Side Union High School District, (2004) 31 Cal. 4th 990t

McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

CSBA PUBLICATIONS

Student Fees Litigation Update, Education Legal Alliance Advisory, May 20, 2011

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

Guidelines for Gender Identity Participation

California Interscholastic Federation Constitution and Bylaws

A Guide to Equity in Athletics

Acute Concussion Evaluation (ACE) Care Plan, 2006

Pursuing Victory with Honor, 1999

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Heads Up: Concussion in High School Sports, Tool Kit, June 2010

Heads Up: Concussion in Youth Sports, Tool Kit, July 2007

OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010

WEB SITES

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

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

California Interscholastic Federation: <http://www.cifstate.org>

Centers for Disease Control and Prevention, Concussion Resources:

<http://www.cdc.gov/concussion>

National Federation of State High School Associations: <http://www.nfhs.org>

National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>

U.S. Anti-Doping Agency: <http://www.usada.org>

U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>

(3/07 11/09) 11/11

Policy

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Adopted: October 29, 1984

**Elk Grove, California**

Revised: September 8, 1987

Revised: July 5, 1994

Revised: January 6, 2015

**Instruction**

**BP 6145.2(a)**

**Athletic Competition**

The Governing Board recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 3541.1 - Transportation for School-Related Trips)

(cf. 5030 - Student Wellness)

(cf. 5137 - Positive School Climate)

(cf. 6142.7 - Physical Education and Activity)

(cf. 7110 - Facilities Master Plan)

All athletic teams shall be supervised by qualified coaches to ensure that student athletes receive appropriate instruction and guidance related to safety, health, sports skills, and sportsmanship. Athletic events shall be officiated by qualified personnel.

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

The Board encourages business and community support for district athletic programs, subject to applicable district policies and regulations governing advertisements and donations.

(cf. 1260 - Educational Foundation)

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

(cf. 1325 - Advertising and Promotion)

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

(cf. 3290 - Gifts, Grants and Bequests)

**Nondiscrimination and Equivalent Opportunities in the Athletic Program**

The district's athletic program shall be free from discrimination and discriminatory practices prohibited by state and federal law. The Superintendent or designee shall ensure that equivalent athletic opportunities are provided for males and females.

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Any complaint regarding the district's athletic program shall be filed in accordance with the district's uniform complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

**California Interscholastic Federation**

The Board maintains membership in the California Interscholastic Federation (CIF) and requires that interscholastic athletic activities be conducted in accordance with Board policy, administrative regulations, and CIF bylaws and rules. The Superintendent or designee shall have responsibility for the district's interscholastic athletic program, while the principal or designee at each participating school shall be responsible for site-level decisions, as appropriate.

Upon recommendation of the Superintendent, the Board shall annually designate an employee from each high school to serve as a representative to the local CIF league. Appointees shall represent the district in performing all duties required by the CIF league. In making this selection, the Board shall consider the employee's understanding of the district's goals for student learning and interscholastic and extracurricular activities, knowledge of the athletic programs, awareness of the implications of league decisions for the school and the district, and individual interpersonal communication and leadership skills.

The Superintendent or designee shall ensure that the district representatives to CIF report regularly to the Board on league, section, and statewide issues, as well as activities and prospective actions related to athletic programs.

(cf. 0500 - Accountability)

**Student Eligibility**

Eligibility requirements for participation in the district's interscholastic athletic program, including requirements pertaining to academic achievement and residency, shall be the same as those set by the district for participation in extracurricular and co-curricular activities.

(cf. 3530 - Risk Management/Insurance)

(cf. 5111.1 - District Residency)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6162.52 - High School Exit Examination)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)

In addition, the Superintendent or designee shall ensure that students participating in interscholastic athletics governed by CIF satisfy CIF eligibility requirements.

Students shall not be charged a fee to participate in an athletic program.

(cf. 3260 - Fees and Charges)

**Sportsmanship**

The Board values the quality and integrity of the athletic program and the character development of student athletes. Student athletes, coaches, parents/guardians, spectators, and others are expected to demonstrate good sportsmanship, ethical conduct, and fair play during all athletic competitions. They shall also abide by the core principles of trustworthiness, respect, responsibility, fairness, caring, and good citizenship and the Codes of Conduct adopted by CIF. Students and staff may be subject to disciplinary action for improper conduct.

(cf. 3515.2 - Disruptions)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.4 - Student Disturbances)

(cf. 5144 - Discipline)

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

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

**Health and Safety**

The Board desires to give student health and safety the highest consideration in planning and conducting athletic activities.

Students shall have a medical clearance before participating in interscholastic athletic programs. Care shall be taken to ensure that all athletic trainings and competitions are conducted in a manner that will not overtax the physical capabilities of the participants. When appropriate, protective equipment shall be used to prevent or minimize injuries.

