



CLOVIS UNIFIED SCHOOL DISTRICT
1450 Herndon Avenue • Clovis, California 93611-0599

GOVERNING BOARD MEETING

September 9, 2020

***Professional Development Building, Boardroom
1680 David E. Cook Way, Clovis, California***

5:30 P.M. – CLOSED SESSION

6:30 P.M. – PUBLIC SESSION

This meeting of the Governing Board of Clovis Unified School District is livestreamed and may be accessed at <https://www.youtube.com/user/clovisusd/feed>. Pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any or all Board Members and members of the public may attend board meetings by telephone. Members of the public who wish to provide public comments are requested to complete a public presentation form, which may be accessed at <https://www.cusd.com/RequestforPublicPresentation.aspx>. Please submit all such requests before 6:45 p.m. on the day of this Board meeting.

All public comments relating to a public hearing are to be made during the public hearing. Those comments on items that are on the agenda are to be made when the item is called by the Board President. Those comments on matters that are not on the agenda are to be made during the Public Presentation. All public comments are limited to three minutes per speaker. For those members of the public who request to provide public comments via telephone, a District staff member will call the speaker. For those public members who wish to attend the meeting and/or make public comments in person, the board meeting room indicated above is open. However, the Board may limit the number of persons in the board meeting room at any time pursuant to guidance from public health officials.

Regular Meeting AGENDA

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In compliance with the Americans with Disabilities Act, if you need special assistance to access the Board meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Superintendent's Office at 327-9100. Notification at least 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting.

Public records relating to an open session agenda item of a regular meeting that are distributed within 72 hours prior to the meeting will be available for public inspection at the District Office, 1450 Herndon Avenue, Clovis, California.

An invocation may be held prior to the start of the Board meeting. Attendance during and participation in the invocation are optional and voluntary. No students, parents, members of the public, Board members, student board member, or employees are required to attend or participate in the invocation.

INVOCATION

- A. CALL TO ORDER**
- B. ROLL CALL**

C. CLOSED SESSION

1. APPOINTMENT/EMPLOYMENT OF INDIVIDUALS IN POSITIONS LISTED IN BOARD POLICY EXHIBITS NO. 6401, 6402, 6403, 6404, 6405 AND 6407 (Gov't. Code §54957)
2. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/SUSPENSION (Gov't. Code §54957)
3. CONFERENCE WITH LABOR NEGOTIATORS (Education Code §54957.6) Agency Negotiator – Eimear O'Farrell, Ed.D., Supt. Negotiating Parties – Contracted Emps., Cert. Mgmt., Cert. Teachers, Class. Emps., Class. Mgmt. & Ops. Unit (Represented by CSEA Clovis Chapter 250)
4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant Exposure to Litigation Pursuant to Subdivision (d)(2) of Gov't. Code §54956.9 – 1 Potential Case
5. STUDENT DISCIPLINE AND OTHER CONFIDENTIAL STUDENT MATTERS (Education Code §48900 et seq. and §35146)

D. RECONVENE FOR PUBLIC SESSION

E. PLEDGE OF ALLEGIANCE

F. SUPERINTENDENT'S REPORT

G. RECOGNITION OF VISITORS

H. APPROVAL OF MINUTES

1. August 26, 2020, Regular Governing Board Meeting and September 2, 2020 Special Governing Board Meeting Minutes
Approve the minutes of the August 26, 2020, regular Governing Board meeting, and the September 2, 2020, special Governing Board meeting, as submitted.

(Action to add to or delete items from any portion of the agenda or to discuss any consent agenda items must be taken PRIOR to adoption of the agenda.)

I. ADOPTION OF AGENDA

J. SPECIAL PRESENTATIONS

1. Introduction of Student Representatives at 2020-21 Board Meetings
Five Student Representatives, representing all of Clovis Unified's comprehensive high schools, will be introduced to the Governing Board members through a video. The Student Representatives will alternate attending Board meetings during the 2020-21 school year.

K. PUBLIC HEARINGS

1. Public Hearing on the Learning Continuity and Attendance Plan (LCAP)
Clovis Unified School District's Governing Board will conduct a Public Hearing related to the Learning Continuity and Attendance Plan (LCAP) during the September 9, 2020, Board meeting at 6:45 p.m.
2. Public Hearing on the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School
Clovis Unified School District's Governing Board will conduct a Public Hearing related to the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School during the September 9, 2020, Board meeting at 6:45 p.m.

L. PUBLIC PRESENTATIONS

This time is reserved for individuals who may wish to address the Board regarding a matter that is not included on the

agenda. Presentations are limited to three minutes per individual. Please note that because the items brought up by the public during this time are not on the agenda, the Governing Board may not discuss or act upon such items.

M. CLOSED SESSION MOTIONS

N. CONSENT

1. Conference Requests
Approve the Conference Requests, as submitted.
2. Fundraiser Requests
Approve the Fundraiser Requests, as submitted.
3. Student Trip Requests
Approve the Student Trip Requests, as submitted.
4. Voluntary Community Recreation Programs
Approve the Voluntary Community Recreation Programs, as submitted.
5. Ratification of Purchase Orders, District Contracts and Check Register
Ratify Purchase Orders, District Contracts, and Warrants numbered 617633 through 618647.
6. Change Orders
Approve the Change Orders, as submitted.
7. Notice of Completion
Adopt the Notice of Completion, as submitted.

O. ACTION

In general (unless otherwise noted), these items were seen for Information at the prior Board meeting and will be voted on at this meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Resolution No. 3781 – Annual Budget Transfers 2019-20
Adopt Resolution No. 3781 authorizing budget transfers for the 2019-20 fiscal year for funds operated by the District.
2. Annual 2019-20 Financial Report
Accept the 2019-20 Annual Financial Report, as submitted.
3. Resolution No. 3773 – Annual Recalculated 2019-20 Gann Limit Appropriation and Estimated 2020-21 Gann Limit Appropriation
Adopt Resolution No. 3773 to recalculate the 2019-20 Gann Limit Appropriation and estimate the 2020-21 Gann Limit Appropriation.
4. Career Technical Education Service Agreement with California Teaching Fellows Foundation
Authorize the Superintendent or designee to accept and execute a service agreement with California Teaching Fellows Foundation (CTFF) for the 2020-21 school year, as submitted.
5. Nominations to California School Boards Association Directors-at-Large, Asian/Pacific Islander and/or Hispanic
The Board may, if it so chooses, nominate Directors-at-Large, Asian/Pacific Islander and/or Hispanic, to California School Boards Association (CSBA).
6. Annual Fresno County School Trustees Association Dues for 2020-21
Authorize payment of annual membership dues in the amount of \$300 to the Fresno County School Trustees Association for the 2020-21 school year.
7. Provisional Internship Permit
Approve the Provisional Internship Permit for the recommended teaching candidate, as submitted.

P. INFORMATION

Unless otherwise noted, these items are on the agenda to provide time for Board members to review prior to taking action on the items at the next Board meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Annual Agreement with Educational Resource Consultants for Grant Writing and Research
Authorize the Superintendent or designee to enter into an agreement with Educational Resource Consultants (ERC) for the purpose of grant writing and research, as submitted.
2. California Classified School Employee Grant 2020-21
Authorize the Superintendent or designee to accept Grant Award C4 and Grant Award C333, Classified School Employee Grant from the California Commission on Teacher Credentialing, as submitted.
3. Annual English Learners Master Plan Revision
Authorize the Superintendent or designee to approve the revised Clovis Unified Master Plan – A Guide to Services for English Learners, as submitted.
4. Adopt the Learning Continuity and Attendance Plan for CUSD
Adopt the Learning Continuity and Attendance Plan for Clovis Unified School District for the 2020-21 school year, as submitted.
5. Adopt the Learning Continuity and Attendance Plan for Clovis Online School
Adopt the Learning Continuity and Attendance Plan for Clovis Online School for the 2020-21 school year, as submitted.
6. Award of Bid - Construction
Recommendation for Bid No. 2829 – CUSD Electric Bus Charging Facility Site Improvements will be brought to the Governing Board for Action at a future meeting.
7. Student Board Member Position Elimination and Transition to Multiple Student Representatives
Transition to allow for a greater number of District students to attend and present at Board meetings by eliminating the Student Board Member position.
8. Adopt Amended and New Board Policies: (1) 0000 – Philosophy, Goals, Objectives, and Comprehensive Plans ; (2) 1000 – Community Relations; (3) 2000 – Administration; and (4) 9000 – Board Bylaws
Adopt amended and new board policies in the following policy sets: (1) 0000 – Philosophy, Goals, Objectives, and Comprehensive Plans; (2) 1000 – Community Relations; (3) 2000 – Administration; and (4) 9000 – Board Bylaws.
9. Repeal Board Policies No. 1201, 1202, 3101, 5202, 6304, 9204, 9205 and 9401
Repeal Board Policies No. 1201, 1202, 3101, 5202, 6304, 9204, 9205 and 9401.

Q. BOARD MEMBER REPORTS

R. ADJOURNMENT

Title: August 26, 2020, Regular Governing Board Meeting and
September 2, 2020 Special Governing Board Meeting Minutes

CONTACT PERSON: Karen Randall

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the minutes of the August 26, 2020, regular Governing Board meeting, and the September 2, 2020, special Governing Board meeting, as submitted.

DISCUSSION:

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Minutes August 26, 2020 Regular Governing Board Meeting	8/28/2020	Backup Material
Minutes September 4, 2020 Special Governing Board Meeting	9/4/2020	Backup Material

REVISIONS:



CLOVIS UNIFIED SCHOOL DISTRICT
1450 Herndon Avenue • Clovis, California 93611-0599

GOVERNING BOARD MEETING

MINUTES

August 26, 2020

***Professional Development Building, Boardroom
1680 David E. Cook Way, Clovis, California***

5:30 P.M. – CLOSED SESSION

6:30 P.M. – PUBLIC SESSION

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INVOCATION

Board Member Steven Fogg led the invocation.

A. CALL TO ORDER

Board President Christopher Casado called the regular Governing Board meeting to order at 5:31 p.m.

B. ROLL CALL

Board Members Present:

Christopher Casado, President
Susan K. Hatmaker, Clerk
Hugh Awtrey, Member
Steven G. Fogg, M.D., Member
Ginny L. Hovsepian, Member
Elizabeth "Betsy" Sandoval, Member

Board Members Absent:

Tiffany Stoker Madsen, Vice-President

District Administrators Present:

Eimear O'Farrell, Ed.D., Superintendent
Norm Anderson, Deputy Superintendent
Maiya Yang, General Counsel
Robyn Castillo, Ed.D., Associate Superintendent
Corrine Folmer, Associate Superintendent
Barry Jager, Associate Superintendent
Michael Johnston, Associate Superintendent
Karen Randall, Administrative Specialist

President Casado asked if anyone present wished to address the Board relative to items that would be considered in Closed Session. At 5:32 p.m., the Governing Board adjourned to Closed Session to discuss the following matters:

C. CLOSED SESSION

1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/SUSPENSION (Gov't. Code §54957)
2. APPOINTMENT/EMPLOYMENT OF INDIVIDUALS IN POSITIONS LISTED IN BOARD POLICY EXHIBITS NO. 6401, 6402, 6403, 6404, 6405 AND 6407 (Gov't. Code §54957)
3. CONFERENCE WITH LABOR NEGOTIATORS (Education Code §54957.6) Agency Negotiator – Eimear O'Farrell, Ed.D., Supt. Negotiating Parties – Contracted Emps., Cert. Mgmt., Cert. Teachers, Class. Emps., Class. Mgmt. & Ops. Unit (Represented by CSEA Clovis Chapter 250)
4. STUDENT DISCIPLINE AND OTHER CONFIDENTIAL STUDENT MATTERS (Education Code §48900 et seq. and §35146)

D. RECONVENE FOR PUBLIC SESSION

President Casado reconvened the public meeting at 6:38 p.m.

E. PLEDGE OF ALLEGIANCE

President Casado asked Board Member Hugh Awtrey to lead the Board members and meeting attendees in the Pledge of Allegiance.

F. SUPERINTENDENT'S REPORT

G. RECOGNITION OF VISITORS

Board President Casado welcomed the visitors present and explained the procedure for addressing the Board via online forms and telephone calls.

H. APPROVAL OF MINUTES

1. August 12, 2020, Regular Governing Board Meeting Minutes

Approved the minutes of the August 12, 2020, regular Governing Board meeting, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Ginny Hovsepian. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

(Action to add to or delete items from any portion of the agenda or to discuss any consent agenda items must be taken PRIOR to adoption of the agenda.)

I. ADOPTION OF AGENDA

Adopted the August 26, 2020, Governing Board meeting agenda, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

J. STAFF REPORTS

1. 2020-21 Opening of School Reports

Administrators and staff provided the Board with an update on the opening of the 2020-21 school year.

K. PUBLIC PRESENTATIONS

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L. CLOSED SESSION MOTIONS

Approved routine Personnel Matters, as submitted.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Steven Fogg. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

M. CONSENT

1. Fundraiser Requests

Approved the Fundraiser Requests, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

2. Student Trip Request

Approved the Student Trip Request, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

3. Voluntary Community Recreation Programs

Approved the Voluntary Community Recreation Programs, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

4. Ratification of Purchase Orders, District Contracts and Check Register

Ratified Purchase Orders, District Contracts, and Warrants numbered 617296 through 617632.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

5. Notices of Completion

Adopted the Notices of Completion, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

N. ACTION

In general (unless otherwise noted), these items were seen for Information at the prior Board meeting and will be voted on at this meeting. Agenda items titled "Annual" are recurring items submitted to the Board for approval yearly.

1. Teacher Residency Program Grant

Authorized the Superintendent or designee to accept grant awards of \$795,497.50 from the Commission on Teacher Credentialing to fund cohorts of Teacher Residents.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Steven Fogg. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

2. Resolution No. 3774 Annual Red Ribbon Week

Adopted Resolution No. 3774 identifying October 19-23, 2020, as "Red Ribbon Week" in Clovis Unified School District.

Motion: Approve, Moved By Board Member Betsy Sandoval, Seconded by Board Member Steven Fogg. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

3. Resolution No. 3779 - Establish Annual Tax Rate for Bonds

Adopted Resolution No. 3779 authorizing the debt service estimate to be provided to the County of Fresno respecting unsold general obligation bonds of the Clovis Unified School District for fiscal year 2020-21.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

4. Resolution No. 3780 - 180-Day Wait Period Exception

Adopted Resolution No. 3780 authorizing the District to hire a CalPERS retiree prior to the 180-day post-retirement waiting period.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

5. Schedule the Public Hearing on the Learning Continuity and Attendance Plan (LCAP)

Scheduled the Public Hearing related to the Learning Continuity and Attendance Plan (LCAP), as required by the Education Code Section 43509, to occur on Wednesday, September 9, 2020, at 6:45 p.m. at 1680 David E. Cook Way, Clovis.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Ginny Hovsepian. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

6. Schedule the Public Hearing on the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School

Scheduled the Public Hearing related to the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School, as required by the Education Code Section 43509, to occur on Wednesday, September 9, 2020, at 6:45 p.m. at 1680 David E. Cook Way, Clovis.

Motion: Approve, Moved By Board Member Ginny Hovsepian, Seconded by Board Member Betsy Sandoval. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

7. Provisional Internship Permit

Approved the Provisional Internship Permit for the recommended teaching candidate, as submitted.

Motion: Approve, Moved By Board Member Steven Fogg, Seconded by Board Member Hugh Awtrey. Passed. 6-0. Board Members voting Ayes: Awtrey, Casado, Fogg, Hatmaker, Hovsepian, Sandoval Board Members voting Absent: Stoker Madsen

O. INFORMATION

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1. Resolution No. 3781 – Annual Budget Transfers 2019-20

Adopt Resolution No. 3781 authorizing budget transfers for the 2019-20 fiscal year for funds operated by the District.

2. Annual 2019-20 Financial Report

Accept the 2019-20 Annual Financial Report, as submitted.

3. Resolution No. 3773 – Annual Recalculated 2019-20 Gann Limit Appropriation and Estimated 2020-21 Gann Limit Appropriation

Adopt Resolution No. 3773 to recalculate the 2019-20 Gann Limit Appropriation and estimate the 2020-21 Gann Limit Appropriation.

4. Career Technical Education Service Agreement with California Teaching Fellows Foundation

Authorize the Superintendent or designee to accept and execute a service agreement with California Teaching Fellows Foundation (CTFF) for the 2020-21 school year, as submitted.

5. Nominations to California School Boards Association Directors-at-Large, Asian/Pacific Islander

and/or Hispanic

The Board may, if it so chooses, nominate Directors-at-Large, Asian/Pacific Islander and/or Hispanic, to California School Boards Association (CSBA).

6. Annual Fresno County School Trustees Association Dues for 2020-21

Authorize payment of annual membership dues in the amount of \$300 to the Fresno County School Trustees Association for the 2020-21 school year.

P. BOARD MEMBER REPORTS

Q. ADJOURNMENT

With no further business before the Governing Board, President Casado adjourned the meeting at 9:25 p.m.

RESPECTFULLY SUBMITTED:

Clerk

Secretary



CLOVIS UNIFIED SCHOOL DISTRICT
1450 Herndon Avenue • Clovis, California 93611-0599

SPECIAL GOVERNING BOARD MEETING

MINUTES

September 2, 2020

***Professional Development Building, Boardroom
1680 David E. Cook Way, Clovis, California***

3:00 P.M. – PUBLIC SESSION

Pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 17, 2020, any or all Board Members and members of the public may attend board meetings by telephone. Members of the public who wish to provide public comments on any item that is on this agenda are requested to complete a public presentation form, which may be accessed at <https://www.cusd.com/RequestforPublicPresentation.aspx>. Please submit all such requests before 2:30 p.m. on the day of this special Board meeting. Public comments are limited to three minutes per speaker. For those members of the public who request to provide public comments via telephone, a District staff member will call the speaker. For those public members who wish to attend the meeting and/or make public comments in person, the board meeting room indicated above is open. However, the Board may limit the number of persons in the board meeting room at any time pursuant to guidance from public health officials.

Special Meeting AGENDA

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A. CALL TO ORDER

Board President Christopher Casado called the special Governing Board meeting to order at 3:08 p.m.

B. ROLL CALL

Board Members Present:

Christopher Casado, President

Tiffany Stoker Madsen, Vice-President

Hugh Awtrey, Member
Steven G. Fogg, M.D., Member, arrived at 5:15 p.m.
Ginny L. Hovsepian, Member
Elizabeth "Betsy" Sandoval, Member

Board Members Absent:
Susan K. Hatmaker, Clerk

District Staff Present:
Eimear O'Farrell, Ed.D., Superintendent
Norm Anderson, Deputy Superintendent
Maiya Yang, General Counsel
David Moreno, Outside Legal Counsel - Fagen Friedman & Fulfrost
Kelly Avants, APR, Chief Communication Officer
Roxanne Braswell, Chief Human Resources Officer
Robyn Castillo, Ed.D., Associate Superintendent
Corrin Folmer, Associate Superintendent
Barry Jager, Associate Superintendent
Michael Johnston, Associate Superintendent
Sara Sanchez, Executive Assistant

C. WORKSHOP

1. Board Policy Study Session: 4000 Personnel
Members of the Governing Board conducted a study session to review and discuss the renumbering and proposed amendments to the proposed policies in 4000 Personnel.

D. ADJOURNMENT

With no further business before the Board, the meeting was adjourned at 6:00 p.m.

Title: Introduction of Student Representatives at 2020-21 Board Meetings

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Five Student Representatives, representing all of Clovis Unified's comprehensive high schools, will be introduced to the Governing Board members through a video. The Student Representatives will alternate attending Board meetings during the 2020-21 school year.

DISCUSSION:

FISCAL IMPACT/FUNDING SOURCE:

REVISIONS:

Title: Public Hearing on the Learning Continuity and Attendance Plan (LCAP)

CONTACT PERSON: Robyn Castillo

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Clovis Unified School District's Governing Board will conduct a Public Hearing related to the Learning Continuity and Attendance Plan (LCAP) during the September 9, 2020, Board meeting at 6:45 p.m.

DISCUSSION:

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Notice of Public Hearing	9/3/2020	Backup Material

REVISIONS:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Clovis Unified School District will hold a Public Hearing and consider a new requirement in the Learning Continuity and Attendance Plan (LCAP) for 2020-21.

The Public Hearing will consider the findings required by Education Code 43509 regarding the requirements by the California Department of Education (CDE).

The Governing Board will hold the Public Hearing and consider the requirements September 9, 2020, Board meeting. The meeting will be held at 6:45 p.m. in the Board Meeting Room located in the Professional Development Building, 1680 David E. Cook Way, Clovis, California.

For further information, please contact Dr. Debbie Parra, Assistant Superintendent, Curriculum, Instruction and Accountability, 362 N. Clovis Avenue, Clovis, California 93612; Ph: (559) 327-0647; Fax: (559) 327-9378; Email: debbieparra@cusd.com

Title: Public Hearing on the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Clovis Unified School District's Governing Board will conduct a Public Hearing related to the Learning Continuity and Attendance Plan (LCAP) for Clovis Online School during the September 9, 2020, Board meeting at 6:45 p.m.

DISCUSSION:

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

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Notice of Public Hearing	9/3/2020	Backup Material

REVISIONS:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Governing Board of the Clovis Unified School District will hold a Public Hearing and consider a new requirement in the Learning Continuity and Attendance Plan (LCAP) for 2020-21 for Clovis Online School.

The Public Hearing will consider the findings required by Education Code 43509 regarding the requirements by the California Department of Education (CDE).

The Governing Board will hold the Public Hearing and consider the requirements during the September 9, 2020, Board Meeting. The meeting will be held at 6:45 p.m. in the Board Meeting Room located in the Professional Development Building, 1680 David E. Cook Way, Clovis, California.

For further information, please contact Steve France, Assistant Superintendent, Educational Services, 1450 Herndon Avenue, Clovis, California 93611-0599; Ph: (559) 327-9380; Fax: (559) 327-9378; Email: stevefrance@cusd.com.

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Conference Requests, as submitted.

DISCUSSION:

A list of the Conference Requests submitted for Board approval is attached. If students do not return to onsite learning, the conference requests will be cancelled.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Conference Requests	8/31/2020	Backup Material

REVISIONS:

Conference Requests
Wednesday, September 9, 2020

Departure	Return	Attendee	Site/Dept	Account	Conference Name	Conference Location	Purpose for Attending
12/1/2020	12/6/2020	John McGough	Aquatics	Aquatics	Toyota US Open	Atlanta, GA	Supervise and coach athletes during swimming event

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Fundraiser Requests, as submitted.

DISCUSSION:

A list of the Fundraiser Requests submitted for Board approval is attached.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Fundraiser Requests	8/31/2020	Backup Material

REVISIONS:

Fundraiser Requests
Wednesday, September 9, 2020

Start	End	Site	Advisor	Organizatio	Description	Fund	Vendor
9/10/2020	6/4/2021	Riverview Elem	Marci Panoo	ASB	Donuts with Dad*	Associated Student Body	Costco, Sam's Club, Save Mart Supermarkets, Smart & Final, Judy's Donuts
9/10/2020	6/7/2021	Riverview Elem	Marci Panoo	ASB	Muffins with Mom*	Associated Student Body	Costco, Sam's Club, Save Mart Supermarkets, Smart & Final
9/10/2020	6/4/2021	Garfield Elem	Jennifer Bump	PTC	Online Auction	Parent Teacher Club	BSN Sports, Chipotle Mexican Grill, Cold Stone Creamery, Deli Delicious, DiCicco's Italian Restaurant, Cheesecake Factory, Campagna, Casa Corona, Applebee's, Best Buy, Butterfish California Poke, Ampersand Ice Cream, Antonio's Mexican Restaurant, Blast & Brew
9/10/2020	1/29/2021	CWHS	Rhonda Deruiter	Girls Volleyball	Media Guides/Programs/Posters	Foundation Booster Organization	None
9/10/2020	9/10/2020	CWHS	Rhonda Deruiter	Girls Volleyball	Tri Tip Dinner To Go*	Parent Teacher Club	Diaz Catering
9/10/2020	6/11/2021	CWHS	Rhonda Deruiter	Girls Volleyball	Restaurant Coupon/Ticket Sales*	Foundation Booster Organization	Jamba Juice
10/1/2020	11/13/2020	Fugman Elem	Michael Olson	PTC	Drive/ through pick-up *	Parent Teacher Club	Hungry Bear Cookies
9/10/2020	10/30/2020	ASI	Connie Martin	Foundation	Coupon Books/Entertainment	Foundation Booster Organization	Southwestern Fundraising
9/10/2020	6/4/2021	Garfield Elem	PTC Board	PTC	Craft Sales/Plant Sales	Parent Teacher Club	AR Workshops
9/10/2020	6/4/2021	Garfield Elem	PTC Board	PTC	Family Restaurant Night*	Parent Teacher Club	Blaze Pizza, Chipotle Mexican Grill, Habit Burger Grill, Jamba Juice, Panda Express, Pieology Pizzeria

**In compliance with Board Policy 8402*

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Student Trip Requests, as submitted.

DISCUSSION:

Attached are the Student Trip Requests submitted for Board approval. If students do not return to onsite learning, the student trip requests will be cancelled.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Student Trip Requests	8/31/2020	Backup Material

REVISIONS:

Student Trip Requests
Wednesday, September 9, 2020

Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69205	CCUR Cen Cal Boys Volleyball	09/25/2020 12:00 PM	09/26/2020 11:00 PM	CCUR-NONE-BrdApp	Anaheim, CA	25
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69206	CCUR Cen Cal Boys Volleyball	10/30/2020 12:00 PM	11/01/2020 11:00 PM	CCUR-NONE-BrdApp	Anaheim, CA	25
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69209	CCUR Cen Cal Boys Volleyball	11/13/2020 12:00 PM	11/15/2020 11:00 PM	CCUR-NONE-BrdApp	Anaheim, CA	25
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69216	AQUA Clovis Swim Club	12/01/2020 06:00 AM	12/06/2020 02:00 PM	AQUA-NONE-BrdApp	Atlanta, GA	5
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69210	CCUR Cen Cal Boys Volleyball	12/04/2020 12:00 PM	12/06/2020 11:00 PM	CCUR-NONE-BrdApp	Anaheim, CA	25
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69211	CCUR Cen Cal Boys Volleyball	12/11/2020 12:00 PM	12/13/2020 11:00 PM	CCUR-NONE-BrdApp	Anaheim, CA	25
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69213	CCUR CHS Boys Water Polo	12/27/2020 12:00 PM	12/30/2020 11:00 PM	CCUR-NONE-BrdApp	Irvine, CA	20
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
69215	AQUA Clovis Swim Club	12/27/2020 12:00 PM	01/02/2021 08:00 PM	AQUA-Van-BrdApp	Coronado, CA	28
Trip ID	Trip Name	Start Time	Return Time	Account:	Destination	Passengers
68898	CHS Cross Country	02/05/2021 08:00 AM	02/06/2021 05:00 PM	CHS/ATH-ASB-CharterBus-BrdApp	Walnut, CA	30

CONTACT PERSON: Corrine Folmer

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Voluntary Community Recreation Programs, as submitted.

DISCUSSION:

The Clovis Community Sports and Recreation Department provides and operates noneducational, athletic and recreation programs and activities for the access and enjoyment of Clovis and surrounding communities. Such noneducational, recreational programs and activities are not part of the District's curricular, extracurricular, or co-curricular educational programs, and are entirely separate and distinct from the District's educational program. The department's recreational offerings are available to all age-appropriate participants in Clovis, Fresno and surrounding communities, whether or not such participants are enrolled in the District's educational program, and students enrolled in the District's educational program are never required to participate in the Department's noneducational, recreational programs or activities.

The proposed costs listed below are to attend the camp/clinic and may not include additional items such as spirit packs, shirts, jerseys, etc. The additional items will be provided at cost with no profit for the program. All additional items will be specifically identified in the flyers to the community.

Clovis Community Sports and Recreation Department
Girls Water Polo Fall Camp
Clovis High School
Date: September 10 – October 25, 2020
Grade: 9-12
Cost: \$60.00 per participant

Clovis Community Sports and Recreation Department
Fall Elementary Water Polo
Clovis East High School
Date: September 10 – October 30, 2020
Grade: 3-6
Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Boys Water Polo Camp
Clovis West High School
Date: September 10 – December 3, 2020
Grade: 7-12

Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Girls Water Polo Fall Elementary
Clark Intermediate School
Date: September 10 – December 13, 2020
Grade: 2-6
Cost: \$50.00 per participant

Clovis Community Sports and Recreation
Fall Girls Water Polo Camp
Clovis North High School
Date: September 10 – December 14, 2020
Grade: 7-12
Cost: \$125.00 per participant

Clovis Community Sports and Recreation Department
Running Camp
Clovis West High School
Date: September 10 – August 1, 2021
Grade: 7-11
Cost: \$90.00 per participant

Clovis Community Sports and Recreation Department
Wolfpack Fall Race Club
Clovis East High School
Date: September 14 – 25, 2020
Grade: 7-12
Cost: \$35.00 per participant

Clovis Community Sports and Recreation Department
Boys & Girls Tennis Fall Workouts
Clovis East High School
Date: September 14 – December 9, 2020
Grade: 7-12
Cost: \$0

Clovis Community Sports and Recreation Department
Boys Golf Fall Workouts
Clovis West High School
Date: September 14 – December 9, 2020
Grade: 7-12
Cost: \$0

Clovis Community Sports and Recreation Department
All Sport Camp
Alta Sierra Intermediate
Date: September 14 – December 18, 2020
Grade: 7-8

Cost: \$0

Clovis Community Sports and Recreation Department
Wolfpack Fall Race Club
Clovis East High School
Date: October 12 – 23, 2020
Grade: 7-12
Cost: \$35.00 per participant

Clovis Community Sports and Recreation Department
Girls Fall Water Polo Session 2
Buchanan High School
Date: October 19 – December 4, 2020
Grade: 7-12
Cost: \$60.00 per participant

Clovis Community Sports and Recreation Department
Girls Water Polo Fall Camp 2
Clovis High School
Date: October 26 – December 13, 2020
Grade: 9-12
Cost: \$60.00 per participant

Clovis Community Sports and Recreation Department
Fall Festival Passing Tournament
Clovis West High School
Date: October 31, 2020
Grade: 9-12
Cost: \$200.00 per team

Clovis Community Sports and Recreation Department
Fall Elementary Water Polo
Clovis East High School
Date: November 2 – December 18, 2020
Grade: 3-6
Cost: \$50.00 per participant

Clovis Community Sports and Recreation Department
Wolfpack Fall Race Club
Clovis East High School
Date: November 9 – 20, 2020
Grade: 7-12
Cost: \$35.00 per participant

Clovis Community Sports and Recreation Department
Elementary Softball Tournament
Clovis West High School
Date: February 12, 2021
Grade: 5-6
Cost: \$75.00 per team

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

REVISIONS:

Title: Ratification of Purchase Orders, District Contracts and Check Register

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Ratify Purchase Orders, District Contracts, and Warrants numbered 617633 through 618647.