(cf. 5131.61 - Drug Testing)

(cf. 5131.63 - Steroids)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

(cf. 5141.7 - Sun Safety)

(cf. 5143 - Insurance)

Coaches and appropriate district employees shall take every possible precaution to ensure that athletic equipment is kept in safe and serviceable condition. The Superintendent or designee shall ensure that all athletic equipment is cleaned and inspected for safety before the beginning of each school year.

(cf. 5142 - Safety)

In the event that an injury occurs, the coach or other appropriate district employee shall observe universal precautions and shall remove the student athlete from the activity and/or seek medical treatment for the student as appropriate.

**Instruction****BP 6145.2(d)**

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)  
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)  
(cf. 5141 - Health Care and Emergencies)  
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)  
(cf. 5141.22 - Infectious Diseases)

## Legal Reference:

## EDUCATION CODE

200-262.4 Prohibition of discrimination  
270-271 Athletes' Bill of Rights  
17578 Cleaning and sterilizing of football equipment  
17580-17581 Football equipment  
32221.5 Required insurance for athletic activities  
33353-33353.5 California Interscholastic Federation; implementation of policies, insurance program  
33354 California Department of Education authority over interscholastic athletics  
35160.5 District policies; rules and regulations  
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48900 Grounds for suspension and expulsion  
48930-48938 Student organizations  
49020-49023 Athletic programs; legislative intent, equal opportunity  
49030-49034 Performance-enhancing substances  
49458 Health examinations, interscholastic athletic program  
49475 Health and safety, concussions and head injuries  
49700-49701 Education of children of military families  
51242 Exemption from physical education for high school students in interscholastic athletic program

## PENAL CODE

245.6 Hazing

## CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs, especially:  
4920-4922 Nondiscrimination in intramural, interscholastic, and club activities  
5531 Supervision of extracurricular activities of students  
5590-5596 Employment of noncertificated coaches

## UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

## CODE OF FEDERAL REGULATIONS, TITLE 34

106.31 Nondiscrimination on the basis of sex in education programs or activities  
106.33 Comparable facilities  
106.41 Nondiscrimination in athletic programs



## **Instruction**

**BP 6145.2(e)**

### **COURT DECISIONS**

Mansourian v. Regents of University of California, (2010) 594 F. 3d 1095  
Kahn v. East Side Union High School District, (2004) 31 Cal. 4th 990t  
McCormick v. School District of Mamaroneck, (2004) 370 F.3d 275  
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Intercollegiate Athletics Policy Clarification: The Three-Part Test - Part Three, Dear Colleague letter, April 20, 2010

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<http://www.cdc.gov/concussion>  
National Federation of State High School Associations: <http://www.nfhs.org>  
National Operating Committee on Standards for Athletic Equipment: <http://www.nocsae.org>  
U.S. Anti-Doping Agency: <http://www.usada.org>  
U.S. Department of Education, Office for Civil Rights: <http://www2.ed.gov/ocr>  
(3/07 11/09) 11/11

Policy

Adopted: October 29, 1984  
Revised: September 8, 1987  
Revised: July 5, 1994  
Revised: January 6, 2015

**ELK GROVE UNIFIED SCHOOL DISTRICT**  
**Elk Grove, California**

**ATHLETIC COMPETITION****Nondiscrimination and Equivalent Opportunities in the Athletic Program**

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

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

(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

Each student shall be allowed to participate in any single-sex athletic program or activity consistent with his/her gender identity and for which he/she is otherwise eligible to participate, irrespective of the gender listed on the student's records.

When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

When determining whether equivalent opportunities are available to both sexes in athletic programs, the Superintendent or designee shall consider, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the selection of sports and levels of competition offered effectively accommodate the interests and abilities of both sexes

The athletic program shall be considered to effectively accommodate the interests and abilities of both sexes if it meets one of the following criteria: (Education Code 230)

a. The interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments.

**ATHLETIC COMPETITION (continued)**

- b. When the members of one sex have been and are underrepresented among interscholastic athletes, the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex.
- c. When the members of one sex are currently underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #b above, the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.
- 2. The provision and maintenance of equipment and supplies
- 3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
- 4. Travel allowances
- 5. Opportunities to receive coaching and academic tutoring
- 6. Assignment and compensation of coaches and tutors
- 7. Provision of locker rooms and practice and competitive facilities
- 8. Provision of training facilities
- 9. Publicity
- 10. Provision of necessary funds

**Health and Safety**

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

**ATHLETIC COMPETITION (continued)**

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be removed immediately from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. (Education Code 49475)

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

The Superintendent or designee shall provide training to coaches, athletic trainers, and/or school nurses regarding concussion symptoms, prevention, and appropriate response.