DISCUSSION:

District Administration recommends ratification of the Purchase Orders and District Contracts for the period of August 12, 2020-August 25, 2020, as well as the Warrant register for August 13, 2020-August 20, 2020. This information is available for review in the Purchasing and Accounting departments. Questions may be directed to the Business Services Department at 559-327-9127.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description

Upload Date

Type

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Change Orders, as submitted.

DISCUSSION:

Change Order Number	Contract/Bid Number	Project Type	Site(s)	DSA Number
01	2793/CNCTE-13	Modernization - 2020	Clovis North High School	02-117428
02	2793/CNCTE-01	Modernization - 2020	Clovis North High School	02-117428
02	2793/CNCTE-02	Modernization - 2020	Clovis North High School	02-117428
02	2793/CNCTE-07	Modernization - 2020	Clovis North High School	02-117428
02	2793/CNCTE-08	Modernization - 2020	Clovis North High School	02-117428

FISCAL IMPACT/FUNDING SOURCE:

As noted in the attachment.

ATTACHMENTS:

Description	Upload Date	Type
Change Orders	8/26/2020	Backup Material

REVISIONS:

Contract Change Order No. 01

Project Clovis North High School - CTE I/C&T - 2020
DSA FILE#/DSA AP# 10-27/117428
Contract / Bid No. CNCTE-13 (Contract 3200564)

Date 8/26/2020

Page 1 of 1

CI No.	Description	Amount	Budget Code
0062	Additional Data Drops	\$1,085.14	District Change

Description: Provide (2) additional data drops in each meeting room.

Requested by: District. \$1,085.14 to be added to the contract.

Reason for Change: District added. Additional data is need for the meeting rooms to be fully functional for software system and development curriculum.

Original Contract	\$465,000.00
Previous CCOs	\$0.00
This CCO	\$1,085.14
Total Contract	\$466,085.14

The revised contract amount is an increase of 0.23% from the original contract amount.

Contract Change Order No. 02

Project Clovis North High School - CTE I/C&T - 2020

Date 8/26/2020

DSA FILE#/DSA AP# 10-27/117428

Contract / Bid No. CNCTE-01 (Contract 3200555)

Page 1 of 1

CI No.	Description	Amount	Budget Code
0061	Chain Link Fencing Credit	(\$273.26)	District Change

Description: Reuse the existing fencing and eliminate a portion of the demolition of the existing chain link fencing and mow strip.

Requested by: District. (\$273.26) to be credited to the contract.

Reason for Change: District change. Cost savings opportunity.

Original Contract	\$107,850.00
Previous CCOs	(\$16,007.00)
This CCO	(\$273.26)
Total Contract	\$91,569.74

The revised contract amount is a decrease of 14.59% from the original contract amount.

Contract Change Order No. 02

Project Clovis North High School - CTE I/C&T - 2020

Date 8/26/2020

DSA FILE#/DSA AP# 10-27/117428

Contract / Bid No. CNCTE-02 (Contract 3200556)

Page 1 of 1

CI No.	Description	Amount	Budget Code
0063	Concrete Mow Strip Credit	(\$201.00)	District Change

Description: Re-use existing fencing and eliminate a portion of demolition of the existing mow strip.

Requested by: District. (\$201.00) to be credited to the contract.

Reason for Change: District change. Cost savings opportunity by eliminating a portion of the concrete mow strip.

Original Contract	\$239,000.00
Previous CCOs	\$24,581.73
This CCO	(\$201.00)
Total Contract	\$263,380.73

The revised contract amount is an increase of 10.20% from the original contract amount.

Contract Change Order No. 02

Project Clovis North High School - CTE I/C&T - 2020

Date 8/26/2020

DSA FILE#/DSA AP# 10-27/117428

Contract / Bid No. CNCTE-07 (Contract 3200560)

Page 1 of 1

CI No.	Description	Amount	Budget Code
0060	Staging & Storage Area Credit	(\$3,460.00)	District Change

Description: The staging and storage area was not used during construction, therefore no restoration was required.

Requested by: District. (\$3,460.00) to be credited to the contract.

Reason for Change: District change. Cost saving opportunity due to using other areas in the site for staging and storage.

Original Contract	\$74,060.00
Previous CCOs	(\$5,425.00)
This CCO	(\$3,460.00)
Total Contract	\$65,175.00

The revised contract amount is a decrease of 12.00% from the original contract amount.

Contract Change Order No. 02

Project	Clovis North High School - CTE I/C&T - 2020	Date 8/26/2020
DSA FILE#/DSA AP#	10-27/117428	
Contract / Bid No.	CNCTE-08 (Contract 3200561)	Page 1 of 1

CI No.	Description	Amount	Budget Code
0058	Chain Link Fencing Credit	(\$2,821.42)	District Change

Description: Reuse the existing fencing and eliminate a portion of demolition of the existing chain link fencing and mow strip.

Requested by: District. (\$2,821.42) to be credited to the contract.

Reason for Change: District change. Cost savings opportunity by reducing the amount of new fencing.

CI No.	Description	Amount	Budget Code
0059	Coiling Door Size Modification	\$551.00	Unforeseen Condition

Description: Modify the size of the coiling door.

Requested by: Contractor. \$551.00 to be added to the contract.

Reason for Change: Unforeseen condition. The coiling door needs to be made larger due to the factory angle attachments missing the steel columns which were placed per the surveyor and accurate.

Original Contract	\$425,000.00
Previous CCOs	(\$1,498.20)
This CCO	(\$2,270.42)
Total Contract	\$421,231.38

The revised contract amount is a decrease of 0.89% from the original contract amount.

CONTACT PERSON: Michael Johnston

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Adopt the Notice of Completion, as submitted.

DISCUSSION:

Bid Number	Project/Site(s)	Company	DSA Number
2821	Roofing at Clovis High School and Fancher Creek Elementary School – 2020	Nations Roof West 5463 E Hedges Fresno, CA 93727	N/A

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

Adopt Resolution No. 3781 authorizing budget transfers for the 2019-20 fiscal year for funds operated by the District.

DISCUSSION:

In order to properly account for operating revenues and expenditures that are approved after the adoption of the annual school district budget, the California Education Code allows school districts to transfer funds between/among revenue and expenditure classifications provided a resolution is adopted. Resolution No. 3781 authorizes the District to make the final 2019-20 budget transfers that are necessary for the following District funds:

- General Fund
- Charter School Fund
- Adult Education Fund
- Child Development Fund
- Food Services Fund
- Deferred Maintenance Fund
- Developer Fee Fund
- Building Fund
- State School Facility Fund
- Self-Insurance Fund
- Special Reserve Fund
- Capital Facilities Fund
- Bond Interest and Redemption Fund
- Debt Service Fund

The 2019-20 Budget Transfer Report identifying the required budget transfers, which must be formally adopted in order to finalize the 2019-20 fiscal year, is available to view in the Business Services office.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
Resolution 3781	9/3/2020	Backup Material

REVISIONS:

**RESOLUTION NO. 3781
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

RESOLUTION FOR APPROVING THE 2019-20 BUDGET TRANSFERS

WHEREAS, the Governing Board of the Clovis Unified School District duly adopted 2019-20 budgets that are necessary for all District funds at its June 10, 2020, meeting; and

WHEREAS, because of modifications to both revenue and expenditure projections to all of the aforementioned funds; and

WHEREAS, Education Code Section 42600 authorizes the Board to make necessary budget transfers to reflect actual revenues and expenditures for the aforementioned funds; and

WHEREAS, it will be necessary to make budget transfers in order to properly account for the payment of obligations of the school district incurred during the 2019-20 fiscal year.

THEREFORE, BE IT RESOLVED that the Board authorize such transfers, as attached, to revenue and expenditure classifications of the General Fund, Charter School Fund, Adult Ed Fund, Child Development Fund, Food Services Fund, Deferred Maintenance Fund, Developer Fee Fund, Building Fund, State School Facility Fund, Self-Insurance Fund, Special Reserve Fund, Capital Facilities Fund, Bond Interest and/or Redemption Fund, and Debt Service Fund for the 2019-20 fiscal year.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District, County of Fresno, State of California, at a meeting of said Board held on the 9th day of September, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chris Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan K. Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan K. Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

CONTACT PERSON: Michael Johnston

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

Accept the 2019-20 Annual Financial Report, as submitted.

DISCUSSION:

The 2019-20 Annual Financial Report reflects the District's unaudited actual revenues and expenditures as of June 30, 2020.

Each quarter, the Business Services Department updates the Board as to the current financial condition of the District in relation to revenues and expenses along with the projected fund balance.

A copy of the 2019-20 Annual Financial Report was provided to the Board prior to the September 9, 2020, Governing Board meeting. This report is available to view on the Clovis Unified website at: <https://www.cusd.com/FinancialReports.aspx>.

FISCAL IMPACT/FUNDING SOURCE:

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

Adopt Resolution No. 3773 to recalculate the 2019-20 Gann Limit Appropriation and estimate the 2020-21 Gann Limit Appropriation.

DISCUSSION:

The Gann Limit (named for Paul Gann, the author of Proposition 4 which amended the State Constitution to establish this limit) is intended to constrain the growth in State and Local government spending by linking year-to-year changes in expenditures to changes in inflation (represented by per capita personal income) and population (represented by average daily attendance (ADA) for schools). Established in 1979 following the enactment of Proposition 13 and subsequently amended by Proposition 111, the Gann Limit has become a largely pro forma calculation that no longer constrains governmental expenditures. This is because the limit has grown significantly faster than appropriations subject to the limit.

Education Code Section 42132 requires that on or before September 15 of each year, the Governing Board adopt a resolution to identify the estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year.

Clovis Unified is required to perform Gann Limit calculations by the State Constitution, but it is also important for the District to complete these calculations to identify how much State aid counts toward its Gann Limit, so that the State of California knows how much State aid counts toward its own Gann Limit.

The attached worksheet reflects the recalculated 2019-20 Gann Limit Appropriation for the District, which is \$316,596,383 and the estimated Gann Limit Appropriation for 2020-21 is \$329,916,093.

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

ATTACHMENTS:

Description	Upload Date	Type
GANN Worksheet	9/1/2020	Backup Material
Resolution 3773	9/1/2020	Backup Material

REVISIONS:

	2019-20 Calculations			2020-21 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
A. PRIOR YEAR DATA (2018-19 Actual Appropriations Limit and Gann ADA are from district's prior year Gann data reported to the CDE)	2018-19 Actual			2019-20 Actual		
1. FINAL PRIOR YEAR APPROPRIATIONS LIMIT (Preload/Line D11, PY column)	301,811,008.30		301,811,008.30			316,596,382.51
2. PRIOR YEAR GANN ADA (Preload/Line B3, PY column)	41,606.71		41,606.71			42,027.86
ADJUSTMENTS TO PRIOR YEAR LIMIT	Adjustments to 2018-19			Adjustments to 2019-20		
3. District Lapses, Reorganizations and Other Transfers						
4. Temporary Voter Approved Increases						
5. Less: Lapses of Voter Approved Increases						
6. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT (Lines A3 plus A4 minus A5)		0.00				0.00
7. ADJUSTMENTS TO PRIOR YEAR ADA (Only for district lapses, reorganizations and other transfers, and only if adjustments to the appropriations limit are entered in Line A3 above)						
B. CURRENT YEAR GANN ADA (2019-20 data should tie to Principal Apportionment Software Attendance reports and include ADA for charter schools reporting with the district)	2019-20 P2 Report			2020-21 P2 Estimate		
1. Total K-12 ADA (Form A, Line A6)	41,559.83		41,559.83	41,753.74		41,753.74
2. Total Charter Schools ADA (Form A, Line C9)	468.03		468.03	468.03		468.03
3. TOTAL CURRENT YEAR P2 ADA (Line B1 plus B2)			42,027.86			42,221.77
C. CURRENT YEAR LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED	2019-20 Actual			2020-21 Budget		
TAXES AND SUBVENTIONS (Funds 01, 09, and 62)						
1. Homeowners' Exemption (Object 8021)	675,821.45		675,821.45	675,821.00		675,821.00
2. Timber Yield Tax (Object 8022)	0.00		0.00	0.00		0.00
3. Other Subventions/In-Lieu Taxes (Object 8029)	30,571.46		30,571.46	30,571.00		30,571.00
4. Secured Roll Taxes (Object 8041)	80,699,472.88		80,699,472.88	81,145,530.00		81,145,530.00
5. Unsecured Roll Taxes (Object 8042)	3,374,143.34		3,374,143.34	3,374,143.00		3,374,143.00
6. Prior Years' Taxes (Object 8043)	186,220.54		186,220.54	186,221.00		186,221.00
7. Supplemental Taxes (Object 8044)	1,052,460.27		1,052,460.27	1,183,062.00		1,183,062.00
8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)	(2,801,583.86)		(2,801,583.86)	(2,199,052.00)		(2,199,052.00)
9. Penalties and Int. from Delinquent Taxes (Object 8048)	0.00		0.00	0.00		0.00
10. Other In-Lieu Taxes (Object 8082)	15,528.72		15,528.72	0.00		0.00
11. Comm. Redevelopment Funds (objects 8047 & 8625)	3,454,223.11		3,454,223.11	0.00		0.00
12. Parcel Taxes (Object 8621)	0.00		0.00	0.00		0.00
13. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)	0.00		0.00	0.00		0.00
14. Penalties and Int. from Delinquent Non-LCFF Taxes (Object 8629) (Only those for the above taxes)	0.00		0.00	0.00		0.00
15. Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)						
16. TOTAL TAXES AND SUBVENTIONS (Lines C1 through C15)	86,686,857.91	0.00	86,686,857.91	84,396,296.00	0.00	84,396,296.00
OTHER LOCAL REVENUES (Funds 01, 09, and 62)						
17. To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)	0.00		0.00	0.00		0.00
18. TOTAL LOCAL PROCEEDS OF TAXES (Lines C16 plus C17)	86,686,857.91	0.00	86,686,857.91	84,396,296.00	0.00	84,396,296.00

	2019-20 Calculations			2020-21 Calculations		
	Extracted Data	Adjustments*	Entered Data/ Totals	Extracted Data	Adjustments*	Entered Data/ Totals
EXCLUDED APPROPRIATIONS						
19. Medicare (Enter federally mandated amounts only from objs. 3301 & 3302; do not include negotiated amounts)			3,878,850.75			4,159,790.35
OTHER EXCLUSIONS						
20. Americans with Disabilities Act						
21. Unreimbursed Court Mandated Desegregation Costs						
22. Other Unfunded Court-ordered or Federal Mandates						
23. TOTAL EXCLUSIONS (Lines C19 through C22)			3,878,850.75			4,159,790.35
STATE AID RECEIVED (Funds 01, 09, and 62)						
24. LCFF - CY (objects 8011 and 8012)	311,058,537.00		311,058,537.00	283,624,429.00		283,624,429.00
25. LCFF/Revenue Limit State Aid - Prior Years (Object 8019)	(159,835.86)		(159,835.86)	0.00		0.00
26. TOTAL STATE AID RECEIVED (Lines C24 plus C25)	310,898,701.14	0.00	310,898,701.14	283,624,429.00	0.00	283,624,429.00
DATA FOR INTEREST CALCULATION						
27. Total Revenues (Funds 01, 09 & 62; objects 8000-8799)	510,964,193.51		510,964,193.51	472,980,068.35		472,980,068.35
28. Total Interest and Return on Investments (Funds 01, 09, and 62; objects 8660 and 8662)	7,176,225.32		7,176,225.32	1,310,000.00		1,310,000.00
D. APPROPRIATIONS LIMIT CALCULATIONS	2019-20 Actual			2020-21 Budget		
PRELIMINARY APPROPRIATIONS LIMIT						
1. Revised Prior Year Program Limit (Lines A1 plus A6)			301,811,008.30			316,596,382.51
2. Inflation Adjustment			1.0385			1.0373
3. Program Population Adjustment (Lines B3 divided by [A2 plus A7]) (Round to four decimal places)			1.0101			1.0046
4. PRELIMINARY APPROPRIATIONS LIMIT (Lines D1 times D2 times D3)			316,596,382.51			329,916,092.54
APPROPRIATIONS SUBJECT TO THE LIMIT						
5. Local Revenues Excluding Interest (Line C18)			86,686,857.91			84,396,296.00
6. Preliminary State Aid Calculation						
a. Minimum State Aid in Local Limit (Greater of \$120 times Line B3 or \$2,400; but not greater than Line C26 or less than zero)			5,043,343.20			5,066,612.40
b. Maximum State Aid in Local Limit (Lesser of Line C26 or Lines D4 minus D5 plus C23; but not less than zero)			233,788,375.35			249,679,586.89
c. Preliminary State Aid in Local Limit (Greater of Lines D6a or D6b)			233,788,375.35			249,679,586.89
7. Local Revenues in Proceeds of Taxes						
a. Interest Counting in Local Limit (Line C28 divided by [Lines C27 minus C28] times [Lines D5 plus D6c])			4,565,020.66			927,850.71
b. Total Local Proceeds of Taxes (Lines D5 plus D7a)			91,251,878.57			85,324,146.71
8. State Aid in Proceeds of Taxes (Greater of Line D6a, or Lines D4 minus D7b plus C23; but not greater than Line C26 or less than zero)			229,223,354.69			248,751,736.18
9. Total Appropriations Subject to the Limit						
a. Local Revenues (Line D7b)			91,251,878.57			
b. State Subventions (Line D8)			229,223,354.69			
c. Less: Excluded Appropriations (Line C23)			3,878,850.75			
d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D9a plus D9b minus D9c)			316,596,382.51			

**RESOLUTION NO. 3773
BEFORE THE GOVERNING BOARD
OF THE CLOVIS UNIFIED SCHOOL DISTRICT
FRESNO COUNTY, CALIFORNIA**

**RESOLUTION TO RECALCULATE THE 2019-20 GANN LIMIT APPROPRIATION
AND ESTIMATE THE 2020-21 GANN LIMIT APPROPRIATION**

WHEREAS, in November of 1979, the California electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriation limitations, commonly called “Gann Limits,” for public agencies, including school districts; and,

WHEREAS, the Clovis Unified School District must establish a revised Gann Limit for the 2019-20 fiscal year and a projected Gann Limit for the 2020-21 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law; and,

NOW, THEREFORE, BE IT RESOLVED that this Governing Board does provide public notice that the attached calculations and documentation of the Gann limits for the 2019-20 and 2020-21 fiscal years are made in accord with applicable constitutional and statutory law; and,

BE IT FURTHER RESOLVED that this Governing Board does hereby declare that the appropriations in the Budget for the 2019-20 and 2020-21 fiscal years do not exceed the limitations imposed by Proposition 4; and,

BE IT FURTHER RESOLVED that the Superintendent provides copies of this resolution along with the appropriate attachments to interested citizens of this District.

THE FOREGOING RESOLUTION was adopted by the Governing Board of the Clovis Unified School District, County of Fresno, State of California, at a meeting of said Board held on the 9th day of September, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chris Casado, President
Governing Board
Clovis Unified School District
Fresno County, California

I, Susan K. Hatmaker, Clerk of the Governing Board of the Clovis Unified School District, County of Fresno, State of California, do hereby certify that the foregoing is a true copy of the resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original resolution is on file in the office of said Board.

Susan K. Hatmaker, Clerk
Governing Board
Clovis Unified School District
Fresno County, California

Title: Career Technical Education Service Agreement with California Teaching Fellows Foundation

CONTACT PERSON: Robyn Castillo

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to accept and execute a service agreement with California Teaching Fellows Foundation (CTFF) for the 2020-21 school year, as submitted.

DISCUSSION:

California Teaching Fellows Foundation (CTFF) employs undergraduates enrolled in a community college or university. CTFF reaches undergraduates in fields beyond teacher preparation to include kinesiology, science, engineering, business, art, music, drama, recreation and more. Teaching Fellows (TF) Tutors/Instructional Assistants reinforce their own learning by teaching in their chosen field, while K-12 students gain from engaging teaching methods. In Clovis Unified, CTFF Tutors/Instructional Assistants will support Career Technical Education teachers while teaching online by monitoring Zoom, monitoring student chats, questioning students, providing instruction in breakout rooms, and assisting with developing virtual tours.

Teaching Fellows are supervised by credentialed site certificated leads and receive ongoing professional development provided by CTFF. Teaching Fellows bring energetic, trained staff members to help students during the school day and after the regular school day and, in turn, receive hands-on experiences in preparation for a career in education. The use of CTFF participants was first approved by the CUSD Governing Board in March 2007.

FISCAL IMPACT/FUNDING SOURCE:

Service agreement in the amount of \$102,000 will be paid using Strong Workforce Grant.

REVISIONS:

Title: Nominations to California School Boards Association Directors-at-Large, Asian/Pacific Islander and/or Hispanic

CONTACT PERSON: Eimear O'Farrell

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

The Board may, if it so chooses, nominate Directors-at-Large, Asian/Pacific Islander and/or Hispanic, to California School Boards Association (CSBA).

DISCUSSION:

Nominations for Directors-at-Large must be made by a CSBA member Board and the nominee must be a Board member from a CSBA member district or county office of education. A completed, signed and dated nomination form is due to CSBA by Friday, October 2, 2020. In addition, two letters of recommendation and a signed and dated candidate form completed by the nominee must be submitted to CSBA by Friday, October 2, 2020. Elections will take place at CSBA's Delegate Assembly meeting, scheduled to occur virtually, on Wednesday December 2. Directors-at-Large serve two-year terms and take office immediately upon the close of AEC. All newly elected Directors should plan to attend an orientation meeting at CSBA Headquarters on December 15, 2020.

FISCAL IMPACT/FUNDING SOURCE:

ATTACHMENTS:

Description	Upload Date	Type
CSBA Directors-at-Large Nominations	8/17/2020	Backup Material

REVISIONS:



TIME SENSITIVE, REQUIRES BOARD ACTION
DEADLINE Friday, October 2, 2020
Please deliver to all members of the governing board

July 31, 2020

MEMORANDUM

TO: All CSBA Member Districts and County Offices of Education
FROM: Xilonin Cruz-Gonzalez, CSBA President
SUBJECT: Call for Nominations for CSBA Directors-at-Large, Asian/Pacific Islander and Hispanic

Nominations for CSBA Directors-at-Large, Asian/Pacific Islander and Hispanic, are being accepted from August 1 until Friday, October 2, 2020. Information and required forms related to the nomination and election process are available online; please visit www.csba.org.

The nominations for Directors-at-Large must be made by a CSBA member board and the nominee must be a board member from a CSBA member district or county office of education. Elections will take place at CSBA's Delegate Assembly meeting, scheduled to occur virtually, on Wednesday December 2.* Directors-at-Large serve two-year terms and take office immediately upon the close of AEC. All newly elected Directors should plan to attend an orientation meeting at CSBA Headquarters on December 15, 2020.

Nomination materials are as follows:

- **Required - Nomination form from a member board:** A completed, signed, and dated nomination form. Member boards must secure permission from the candidate before placing their name into nomination.
- **Required - Candidate Form:** A signed and dated Candidate Form completed by the nominee.
- **Required - Two letters of recommendation:** Each letter shall be addressed to CSBA President Xilonin Cruz-Gonzalez. Recommendation letters must be from one of the following sources:
 - 1) A CSBA member district or county office of education (COE) board – if the letter is signed by the Superintendent, the letter must state, "on behalf of the board."
 - 2) An individual board member from a CSBA member district or COE board
 - 3) Another association of school or COE members
- **Optional - One-page, single-sided résumé**

In order to run for a Director-at-Large position, all required nomination materials must be submitted by **no later than 11:59 p.m. on Friday, October 2, 2020, via email to nominations@csba.org**. Nomination materials may also be sent via mail, to the CSBA Executive Office, 3251 Beacon Blvd., West Sacramento, CA 95961, with a postmark of no later than October 2, 2020.

More information about the Directors-at-Large nomination and election process, as well as required documents, can be found at www.csba.org.

Thank you.

**Updated on August 10, 2020*

Frequently Asked Questions

Election to CSBA's Board of Directors as a Director-at-Large

- ❖ **How many Directors-at-Large are there?** CSBA has five Directors-at-Large: African American, American Indian, Asian/Pacific Islander, Hispanic, and County. They serve on CSBA's Board of Directors along with the Association's 4 officers, 21 Regional Directors, and the President of the California County Boards of Education (CCBE).
- ❖ **Which Director-at-Large positions are up for election?** In even-numbered years, the Directors-at-Large, Asian/Pacific Islander and Hispanic are elected. In odd-numbered years, Directors-at-Large, African American, American Indian, and County are elected.
- ❖ **Who is eligible to run for a Director-at-Large position?** Any board member from a CSBA-member district or county office of education board can run for a Director-at-Large position once they have submitted all required nomination materials.
- ❖ **What materials do Director-at-Large candidates need to submit in order to run?** Candidates must submit a completed Nomination Form, Candidate Form, and two letters of recommendation. An optional one-page résumé may also be submitted.
- ❖ **Who can nominate someone to run for a Director-at-Large position?** Any district or county office of education whose board is a member of CSBA can nominate. However, only county offices of education may nominate a Director-at-Large, County.
- ❖ **Who should write a candidate's letters of recommendation?** Recommendation letters must be from one of the following sources: (1) a CSBA member district or county office of education (COE) board—if the letter is signed by the Superintendent, the letter must state, "on behalf of the board"; (2) an individual board member from a CSBA member district or COE board; or (3) Another association of school or COE board members.
- ❖ **When and where are the elections?** Directors-at-Large are elected by CSBA's Delegate Assembly, in December, at the Delegate Assembly meeting preceding CSBA's Annual Education Conference.
- ❖ **Will others have a chance to see my nomination materials?** Yes, the Candidate Form, letters of recommendation, and résumés of individuals running for a Director-at-Large position will be included in the agenda for the December Delegate Assembly meeting.
- ❖ **How long does a Director-at-Large serve on the Board?** Directors serve two-year terms, beginning immediately upon the close of CSBA's Annual Education Conference. Directors may run for re-election.
- ❖ **When and where are the required meetings for CSBA Directors?** Typically, there are five Board meetings and two Delegate Assembly meetings each year. Board meetings are held on weekends, except for the meetings in May and late November or early December. Meeting locations vary; please consult CSBA's calendar of leadership meetings for more information.
- ❖ **What do Directors do?** CSBA's Board of Directors sets the direction for the association by establishing the vision, mission and strategic directions and ensuring that the association's activities remain focused on those goals and the issues identified in the Policy Platform. **For more information, visit CSBA's website, csba.org.**

2021
EXECUTIVE COMMITTEE, BOARD OF DIRECTORS
& DELEGATE ASSEMBLY MEETING CALENDAR

<u>DATE</u>	<u>DAY(S)</u>	<u>MEETING</u>	<u>LOCATION</u>
JAN 29	FRI	EXECUTIVE COMMITTEE	TBD
JAN 30-31	SAT-SUN	BOARD OF DIRECTORS	TBD
MAR 26	FRI	EXECUTIVE COMMITTEE	SACRAMENTO
MAR 27-28	SAT-SUN	BOARD OF DIRECTORS	SACRAMENTO
MAY 13	THUR	EXECUTIVE COMMITTEE	SACRAMENTO
MAY 14	FRI	BOARD OF DIRECTORS	SACRAMENTO
MAY 15-16	SAT-SUN	DELEGATE ASSEMBLY	SACRAMENTO
SEPT 24	FRI	EXECUTIVE COMMITTEE	SACRAMENTO
SEPT 25-26	SAT-SUN	BOARD OF DIRECTORS	SACRAMENTO
NOV 28*	SUN	EXECUTIVE COMMITTEE	SAN DIEGO
NOV 29*	MON	BOARD OF DIRECTORS	SAN DIEGO
NOV 30- DEC 1*	TUES-WED	DELEGATE ASSEMBLY	SAN DIEGO
DEC 2-4	TH-SAT	ANNUAL CONFERENCE	SAN DIEGO

Approved by the Board on 9/21/2019

**Dates revised on 3/28/2020*

CONTACT PERSON: Eimear O'Farrell

FOR INFORMATION: August 26, 2020

FOR ACTION: September 9, 2020

RECOMMENDATION:

Authorize payment of annual membership dues in the amount of \$300 to the Fresno County School Trustees Association for the 2020-21 school year.