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

**Parental Notifications**

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

2. Includes a copy of the Athletes' Bill of Rights pursuant to Education Code 271
3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)

**ATHLETIC COMPETITION (continued)**

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions

(cf. 3541.1 - Transportation for School-Related Trips)

6. States the Governing Board's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

Regulation

**ELK GROVE UNIFIED SCHOOL DISTRICT**

Approved: October 29, 1984

**Elk Grove, California**

Revised: July 5, 1994

Revised: January 6, 2015

## Instruction

AR 6145.2(a)

## ATHLETIC COMPETITION

**Nondiscrimination and Equivalent Opportunities in the Athletic Program**

No student shall be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise be discriminated against in interscholastic, intramural, or club athletics on the basis of actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, or any other basis specified in law. (Education Code 220, 221.5, 230; 5 CCR 4920; 34 CFR 106.41)

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

The Superintendent or designee may provide single-sex teams when selection for the teams is based on competitive skills. (5 CCR 4921; 34 CFR 106.41)

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When a school provides only one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have been previously limited, members of the excluded sex shall be allowed to try out and compete with the team. The same standards for eligibility shall be applied to every student trying out for the team, regardless of sex, sexual orientation, gender, gender identity, gender expression, or other protected group status. (5 CCR 4921; 34 CFR 106.41)

When determining whether equivalent opportunities are available to both sexes in athletic programs, the Superintendent or designee shall consider, among other factors: (5 CCR 4922; 34 CFR 106.41)

1. Whether the selection of sports and levels of competition offered effectively accommodate the interests and abilities of both sexes

The athletic program shall be considered to effectively accommodate the interests and abilities of both sexes if it meets one of the following criteria: (Education Code 230)

- a. The interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments.

**ATHLETIC COMPETITION (continued)**

- b. When the members of one sex have been and are underrepresented among interscholastic athletes, the district can show a history and a continuing practice of program expansion that is demonstrably responsive to the developing interests and abilities of the members of that sex.
  - c. When the members of one sex are currently underrepresented among interscholastic athletes and the district cannot show a history and continuing practice of program expansion as required in item #b above, the district can demonstrate that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.
2. The provision and maintenance of equipment and supplies
  3. Scheduling of games and practice times, selection of the season for a sport, and location of the games and practices
  4. Travel allowances
  5. Opportunities to receive coaching and academic tutoring
  6. Assignment and compensation of coaches and tutors
  7. Provision of locker rooms and practice and competitive facilities
  8. Provision of training facilities
  9. Publicity
  10. Provision of necessary funds

**Health and Safety**

The Superintendent or designee shall annually distribute to student athletes and their parents/guardians an information sheet on concussions and head injuries. The student and parent/guardian shall sign and return the information sheet before the student's initiating practice or competition. (Education Code 49475)

(cf. 5145.6 - Parental Notifications)

**ATHLETIC COMPETITION** (continued)

If a student athlete is suspected of sustaining a concussion or head injury in an athletic activity, he/she shall be removed immediately from the activity for the remainder of the day. The student shall not be permitted to return to the activity until he/she is evaluated by a licensed health care provider trained in the management of concussions and receives the health care provider's written clearance to return to the activity. (Education Code 49475)

The Superintendent or designee shall notify the student's parent/guardian of the date, time, and extent of any injury suffered by the student and any actions taken to treat the student.

The Superintendent or designee shall provide training to coaches, athletic trainers, and/or school nurses regarding concussion symptoms, prevention, and appropriate response.

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

**Parental Notifications**

Before a student participates in interscholastic athletic activities, the Superintendent or designee shall send a notice to the student's parents/guardians which:

1. Contains information about the procedures for filing a discrimination complaint that arises out of an interscholastic athletic activity, including the name of the district's Title IX Coordinator

(cf. 1312.3 - Uniform Complaint Procedures)

2. Includes a copy of the Athletes' Bill of Rights pursuant to Education Code 271
3. Explains that there is an element of risk associated with all athletic competitions and that the district cannot guarantee that students will not be injured, despite a commitment to every participant's health and welfare

(cf. 3530 - Risk Management/Insurance)

4. Provides information about insurance protection pursuant to Education Code 32221.5

(cf. 5143 - Insurance)



**Instruction**

AR 6145.2(d)

**ATHLETIC COMPETITION (continued)**

5. Requests parental permission for the student to participate in the program and, if appropriate, be transported by the district to and from competitions

(cf. 3541.1 - Transportation for School-Related Trips)

6. States the Governing Board's expectation that students adhere strictly to all safety rules, regulations, and instructions, as well as rules and guidelines related to conduct and sportsmanship

(cf. 5144 - Discipline)

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

7. Includes information about the CIF bylaw and district policy requiring any student athlete and his/her parent/guardian to sign a statement that the student will not use steroids or dietary supplements banned by the U.S. Anti-Doping Agency

(cf. 5131.63 - Steroids)

Regulation

Approved: October 29, 1984

Revised: July 5, 1994

Revised: January 6, 2015

**ELK GROVE UNIFIED SCHOOL DISTRICT**  
**Elk Grove, California**