DISCUSSION:

Annually, Clovis Unified School District has paid dues for membership in the Fresno County School Trustees Association. The Association uses funding from dues to continue ongoing programs, strengthen the trustee organization and support public education. Typically dues are a flat rate of \$75 per Board Member and Superintendent or Administrator (total of eight people) and includes three meetings during the year, for a total cost of \$600. However, the Fresno County School Trustee Board of Directors has voted to reduce the membership dues for the current fiscal year by half.

FISCAL IMPACT/FUNDING SOURCE:

Included in the 2020-21 General Fund Budget.

ATTACHMENTS:

Description	Upload Date	Type
2020-21 Annual Fresno County Trustee Assoc. Dues	8/19/2020	Backup Material

REVISIONS:



INVOICE

Fresno County School Trustees Association

1111 Van Ness
Fresno, CA 93721
Phone 559-265-3090 Fax 559-265-3056

DATE: 7/28/20

Clovis Unified School District
1450 Herndon
Clovis, CA 93611-0599

DESCRIPTION	AMOUNT
2020-21 Fresno Co. School Trustees Association Membership Dues Please send payment Attn: Angela Bowlin	300.00
TOTAL	\$ 300.00

Please make checks payable to **Fresno County School Trustees Association** .

CONTACT PERSON: Barry Jager

FOR INFORMATION:

FOR ACTION: September 9, 2020

RECOMMENDATION:

Approve the Provisional Internship Permit for the recommended teaching candidate, as submitted.

DISCUSSION:

The Provisional Internship Permit (PIP) is available when the employing agency knows that there will be a teacher vacancy yet is unable to recruit a suitable candidate. The expectations of the employer and the employee are higher since these individuals will be the teacher of record and should be on a credential track. The focus of the document is meeting subject matter competency. Once a candidate completes subject matter competency, the candidate can be employed on a document such as a District Internship Credential. Candidate requirements include the following: (1) Bachelor's degree or higher; (2) passage of the California Basic Educational Skills Test (CBEST); and (3) specific course work or experience, explained in detail on the Provisional Internship Permit information leaflet.

As required by the California Commission on Teacher Credentialing (CCTC), employing agencies offering employment to candidates on a Provisional Internship Permit are required to: (1) conduct a diligent search for a suitable credentialed teacher or qualified internship teacher; (2) provide the PIP holder with orientation, guidance, and assistance as specified in Title 5 Section 80026.5; (3) assist the PIP holder in developing a personalized plan (kept on file at the local level) through an agency-defined assessment leading to completion of subject matter competence; and (4) counsel the PIP holder to enroll in subject matter training. Clovis Unified School District administration hereby declares that a diligent search was conducted for suitable credentialed teachers or qualified internship teachers. Upon Board approval, District administration asserts that steps 2-4, as outlined above, will be completed.

School districts submitting Provisional Internship Permit requests must include verification that a notice of intent to employ the applicants in the identified positions was made public. The public notice must include the following information: (1) the name of the applicant(s); (2) the assignment in which the applicant(s) will be employed including subject(s), grade level(s), and school site; and (3) a statement that the applicant(s) will be employed on the basis of a Provisional Internship Permit. Clovis Unified intends to submit a Provisional Internship Permit request for the following teacher candidate, contingent upon administration and Board approval:

Name of Applicant	Assignment	Grade Level	School Site	Employment Status
Kaydee Hedrick	Resource Specialist	9-12	Clovis East High School	PIP (Education Specialist Special Education Mild/Moderate)

A Provisional Internship Permit shall be issued for one year and may not be renewed.

Lastly, public school districts must include a copy of the agenda item presented to the Governing Board of the District. The agenda item must be presented in a public meeting as an Action item and include the information above for each individual for whom the permit will be requested. The permit request must include a signed statement from the Superintendent, or designee, that the item was acted upon favorably. To assure that each permit request receives individual review and approval by the Governing Board, the agenda item may not be part of the Consent agenda. This item is being presented directly for Action as the 2020-21 school year is currently underway.

FISCAL IMPACT/FUNDING SOURCE:

REVISIONS:

Title: Annual Agreement with Educational Resource Consultants for Grant Writing and Research

CONTACT PERSON: Robyn Castillo

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to enter into an agreement with Educational Resource Consultants (ERC) for the purpose of grant writing and research, as submitted.

DISCUSSION:

Aim 1 of Clovis Unified's Strategic Plan is to "Maximize Achievement for ALL Students," with a goal to provide a high-quality educational system for all students focusing on mind, body and spirit utilizing active learning, high academic rigor and systematic intervention to ensure college and career readiness. One way Clovis Unified accomplishes this goal is by leveraging opportunities to participate in research-based best practices. Funding to participate in action research is often offered through local, State and Federal grant programs. For example, Clovis Unified has received many grants over the past five years to support areas such as mathematics instruction, teacher preparation programs and Career Technical Education.

Grant opportunities arise throughout the year and often have a short timeline for development and application. The approval of an annual agreement with ERC for the purpose of grant writing and research on behalf of Clovis Unified will improve the efficiency of planning and communication for both the Curriculum, Instruction and Accountability and Business Services departments.

FISCAL IMPACT/FUNDING SOURCE:

Since fall of the 2018-19 school year, Clovis Unified School District contracted ERC to write 12 grant proposals, 11 of these 12 proposals being awarded for a total of \$16,386,583. During this period, Clovis Unified paid \$84,460 for ERC grant writing services, which means that for every dollar Clovis Unified invested in ERC grant writing, the district received a return on investment of \$194. Total fees paid for grant writing were less than 0.52% of the total grant dollars funded.

Funding is provided entirely through the Curriculum, Instruction and Accountability budget, not to exceed \$50,000 for the 2020-21 school year.

REVISIONS:

CONTACT PERSON: Robyn Castillo

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to accept Grant Award C4 and Grant Award C333, Classified School Employee Grant from the California Commission on Teacher Credentialing, as submitted.

DISCUSSION:

Classified employee grants are designed to support classified employees in obtaining a teaching credential in the areas of special education, math and science. In partnership with CSU Fresno, classified employees receive monetary support for tuition, books and reimbursement for required testing. In addition, classified employees receive support with registration, professional learning opportunities. Upon successful completion participants agree to work in Clovis Unified for a minimum of 3 years if offered a contract.

FISCAL IMPACT/FUNDING SOURCE:

Grant Award C4 - \$100,000

Grant Award C333 - \$80,000

Of the \$180,000 grant dollars, \$158,625 will be used to enter into an agreement with Fresno State's Kremen School of Education to support CUSD classified employees.

REVISIONS:

CONTACT PERSON: Robyn Castillo

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Authorize the Superintendent or designee to approve the revised Clovis Unified Master Plan – A Guide to Services for English Learners, as submitted.

DISCUSSION:

Pursuant to Education Code 62002.5, districts are required to develop and regularly revise the Master Plan that outlines and addresses the specific educational needs of limited English speaking students. In spring 2020, the Clovis Unified Master Plan was revised to address and meet all current guidelines, elements required by law, and existing services offered by the District.

The plan was reviewed and revised by a team comprised of individuals from across Clovis Unified representing various departments, District-level parent committees and site representatives who possess an expertise in the area of English Learners. Throughout the 2020-21 school year, the documents will be presented and reviewed by the District English Learner Advisory Committee (DELAC), School Site Councils (SSC) and English Language Advisory Committees (ELAC).

The revised CUSD Master Plan incorporates District and State program revisions including new Title III requirements and revisions adopted by the State Board of Education including, but not limited to, the following:

- Title III Annual Measurable Achievement Objectives, I, II and III
- Pupil Identification, Parent Notification and Instructional Services Placement
- English Language Development (ELD) Materials, Supplies, Program Design: Designated and Integrated ELD
- English Learner Teacher Authorizations, Staff Requirements
- Professional Development
- Program Evaluation and Student Monitoring
- Parent Notification and District Advisory Councils
- English Language Proficiency Assessment for California (ELPAC)
- Criteria for English Learner Reclassification and Four-Year Progress Monitoring
- Private School Consultations
- English Learners with Special Needs
- State and Federal Funding

Copies of the 2020-21 CUSD Master Plan – A Guide to Services for English Learners are available for review in the Department of Supplemental Services and will be available at each school site.

FISCAL IMPACT/FUNDING SOURCE:

No fiscal impact.

REVISIONS:

CONTACT PERSON: Robyn Castillo

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Adopt the Learning Continuity and Attendance Plan for Clovis Unified School District for the 2020-21 school year, as submitted.

DISCUSSION:

Senate Bill (SB) 98 established that the Local Control and Accountability Plan and annual update are not required for the 2020-21 school year. In its place is the Learning Continuity and Attendance Plan. The Learning Continuity and Attendance Plan is a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local education agency (LEA) level for how student learning continuity will be addressed during the COVID-19 pandemic in the 2020-21 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB98 and can be found in Section 43509. Clovis Unified's 2020-21 Learning Continuity and Attendance Plan will be provided to the Governing Board prior to the September 23, 2020, Board meeting.

FISCAL IMPACT/FUNDING SOURCE:

REVISIONS:

CONTACT PERSON: Corrine Folmer

FOR INFORMATION: September 9, 2020 **FOR ACTION:** September 23, 2020

RECOMMENDATION:

Adopt the Learning Continuity and Attendance Plan for Clovis Online School for the 2020-21 school year, as submitted.

DISCUSSION:

Senate Bill (SB) 98 established that the Local Control and Accountability Plan and an annual update to the LCAP are not required for the 2020-21 school year. In its place this year is the Learning Continuity and Attendance Plan. The Learning Continuity and Attendance Plan is a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local education agency (LEA) level for how student learning continuity will be addressed during the COVID-19 pandemic in the 2020-21 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB98 and can be found in Section 43509. Clovis Online School's 2020-21 Learning Continuity and Attendance Plan will be provided to the Governing Board prior to the September 23, 2020, Board meeting.

FISCAL IMPACT/FUNDING SOURCE:

REVISIONS:

CONTACT PERSON: Michael Johnston

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Recommendation for Bid No. 2829 – CUSD Electric Bus Charging Facility Site Improvements will be brought to the Governing Board for Action at a future meeting.

DISCUSSION:

Bid #	Description	First Bid Advertisement Date	Bid Due Date and Time	Funding Source
2829	CUSD Electric Bus Charging Facility Site Improvements	8/21/2020	9/3/2020 11:00 AM	Grant Funding

FISCAL IMPACT/FUNDING SOURCE:

As noted above.

REVISIONS:

Title: Student Board Member Position Elimination and Transition to Multiple Student Representatives

CONTACT PERSON: Eimear OFarrell

FOR INFORMATION: September 9, 2020 **FOR ACTION:** September 23, 2020

RECOMMENDATION:

Transition to allow for a greater number of District students to attend and present at Board meetings by eliminating the Student Board Member position.

DISCUSSION:

Pursuant to Education Code section 35012 and Board Policy No. 1101, there exists a Student Board Member position wherein one student is selected and seated in the position for one school year. The selected student attends all Board meetings during the school year and provides reports to the Board regarding student activities.

To provide the opportunity for more students to experience Board meetings and interact with Board members and District administration, staff recommends replacing the one Student Board Member position with multiple Student Representatives from the District's comprehensive high schools. Each school year, the selected students will attend the Board meetings that are designated for them and provide reports to the Board regarding student activities. By only attending Board meetings that have been designated to a student, the student will have sufficient time to dedicate to his/her education and other school activities. By having multiple students attend Board meetings, more students will gain knowledge regarding the governance of the District and have opportunities to interact with Board Members and District administration.

FISCAL IMPACT/FUNDING SOURCE:

None

REVISIONS:

None

Title: Adopt Amended and New Board Policies: (1) 0000 – Philosophy, Goals, Objectives, and Comprehensive Plans ; (2) 1000 – Community Relations; (3) 2000 – Administration; and (4) 9000 – Board Bylaws

CONTACT PERSON: Maiya Yang

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Adopt amended and new board policies in the following policy sets: (1) 0000 – Philosophy, Goals, Objectives, and Comprehensive Plans; (2) 1000 – Community Relations; (3) 2000 – Administration; and (4) 9000 – Board Bylaws.

DISCUSSION:

The Board reviewed and discussed at length the policies in the above-referenced policy sets during Board study sessions held on May 6, 2020, June 10, 2020, and June 17, 2020. The policies are being presented to the Board for information at its meeting on September 9, 2020, and adoption at its meeting on September 23, 2020.

The proposed new and amended board policies are as summarized in the attached table and set forth in each policy that is attached. There are 65 policies:

0000 – Philosophy, Goals, Objectives, and Comprehensive Plans: 12 policies

1000 – Community Relations: 17 policies

2000 – Administration: 6 policies

9000 – Board Bylaws: 26 policies

FISCAL IMPACT/FUNDING SOURCE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Policies Recommended for Adoption - 0000, 1000, 2000, 9000	9/2/2020	Backup Material
Tabs 1-12: 0000 Philosophy, Goals, Objectives and Comprehensive Plans	9/2/2020	Backup Material
Tabs 13-33: 1000 Community Relations	9/2/2020	Backup Material
Tabs 34-39: 2000 Administration	9/2/2020	Backup Material
Tabs 40-65: 9000 Board Bylaws	9/2/2020	Backup Material

REVISIONS:

POLICIES RECOMMENDED FOR ADOPTION

0000 Philosophy, Goals, Objectives, and Comprehensive Plans
1000 Community Relations
2000 Administration
9000 Board Bylaws

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
1	0000 BP Vision, Mission, Beliefs, and Aims	0000 BP Vision	1103 BP Governing Board Mission Statement, Vision Statement & Beliefs and Aims 1101 BP (moved Art. I, Sects. 1 and 2) Board Bylaws	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 1103. The modifications to this policy include: (1) renumbering it as BP 0000 to align with the CSBA numbering system; and (2) moving provisions from existing BP 1101 - Board Bylaws relating the history of the District.
2	0100 BP District Philosophy	0100 BP Philosophy	1104 BP District Philosophy 3101 BP (moved all contents) The Education Mission 6304 BP (moved all contents) Health Management	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 1104. The modifications to this policy include: (1) renumbering it as BP 0100 to align with the CSBA numbering system; (2) moving the contents of BP 3101 - The Educational Mission and BP 6304 - Health Management into this policy; (3) adding provisions regarding Doc's Charges to reflect the values stated by Dr. Floyd B. Buchanan, the District's first superintendent; and (4) making additions and changes for consistency of terminologies and current practices.
3	0400 BP Comprehensive Plans	0400 BP Comprehensive Plans	None	<u>Adopt new BP.</u> This is a new policy that addresses the procedures for planning and adoption of plans, for example the local control accountability plan and other plans required by law or determined to be in the District's best interest.
4	0410 BP Nondiscrimination in District Programs and Activities	0410 BP Nondiscrimination in District Programs and Activities	2108 BP Nondiscrimination	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 2108. The modifications to this policy include: (1) renumbering it as BP 0410 to align with the CSBA numbering system; and (2) changes to reflect applicable laws and District practices.
5	0420 BP School Plans/Site Councils	0420 BP School Plans/Site Councils	7503 BP School Site Councils	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 7503. The modifications to this policy include: (1) renumbering it as BP 0420 to align with the CSBA numbering system; (2) deleting the provisions in paragraphs A through D from this policy and moving them into the accompanying administrative regulation; and (3) making changes to reflect applicable laws.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
6	0420.4 BP Charter Schools	0420.4 BP Charter School Authorization	1303 BP Charter Schools	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 1303. The modifications to this policy include: (1) renumbering it as BP 0420.4 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws and District practices.
7	0430 BP Comprehensive Local Plan for Special Education	0430 BP Comprehensive Local Plan for Special Education	None	<u>Adopt new BP.</u> Staff recommends the adoption of this new policy to affirm the District's continuing commitment to serve students with disabilities. This policy is numbered as BP 0430 to align with the CSBA numbering system.
8	0440 BP District Technology Plan	0440 BP District Technology Plan	None	<u>Adopt new BP.</u> Staff recommends the adoption of this policy to addresses the establishment of a technology plan for the District.
9	0450 BP Comprehensive Safety Plan	0450 BP Comprehensive Safety Plan	None	<u>Adopt new BP.</u> Staff recommends the adoption of this new policy, numbered as BP 0450 to align with the CSBA numbering system. The new policy affirms the District's continuing compliance with the law relating to development of a comprehensive safety plan.
10	0460 BP Local Control and Accountability Plan	0460 BP Local Control and Accountability Plan	None	<u>Adopt new BP.</u> Education Code sections 52060-52077 require school districts to adopt and annually update a local control and accountability plan (LCAP). Staff recommends the adoption of this new policy to affirm the District's continuing obligation relating to its LCAP and compliance with applicable laws.
11	0500 BP District Accountability	0500 Accountability	7302 BP District Accountability	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 7302. The modifications to this BP include: (1) renumbering it as BP 0500 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws.
12	0510 BP School Accountability Report Card	0510 BP Accountability	7301 BP School Accountability Report Card	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 7301. The modifications to this BP include: (1) renumbering it as BP 0510 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws.
13	1100 BP Communications with the Public	1100 BP Communications with the Public	None	<u>Adopt new BP.</u> This BP addresses communications with the public, including mass mailings regarding campaign materials. Staff recommends the adoption of this new policy to set parameters regarding such communications.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
14	1112 BP Media Relations	1112 BP Media Relations	9101 BP News Media Relations	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9101. The modifications to this policy include: (1) renumbering it as BP 1112 to align with the CSBA numbering system; and (2) making changes to reflect current laws and District practices .
15	1113 BP District and School Websites	1113 BP District and School Web Sites	None	<u>Adopt new BP.</u> This policy addresses design standards, content guidelines, and privacy rights on District and school websites. Staff recommends the adoption of this new policy to address such subject matters relating to District and school websites.
16	1114 BP District-Sponsored Social Media	1114 BP District-Sponsored Social Media	None	<u>Adopt new BP.</u> This policy provides content guidelines and addresses privacy rights on District social media platforms. Staff recommends the adoption of this new policy to address such guidelines and privacy rights.
17	1160 BP Political Processes	1160 BP Political Processes	None	<u>Adopt new BP.</u> This is a new policy, numbered as BP 1160 to align with the CSBA numbering system. Staff recommends the adoption of this policy to address political activities conducted by board members and District employees acting on the District's behalf.
18	1220 BP Citizen Advisory Councils and Committees	1120 BP Citizen Advisory Committees	1203 BP Councils & Committees/ Relationships to District Lines of Authority	<u>Adopt renumbered and amended BP.</u> This is an existing BP, currently numbered as BP 1203. The modifications to this policy include: (1) renumbering it as BP 1220 to align with the CSBA numbering system; and (2) making changes to reflect current laws and District practices.
19	1230 BP School-Connected Organizations	1230 BP School-Connected Organizations	9213 BP School-Connected Organizations	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9213. The modifications to this BP include: (1) renumbering it as BP 1230 to align with the CSBA numbering system; and (2) making changes to reflect current laws and District practices.
20	1240 BP Volunteer Assistance	1240 BP Volunteer Assistance	9212 BP Volunteer Assistance	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9212. The modifications to this BP include: (1) renumbering it as BP 1240 to align with the CSBA numbering system; and (2) making changes for consistency and to reflect District practices.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
21	1250 BP Visitors/Public Attendance at District Events	1250 BP Visitors/Outsiders	9202 BP School Visitors 9204 BP (moved all contents) Public Attendance at District Events	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9202. Modifications to this policy include: (1) renumbering it as BP 1250 to align with the CSBA numbering system; (2) moving all of the contents of BP 9204 into this policy; and (3) modifications to reflect applicable laws and District practices.
22	1250.1 BP Civility Policy	None	9210 BP Civility Policy	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9210. Modifications to this policy include: (1) renumbering it as BP 1250.1 to fall within the CSBA numbering system as CSBA does not have a comparable sample policy; and (2) making changes to reflect District practices.
23	1260 BP Educational Foundations	1260 BP Educational Foundation	None	<u>Adopt new BP.</u> Staff recommends the adoption of this policy because it sets forth the Board's support for and collaboration with educational foundations, such as the Foundation for Clovis Schools.
24	1312.1 BP Complaints Regarding District Employees	1312.1 BP Complaints Concerning District Employees	9207 BP Formal Complaints Regarding District Personnel and Practices	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9207. The modifications to this policy include: (1) renumbering it as BP 1312.1 to align with the CSBA numbering system; (2) and making changes to reflect applicable laws and District practices.
25	1312.2 BP Complaints Regarding Instructional Materials	1312.2 BP Complaints Concerning Instructional Materials	3306 BP Reconsideration of Learning Resources	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 3306. The modifications to this policy include: (1) renumbering it as BP 1312.2 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws and District practices.
26	1312.3 BP Uniform Complaint Procedures	1312.3 BP Uniform Complaint Procedures	9208 BP Uniform Complaint Procedures Regarding Programs/Discrimination	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9208. The modifications to this policy include: (1) renumbering it as BP 1312.3 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws and District practices.
27	1312.4 BP Williams Uniform Complaint Procedures	None	9211 BP Uniform Complaint Procedures Regarding Areas Included in the Williams Settlement	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9211. The modifications to this policy include: (1) renumbering it as BP 1312.4 to align with the CSBA numbering system; and (2) making changes to reflect applicable laws and District practices.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
28	1321 BP Solicitation of Funds From and By Students	1321 BP Solicitation of Funds From and By Students	2503 BP Fundraising and Solicitation by Students 9205 BP (moved all contents) Relations with Special Interest Groups	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 2503. The modifications to this policy include: (1) renumbering it as BP 1321 to align with the CSBA numbering system; (2) moving all of the contents of existing BP 9205 into this policy; and (3) modifications to reflect applicable laws and District practices.
29	1325 BP Advertising and Promotions	1325 BP Advertising and Promotion	None	<u>Adopt new BP.</u> Staff recommends the adoption of this new policy because it establishes standards for advertisements and promotions by nonschool groups in school-sponsored publications, on District and school web sites and social media, and on school facilities and grounds.
30	1330 BP Use of District Facilities	1330 BP Use of District Facilities	5301 BP Use of District Facilities 5202 BP (moved provisions regarding damages to District facilities) Maintenance of District Facilities and Grounds 9401 BP (moved all contents) Elections Office Relations	<u>Adopt renumbered and amended BP.</u> This renumbered policy contains provisions from three existing policies, BP 5301 - Use of District Facilities, BP 5202 - Maintenance of District Facilities and Grounds, and BP 9401 - Elections Office Relations. Staff renumbered BP 5301 as BP 1330 to align with the CSBA numbering system. Staff then moved the provisions regarding damages to District facilities from existing BP 5202 - Maintenance of District Facilities and Grounds and all of the contents of BP 9401 - Elections Office Relations into this policy. Staff also made modifications to this policy to reflect applicable laws and District practices.
31	1340 BP Access to District Records/Public Records	1340 Access to District Records	7202 BP Public Records	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 7202. The modifications to this policy include: (1) renumbering it as BP 1340 to align with the CSBA numbering system; (2) deleting and moving certain provisions to the accompanying administrative regulations; and (3) modifications to reflect applicable laws and District practices.
32	1400 BP Relations with Other Governmental Agencies	1400 BP Relations Between Other Governmental Agencies and the Schools	None	<u>Adopt new BP.</u> This is a new policy, numbered as BP 1400 to align with the CSBA numbering system. Staff recommends the adoption of this policy to address relations and collaboration with other governmental agencies.
33	1700 BP Relations with Community and Private Industry	1700 BP Relations Between Private Industry and the Schools	9206 BP Relations (Community, Industry & Institutions)	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 9206. The modifications to this policy include: (1) renumbering it as BP 1700 to align with the CSBA numbering system; and (2) modifications for consistency in the language.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
34	2110 BP Superintendent Responsibilities and Duties	2110 BP Superintendent Responsibilities and Duties	1106 BP Duties of the Superintendent 1202 BP (moved all contents) Chain of Command 1201 BP (moved all contents) Organizational Charts	<u>Adopt renumbered and amended BP.</u> Staff proposes renumbering existing BP 1106 as BP 2110 to align with the CSBA numbering system and incorporating the contents of existing BP 1202 - Chain of Command and BP 1201 - Organizational Charts. Other modifications to this policy include changes for consistency with terminologies and District practices.
35	2120 BP Superintendent Recruitment and Selection	2120 BP Superintendent Recruitment and Selection	1105 BP Recruitment and Appointment of Superintendent	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 1105. The modifications to this policy include: (1) renumbering it as BP 2120 to align with the CSBA numbering system; and (2) modifications for consistency of terminologies and to reflect District practices.
36	2121 BP Superintendent's Contract	2121 BP Superintendent's Contract	None	<u>Adopt new BP.</u> Staff recommends the adoption of this new policy because it sets parameters for the superintendent's contract.
37	2140 BP Evaluation of the Superintendent	2140 BP Evaluation of the Superintendent	1107 BP Evaluation of the Superintendent	<u>Adopt renumbered and amended BP.</u> This is an existing policy, currently numbered as BP 1107. The modifications to this policy include: (1) renumbering it as BP 2140 to align with the CSBA numbering system; and (2) modifications to reflect District practices and for consistency of language.
38	2210 BP Administrative Discretion Regarding Board Policy	2210 BP Administrative Discretion Regarding Board Policy	1102 BP (move Para. C - Executive Action) Board Policy and Bylaw Development & Dissemination	<u>Adopt new BP.</u> Staff recommends the adoption of this new policy to allow the superintendent to take immediate actions, consistent with law and board policies, that are necessary to avoid risks to the safety or security of students, staff, or District property or to prevent disruption of school operations. Paragraph C of existing BP 1102 has been moved into this new policy.
39	2230 BP Representative and Deliberative Groups	2230 BP Representative and Deliberative Groups	None	<u>Adopt new BP.</u> This is a new policy that addresses the superintendent's authority to establish a management team, administrative councils, task forces, cabinets, or committees. Staff recommends the adoption of this policy to confirm the superintendent's authority and set parameters.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
40	9000 BB Role and Responsibility of the Board	9000 BB Role of the Board	1108 BP Responsibility of the Governing Board 1101 BP (moved provisions - Art. I, Sect. 1; Art. III, Sect. 1 and 2; Art. V, Sect. 1-3)	<u>Adopt renumbered and amended BB.</u> This is an existing bylaw, currently numbered as BP 1108. The modifications to this bylaw include: (1) renumbering it as BB 9000 to align with the CSBA numbering system; (2) moving into this bylaw the provisions of Article I Section 1, Article III Sections 1 and 2, and Article V Sections 1-3 from existing BP 1101 - Board Bylaws; and (3) modifications to reflect applicable laws and District practices..
41	9010 BB Board Public Statements	9010 BB Public Statements	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address public statements by board members. This bylaw is numbered as BB 9010 to align with the CSBA numbering system.
42	9011 BB Disclosure of Confidential/ Privileged Information	9011 BB Disclosure of Confidential/Privileged Information	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address disclosure of closed session and other confidential information. This bylaw is numbered as BB 9011 to align with the CSBA numbering system.
43	9012 BB Board Member Electronic Communications	9012 BB Board Member Electronic Communications	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address electronic communications by board members to ensure compliance with the Brown Act and other applicable laws. This bylaw is numbered as BB 9012 to align with the CSBA numbering system.
44	9100 BB Board Organization	9100 BB Organization	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth the requirements and process for conducting the annual organization meeting. This bylaw is numbered as BB 9110 to align with the CSBA numbering system. This bylaw also includes provisions from Article VI Section 1 and Article VII Sections 1 and 2 of existing BP 1101 - Board Bylaws. Modifications have been made to reflect applicable laws and District practices.
45	9110 BB Terms of Board Member Office	9110 BB Terms of Office	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth pertinent provisions regarding the terms of office of board members. This bylaw is numbered as BB 9110 to align with the CSBA numbering system. This bylaw also includes provisions from Article III Section 7 of existing BP 1101 - Board Bylaws.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
46	9121 BB President	9121 BB President	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth the Board president's role and responsibilities. This bylaw is numbered as BB 9121 to align with the CSBA numbering system. This bylaw also includes provisions from Article VIII Sections 1 and 2 of existing BP 1101 - Board Bylaws.
47	9122 BB Secretary	9122 BB Secretary	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth the Board secretary's role and responsibilities. This bylaw is numbered as BB 9122 to align with the CSBA numbering system. It includes provisions from existing BB 1101 - Board Bylaws relating to the Board secretary.
48	9123 BB Clerk	9123 BB Clerk	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth the Board clerk's role and responsibilities. This bylaw is numbered as BB 9123 to align with the CSBA numbering system. This bylaw includes provisions from Article VIII Section 3 of existing BP 1101 - Board Bylaws relating to the Board clerk, which staff has deleted because its subject matters are already addressed by other provisions in this bylaw.
49	9130 BB Board Committees	9130 BB Board Committees	1101 BP (provision moved) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions governing board committees. This bylaw is numbered as BB 9130 to align with the CSBA numbering system. This bylaw includes provisions from Article IX Sections 1 and 2 of existing BP 1101 - Board Bylaws relating to board committees.
50	9140 BB Board Representatives	9140 BB Board Representatives	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions regarding the designation or appointment of its members to District or community committees, including the Fresno County Committee on School District Organization. This bylaw is numbered as BB 9140 to align with the CSBA numbering system.
51	9200 BB Duties and Limits of Authority of Board Members	9200 BB Limits of Board Member Authority	1101 BP (provision moved) Board Bylaws 1108 BP (moved provisions) Responsibility of the Governing Board	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address the limits of authority of individual board members. This bylaw is numbered as BB 9220 to align with the CSBA numbering system. This bylaw includes provisions from Article IV Sections 1 and 2 of existing BP 1101 - Board Bylaws relating to board member duties and limits of authority.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
52	9220 BB Board Elections	9220 BB Governing Board Election	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address board member elections. This bylaw is numbered as BB 9220 to align with the CSBA numbering system. This bylaw includes provisions from Article III Section 4 of existing BP 1101 - Board Bylaws relating to board member elections.
53	9222 BB Board Member Resignation	9222 BB Resignation	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address the requirements and process for resigning as a board member. This bylaw is numbered as BB 9222 to align with the CSBA numbering system.
54	9223 BB Filling Board Vacancies	9223 BB Filling Vacancies	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions as to the occurrence of a vacancy on the Board and the requirements and process for filling the vacancy. This bylaw is numbered as BB 9223 to align with the CSBA numbering system. This bylaw includes provisions from Article III Sections 5 and 6 of existing BP 1101 - Board Bylaws relating to board vacancy and the filling of such vacancy, which provisions staff proposes to delete because their subject matters are already addressed by other provisions in this bylaw.
55	9224 BB Board Member Oath or Affirmation	9224 BB Oath or Affirmation	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address the administration and taking of the oath of office by board members. This bylaw is numbered as BB 9224 to align with the CSBA numbering system.
56	9250 BB Board Member Remuneration, Reimbursement, and Other Benefits	9250 BB Remuneration, Reimbursement, and Other Benefits	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address board member compensation, reimbursement of expenses, and health and welfare benefits. This bylaw is numbered as BB 9250 to align with the CSBA numbering system. This bylaw includes provisions from Article III Section 8 of existing BP 1101 - Board Bylaws.
57	9260 BB Board Member Legal Protection	9260 BB Legal Protection	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address liability insurance and legal protection for Board members. The bylaw is numbered as BB 9260 to align with the CSBA numbering system.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
58	9270 BP Conflict of Interest Code	9270 BP Conflict of Interest	4605 BP Conflict of Interest Code	<u>Adopt renumbered and amended BB.</u> This is an existing bylaw, currently numbered as BP 4605. The modifications to this bylaw include: (1) renumbering it as BB 9270 to align with the CSBA numbering system; and (2) modifications for consistency of language and to reflect applicable laws. This renumbered bylaw has been reviewed and approved by the Fresno County Counsel and will be submitted for approval by the Fresno County Board of Supervisors following the Board's adoption of this renumbered and updated bylaw. The Fresno County Board of Supervisors is the designated code reviewer for the District.
59	9310 BB Board Policies and Bylaws	9310 BB Board Policies	1102 BP Board Policy and Bylaw Development & Dissemination	<u>Adopt renumbered and amended BB.</u> This is an existing bylaw, currently numbered as BP 1102. The modifications to this bylaw include: (1) renumbering it as BB 9310 to align with the CSBA numbering system; (2) deletion and moving of Paragraph C - Executive Action to renumbered BP 2210 - Administrative Discretion Regarding Board Policy; and (3) modifications for consistency of language and to reflect District practices.
60	9320 BB Board Meetings and Notices	9320 BB Board Meetings and Notices	1101 BP Board Bylaws	<u>Adopt renumbered and amended BP.</u> This is an existing bylaw, currently numbered as BP 1101. The modifications to this bylaw include: (1) renumbering it as BB 9320 to align with the CSBA numbering system; (2) deleting and moving provisions from this policy into other bylaws; and (3) modifications to reflect applicable laws and District practices.
61	9321 BB Closed Session	9321 BB Closed Session	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address requirements for closed session meetings. This bylaw is numbered as BB 9321 to align with the CSBA numbering system. This bylaw includes provisions from Article X Section 5 of existing BP 1101 - Board Bylaws relating to closed session.
62	9322 BB Board Agenda/Meeting Materials	9322 BB Agenda/Meeting Materials	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions governing the preparation, posting, and distribution of board agenda and meeting materials. This bylaw is numbered as BB 9322 to align with the CSBA numbering system. This bylaw includes provisions from Article X Section 10 of existing BP 1101 - Board Bylaws relating to board agenda and materials.

NO.	CUSD RENUMBERED BP	CSBA SAMPLE BP	CUSD EXISTING BP	STAFF RECOMMENDATION/ COMMENTS
63	9323 BB Board Meeting Conduct	9323 BB Meeting Conduct	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to address board meeting procedures, quorum and abstentions, public participation, and recording of board meetings by the public. This bylaw is numbered as BB 9323 to align with the CSBA numbering system. This bylaw includes provisions that have been moved from existing BP 1101 - Board Bylaws relating to the conduct of Board meetings.
64	9323.2 BB Actions by the Board	9323.2 BB Actions by the Board	None	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions governing actions by the Board and challenges to Board actions. This bylaw is numbered as BB 9323.2 to align with the CSBA numbering system.
65	9324 BB Board Minutes and Recordings	9324 BB Minutes and Recordings	1101 BP (moved provisions) Board Bylaws	<u>Adopt new BB.</u> Staff recommends the adoption of this new bylaw to set forth provisions governing board minutes and recording or broadcasting of board meetings. This bylaw is numbered as BB 9324 to align with the CSBA numbering system. This bylaw includes provisions from Article X Sections 2, 11, 14, and 15 of existing BP 1101 - Board Bylaws relating to board minutes and recording.

Doc# 43991, 09/2020

TABS 1 – 12
0000 PHILOSOPHY, GOALS, OBJECTIVES, AND
COMPREHENSIVE PLANS

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS**~~DISTRICT
ORGANIZATION~~~~Plans~~Governing Board**GOVERNING BOARD MISSION STATEMENT, VISION, MISSION STATEMENT &
BELIEFS, AND AIMS**

PURPOSE: To designate the District's vision, mission, beliefs, and aims~~strategic planning
process, and Strategic Plan.~~

A. Section 2—District Creation

The Clovis Unified School District comprises all of the districts formerly known as Clovis Elementary, Dry Creek Elementary, Fort Washington-Lincoln Elementary, Jefferson Elementary, Pinedale Elementary, Temperance-Kutner Elementary, and Clovis Union High School Districts. ~~Such~~The District was organized as a unified school district ~~created by the Fresno County
Committee on School District Organization~~, on July 1, 1960, with said boundaries being officially set forth in the records of the ~~C~~ounty ~~S~~uperintendent of ~~S~~chools of Fresno County.

B. Section 3—Classification

The ~~Clovis Unified School~~ District shall be defined as a unified school district formed for the purpose of providing a program of education in grades transitional - kindergarten (TK) through twelfth (12th), pre-school, adult education, and community service programs.

C. Strategic Planning

To support the achievement of the District's mission and vision, the ~~Governing~~ Board will implement a strategic planning cycle. ~~Annually~~Every three years, the ~~Governing~~ Board will review and revise specific objectives to support the achievement of the District's vision, mission, and aims.

To view the District's current Strategic Plan, refer to Exhibit No. 00001103.

Board decisions ~~regarding curriculum, policies, the budget, collective bargaining agreements, and
other District operations~~ shall be aligned with the District's vision. In addition, the Superintendent or designee shall ensure that staff's implementation of District programs and activities supports attainment of the District's vision.

Adopted: 07/23/1975

Reviewed: 09/26/2007, 11/19/2008, 10/31/2013, 09/15/2014, 01/14/2015

CLOVIS UNIFIED SCHOOL DISTRICT

Amended: 01/14/1976, 12/09/1991, 08/14/2002, 03/24/2004, 03/22/2006, 11/18/2009,
____/____/____ (BP 1103 renumbered as BP 0000; Article I, Sections 1 and 2 of BP 1101
moved to BP 0000)

Doc# 41124-5 (08/2020, 07/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS**~~DISTRICT-
ORGANIZATION AND GOALS~~~~Governing Board~~**DISTRICT PHILOSOPHY**

PURPOSE: To describe the District's educational philosophy.

The District's motto, "*Be the best you can be in mind, body and spirit,*" captures the essence of the District's philosophy

The ~~Clovis Unified School~~ District believes that public schools exist to provide educational programs, services, and activities ~~necessary to promoting develop the~~ intellectual competency, social-emotional wellness, and the skills necessary to serve as contributing citizens in our society. ~~vocational competencies of its youth and adults, and to promote their physical and mental health. The District also believes that it shares responsibility with the community to develop in its students' the Six Pillars of~~ CHARACTER COUNTS!: ~~trustworthiness, respect, responsibility, fairness, caring and citizenship.~~ Moreover, the District believes in the foundational values established by our first Superintendent, Dr. Floyd B. Buchanan, who served the District from 1960 to 1991. Those values, as stated by Dr. Buchanan, continue throughout the District and are set forth in Exhibit No. 0100.

The District's mission is to be a quality educational system providing the resources for all students to reach their full potential in mind, body, and spirit.

The District believes that the educational environment must be designed to stimulate intellectual curiosity and ~~to enhance~~ academic achievement, first and foremost. The inclusion of co-curricular and extra-curricular ~~and extracurricular programs and~~ activities are absolute essentials to educating the whole child in mind, body, and spirit. ~~complement these ends providing personal and physical development toward social maturity.~~

The District also believes that students should develop an awareness, understanding, and appreciation of ~~learn about~~ our American culture, as reflected in the diversity of our community, including an awareness of ~~the our~~ cultural diversity and heritage. ~~It is our hope that graduates will be able to accept responsibility, make informed decisions, think independently and perform successfully as citizens contributing positively to our diverse citizens in our society.~~

~~The District's motto, "*Be the best you can be in mind, body and spirit,*" captures the essence of the District's philosophy.~~

To assure that high school graduates possess the skills and knowledge to have successful experiences in higher education and the workplace, a quality program of curriculum, instruction, and assessment will be provided, including culturally relevant teaching. This educational program will be based on the following philosophical assumptions:

**CLOVIS UNIFIED
SCHOOL DISTRICT**

1. A quality educational experience nurtures the growth and development of the whole student in mind, body, and spirit.
2. All students are capable of learning.
3. Instructional practices will be differentiated to meet the individual needs of students.
4. Clearly defined standards and objectives will be used to guide instruction for increased student learning.
5. Formative assessment will be used to inform and develop appropriate instructional practices.
6. Teachers will organize learning in a manner that facilitates students' mastery of course standards.
7. Students and staff are encouraged and motivated by high expectations.

The Board authorizes the Superintendent to develop, implement, monitor, and continuously improve a system of curricular and co-curricular management which supports the District's educational mission and assures a quality education for students of the District.

Health Management

~~It is the intent of the~~ The Board intends for that students, staff, and residents of the District to enjoy good ~~optimum~~ health. The Board authorizes the Superintendent to develop a program of health management utilizing the resources of the District.

Adopted: 07/23/1975

Reviewed: 02/26/2007, 10/20/2008

Amended: 12/09/1991, 02/11/2004, __/__/____ (BP 1104 renumbered as BP 0100; moved all contents of BP 3101 and BP 6304 to BP 0100)

EDUCATION CODE

51002 Local development of programs based on stated philosophy and goals

51019 Definition of philosophy

51100-51101 Parental involvement

Doc# 41127-6 (08/2020, 07/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS
COMPREHENSIVE PLANS**

PURPOSE: To set forth provisions regarding the establishment of comprehensive plans.

The Board believes that careful planning is essential to effective implementation of District programs and policies. Comprehensive plans shall identify cohesive strategies for school improvement, provide stability in District operations, and be aligned to ensure consistency among District approaches for student academic growth and achievement.

Comprehensive plans adopted by the District shall include the local control and accountability plan (LCAP) and other plans required by law or determined by the Board to be in the best interest of the District. Such plans may describe anticipated short- and long-term needs, measurable outcomes, priorities, activities, available resources, timelines, staff responsibilities, and strategies for internal and external communications regarding the plan.

The process for developing comprehensive plans shall, as required by law or determined appropriate by the Superintendent or designee, include broad participation of school and community representatives. Committees may, and when required by law shall, be appointed to assist in the development of such plans. District comprehensive plans are subject to review and approval by the Board.

Comprehensive plans shall be available to the public and shall be reviewed and updated at regular intervals as specified within the plan or required by law.

Adopted: __/__/__

EDUCATION CODE

32280-32289 School safety plans

35035 Powers and duties of the superintendent

35291 Rules (power of governing board)

39831.3 Transportation safety plan

52060-52077 Local control and accountability plan

56195-56195.10 Comprehensive local plans for special education

56205-56208 Requirements for special education plan

64001 School plan for student achievement, consolidated application programs

CODE OF REGULATIONS, TITLE 5

560 Civil defense and disaster preparedness plans

**CLOVIS UNIFIED
SCHOOL DISTRICT**

UNITED STATES CODE, TITLE 20
6312 Local educational agency plan

Doc# 41130-5 (08/2020, 10/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS STUDENT-
SERVICES RIGHTS AND RESPONSIBILITIES**~~Rights and Responsibilities~~
NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

PURPOSE: To set forth the District's policy regarding nondiscrimination in District programs and activities~~create a safe school and work environment for persons of all backgrounds.~~

The District recognizes the increasing diversity of its students, staff, and community. The Board directs the Superintendent to create a school environment that provides a safe school environment for persons of all backgrounds.

The Board is committed to providing equal opportunity for all individuals in District programs and activities. District programs, activities, and practices shall not unlawfully discriminate based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code section 200 or 220, Government Code section 11135, or Penal Code section 422.55, ~~Education Code section 220 or Penal Code section 422.55,~~ or any other bases prohibited by law, or the association with a person or group with one or more of these actual or perceived characteristics, ~~be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity administered by the District.~~

All individuals shall be treated equitably in the receipt of District and school services. Personally identifiable information collected in the implementation of any District program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the District shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

Appropriate means for the continuing evaluation of ~~District the entire education~~ programs and activities, including the co-curricular program, shall be established and maintained to ensure compliance with this policy and applicable laws.

Employees shall observe all applicable laws, policies, and regulations prohibiting discrimination ~~and~~ harassment.

The Board encourages all personnel and students to assist in the accomplishment of the District's mission through their personal commitment to ~~the concept of~~ providing an equal educational opportunity for all students and employment opportunities for all applicants. Any **allegations of**

**CLOVIS UNIFIED
SCHOOL DISTRICT**

unlawful discrimination in District programs and activities shall be investigated and resolved in accordance with ~~grievance of the above policy should follow the procedures listed in~~ Board Policy and Administrative Regulation No. 1312.39208 - (Uniform Complaint Procedures).

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the District's policy on nondiscrimination and related complaint procedures. (34 CFR 104.8, 106.9) Such notification shall be included in the annual parental notification distributed pursuant to Education Code section 48980 and, as required by applicable laws, on the District's website and in other materials distributed by the District.

As specified in Education Code section 234.7, the District shall also notify parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs in the annual parent notification or any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

As specified in Education Code section 48985, the District's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall comply with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing District facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

The Superintendent or designee shall ensure that the District provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the District's response to complaints and for complying with state federal civil rights laws is hereby designated as the District's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities and shall investigate and resolve complaints regarding their access to District programs, services, activities, or facilities.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Associate Superintendent, School Leadership
Clovis Unified School District
1450 Herndon Avenue Clovis, CA 93611-0599
(559) 327-9000

Adopted: 01/11/1989
Reviewed: 12/06/2005
Amended: 04/10/1991, 12/09/1991, 08/02/1995, 09/22/1999, 05/29/2001, 06/13/2001,
04/13/2005, 07/18/2007, 01/15/2014, __/__/____ (BP 2108 renumbered as BP
0410)

EDUCATION CODE

200-262.4 Prohibition of discrimination
48980 Parental notifications
48985 Notices to parents in language other than English
51007 Legislative intent: state policy

GOVERNMENT CODE

8310.3 California Religious Freedom Act
11000 Definitions
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act
1681-1688 Discrimination based on sex or blindness, Title IX
2301-2414 Strengthening Career and Technical Education for the 21st Century Act
6311 State plans
6312 Local education agency plans

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

**CLOVIS UNIFIED
SCHOOL DISTRICT**

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

~~Education Code Sections 200-262.4~~

~~Title 42 of the United States Code Sections 2000d-2000e; 2000h-2—2000h-6~~

Doc# 41129-5 (08/2020, 05/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE
PLANSACCOUNTABILITY, PLANNING & RESEARCH
PlanmiSCHOOL PLANS/SCHOOL SITE COUNCILS (SSC)**

PURPOSE: To address~~establish procedures for~~ school plans and ~~SSchool Ssite Ccouncils~~.

The Board believes ~~and respects~~ that shared decision making at the site level is one key to improving education. The Board encourages programs that involve staff, students, parents, and the community in a partnership empowered to design, implement, monitor, and evaluate plans which respond to their school's unique needs and which also coincide with Board policies~~y~~ and District goals.

Each District school that participates in one or more federal and/or state categorical programs funded through the state's consolidated application process pursuant to Education Code section 64000 shall establish a school site council in accordance with Education Code sections 65000-65001. The school site council shall develop, approve, and annually review and update a school plan for student achievement (SPSA) which consolidates the plans required for Board Policy and Administrative Regulation No. 1312.3 - Uniform Complaint Procedures. (Education Code 64001)

A. Establishment of the School Site Council (SSC)

~~A School Site Council shall be established at each school site. In the selection of members of the SSC, care should be taken to ensure that persons or groups not usually or previously involved have an opportunity to participate in the selection process, and that it is public and democratic. (See Board Policy No. 7504 - Single Plan for Student Achievement.)~~

~~California Education Code section 64001 (a), (d) requires the SSC to develop a Single Plan for Student Achievement (SPSA) for Consolidated Application programs operated at the school or in which the school participates. The SSC must approve the plan, recommend it to the Governing Board for approval, monitor implementation of the plan, and evaluate the results. At least annually, the SSC must revise the plan, including proposed expenditures of funds allocated to the school through the Consolidated Application, and recommend it to the Governing Board for approval.~~

~~As specified in the California Education Code, the SSC shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of students attending the school selected by such parents; and, in secondary schools, students selected by students attending the school.~~

- ~~1. Each group represented in the SSC shall nominate and elect separately.~~
- ~~2. The principal shall ensure that all members of each group represented on the SSC are notified of the procedure, date, time and place for nomination and selection of SSC members.~~
- ~~3. All members of each group shall be eligible to participate.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~4. Nomination of candidates shall be by peers. A person may nominate himself or herself.~~
- ~~5. Selection shall be by secret ballot, voice vote or hand count.~~
- ~~6. If only one position on the SSC is to be filled, a nominee must receive a majority of the votes cast to be selected. If no person receives a majority of the votes, there shall be a runoff between the two nominees receiving the highest number of votes.~~
- ~~7. If two or more positions on the SSC are to be filled, the nominees receiving the highest number of votes shall be selected to fill the vacancies as specified in the SSC Bylaws.~~
- ~~8. The term of office for SSC members may be from one to three years. Each SSC shall specify the term of office for its members in its SSC Bylaws.~~
- ~~9. If a vacancy occurs, the peer group on the SSC from which the vacancy originates may elect a person to the council for the balance of the term, unless such procedures are stated in the school's SSC Bylaws. Then vacancies shall be filled by following the procedures stated in the Bylaws.~~

~~School Site Councils may serve several purposes in addition to guiding comprehensive school-based programs. Any school site advisory committee required by state law or regulations may allow the SSC to function on its behalf for up to two years. If used as the advisory committee for English learners, the SSC must conform to the membership ratio specified in Education Code section 52176(b).~~

B. Membership of the SSC

~~To ensure effective communication and community participation in planning for improvement of school programs, each school participating in a school-based coordinated program shall establish a SSC with membership in accordance with the Education Code as follows:~~

- ~~1. At the elementary level, the SSC shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel; and (b) parents/guardians or other community members selected by parents/guardians.~~
- ~~2. At the secondary level, the SSC shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) equal numbers of parents/guardians or other community members selected by parents/guardians and students.~~

~~A school employee may serve as a parent/guardian representative on the School Site Council of the school their child attends, provided the employee does not work at that school.~~

~~The term, method of selection, and replacement of council members shall be specified in the school site plan and in the School Site Council Bylaws.~~

~~The SSC should establish meetings times and dates that allow for maximum participation of all interested parties. All SSC meetings shall be open to the public. The schedule of regular meetings should be publicized, and at least 72 hours advance notice should be given if special meetings are called.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****C. Communication**

- ~~1. Prior to the initial establishment of any SSC, the Superintendent or designee shall inform staff, parents and pupils of the intention to establish a SSC.~~

~~Methods of Communication may include, but are not limited to:~~

- ~~a. District/School monthly/quarterly newsletters to parents.~~
- ~~b. Local newspaper.~~
- ~~c. Special bulletin to staff and parents.~~
- ~~d. At the secondary level, the principal shall inform students through means of communication established at the school site.~~

- ~~2. Following the notice of intent to establish a SSC, the principal shall be responsible for scheduling and conducting a public meeting(s) for the purpose of selection of members to the SSC and for notification of the purpose, time and place of said meeting(s).~~

~~The principal shall be responsible for establishing procedures to ensure that the SSC meets provisions of State law as to the composition of said SSC and the selection of members thereof.~~

D. Responsibilities of the SSC:

- ~~1. Legislative Requirements:~~

- ~~a. Develop and approve the Single Plan for Student Achievement (SPSA), a comprehensive program plan designed to improve the effectiveness of the school program, for students who will receive additional services from consolidated application funds. Each plan shall be based on an assessment of school capability to meet the educational needs of each student, specify objectives, and indicate steps necessary to achieve such objectives, including intended outcomes. This comprehensive plan shall account for all program services for participating students, including at least those provided by district and by consolidated application program funds.~~
- ~~b. Annually review the SPSA, establish a new budget, and if necessary, make other modifications in the plan to reflect changing needs and priorities.~~
- ~~c. Recommend the approval of the SPSA as revised to the District Governing Board. If the plan is not approved by the Board, specific reasons for that action shall be communicated to the SSC. Modification to the plan shall be developed, recommended, and approved or disapproved in the same manner.~~

- ~~2. Other Responsibilities~~

- ~~a. Meet on a regular basis to become informed, share information, discuss needs, successes, and plan program improvements.~~
- ~~b. Participate in the monitoring and evaluation of the SPSA.~~
- ~~c. Participate as necessary in Federal Program Monitoring (FPM).~~
- ~~d. Develop a system for ongoing communication with parents, community members, the school staff, and the District.~~
- ~~e. Plan and approve one time site expenditures allocated in the annual state budget.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Adopted: 05/22/1978

Reviewed: 01/14/2009

Amended: 01/15/1992, 04/14/1993, 03/09/2005, 09/26/2007, 11/18/2009, 01/15/2014,
01/14/2015, __/__/____ (BP 7503 renumbered as BP 0420)

EDUCATION CODE

~~42602 Use of Unbudgeted Funds~~

~~52176 Advisory Committees (English Learner Program)~~

~~52800–52890 School-Based Program Coordination Act~~

~~54425 Advisory Committees (Compensatory Education)~~

EDUCATION CODE

52-53 Designation of schools

33133 Information guide for school site councils

35147 Open meeting laws exceptions

52060-52077 Local control and accountability plan

52176 English learner advisory committees

56000-56867 Special education

64000 Categorical programs included in consolidated application

64001 School plan for student achievement, consolidated application programs

65000-65001 School site councils

CODE OF REGULATIONS, TITLE 5

3930-3937 Compliance plans

4600-4670 Uniform complaint procedures

11308 English learner advisory committees

UNITED STATES CODE, TITLE 20

6303 School improvement

6311 State plan

6314 Schoolwide programs; schoolwide program plan

6421-6472 Programs for neglected, delinquent, and at-risk children and youth

6601-6651 Teacher and Principal Training and Recruitment program

6801-7014 Limited English proficient and immigrant students

7101-7122 Student Support and Academic Enrichment Grants

7341-7355c Rural Education Initiative

Doc# 41134-5 (08/2020, 12/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS**
~~DISTRICT~~
~~ORGANIZATION AND GOALS~~
School Organization
CHARTER SCHOOLS

The Board recognizes that ~~views~~ charter schools may offer ~~as a possible~~ learning opportunities for students ~~to encourage school-level reform and allow students, parents/guardians, teachers and principals to design new schools.~~ The Board desires to support charter schools that provide a sound educational program for students and comply with applicable laws. ~~By sound innovations which improve student learning and believes that the administration and schools should work cooperatively to try responsible and viable alternatives to the existing public education system~~

The Board shall consider the authorization and renewal of charter petitions and any material revisions thereto in accordance with the Education Code and other applicable laws. By law, charter school petitioners are responsible for developing the charter that will ~~govern~~ guide the charter school. The proposed charter must, at a minimum, address the provisions required by law ~~and include detailed descriptions of the vision, mission and goals of the charter school, the governance structure which will be used, the educational outcomes to be attained by students and the method by which progress in meeting those outcomes will be measured.~~ As specified in Education Code section 47605, ~~in reviewing~~ granting charter petitions, the Board shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences for academically low-achieving students. (Education Code 47605) The Board shall consider charter petitions using the standards and requirements set forth in Education Code section 47605 and other applicable laws ~~give appropriate consideration to charter school petitions in light of the effects on the District's children and the proposed school's ability to function effectively and meet its goals.~~

Concurrent with the Board's approval of a petition to establish a new charter school or renew an existing charter, the Board may approve one or more memorandum of understanding (MOU) between the District and the charter school to address and clarify each party's respective rights and responsibilities relating to the charter school.

~~Unlike other alternative education programs which are under the direct control of the District,~~
eCharter schools operated as or by an entity other than the District ~~may be~~ separate public entities that are governed independently in accordance with the charter ~~provisions which have been~~ approved by the Board and applicable laws. A charter school shall not operate as, or be operated by, a for-profit corporation, a for-profit educational management organization, or a for-profit charter management corporation. (Education Code 47604) All charter schools that ~~is are~~ not under the Board's direct control ~~of the Board shall be~~ may elect to operate as, or by operated by, ~~organized as~~ nonprofit public benefit corporations formed and organized pursuant to the Nonprofit Public Benefit Corporation Law, Corporations Code 51110 et seq. (Education Code 47604) A charter school ~~and~~ shall defend, indemnify, and hold harmless the District, the Board and members thereof, and ~~its~~ District officers, employees, and agents ~~and employees harmless from any claims, actions, causes of actions, losses, and liabilities~~ arising from or relating to ~~the performance under~~ the charter school.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board shall oversee ~~hold~~ that any charter schools authorized by the Board is successfully ~~under its jurisdiction accountable for~~ fulfilling the terms of ~~its~~the charter and providing an education program in accordance with its charter and the law.

The Board ~~and~~ may revoke a charter in accordance with law. The closure of any charter schools authorized by the Board shall comply with applicable laws.

Adopted: 12/09/1992

Reviewed: 12/11/2008

Amended: 01/19/2005, 08/08/2007, 11/30/2010, / / (BP 1303 renumbered as BP 0420.4)

EDUCATION CODE

200 Equal rights and opportunities in state educational institutions

220 Nondiscrimination

1240 Duties of County Superintendent

17078.52-17078.66 Charter schools facility funding; state bond proceeds

17280-17317 Field Act

17365-17374 Field Act, fitness for occupancy

32282 Comprehensive safety plan

33126 School Accountability Report Card

41365 Charter school revolving loan fund

42131 Interim certification

42238.51-42238.2 Funding for charter districts

44237 Criminal record summary

44830.1 Certificated employees, conviction of a violent or serious felony

45122.1 Classified employees, conviction of a violent or serious felony

46201 Instructional minutes

47600-47616.7 Charter Schools Act of 1992

47640-47647 Special education funding for charter schools

47650-47652 Funding of charter schools

49011 Student fees

51745-51749.6 Independent study

52052 Accountability: numerically significant student subgroups

52060-52077 Local control and accountability plan

56026 Special education

56145-56146 Special education services in charter schools

CORPORATIONS CODE

5110-6910 Nonprofit public benefit corporations

GOVERNMENT CODE

1090-1099 Prohibitions applicable to specified officers

3540-3549.3 Educational Employment Relations Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

6250-6270 California Public Records Act
54950-54963 Ralph M. Brown Act
81000-91014 Political Reform Act of 1974

CODE OF REGULATIONS, TITLE 5
11700.1-11705 Independent study
11960-11968.5.5 Charter schools

UNITED STATES CODE, TITLE 20
7223-7225 Charter schools

COURT DECISIONS
Ridgecrest Charter School v. Sierra Sands Unified School District, (2005) 130 Cal.App.4th 986

ATTORNEY GENERAL OPINIONS
Opinion No. 11-201 (2018)
89 Ops.Cal.Atty.Gen. 166 (2006)
80 Ops.Cal.Atty.Gen. 52 (1997)
78 Ops.Cal.Atty.Gen. 297 (1995)
~~20 UNITED STATES CODE 1232g
Family Educational Rights and Privacy Act 20
UNITED STATES CODE 1400 et seq.
Individuals with Disabilities Education Act~~

~~20 UNITED STATES CODE 6301 et seq.
No Child Left Behind Act~~

~~29 UNITED STATES CODE 621 et seq.
Age Discrimination in Employment Act~~

~~29 UNITED STATES CODE 794 et seq.
Section 504 of the Rehabilitation Act of 1973~~

~~42 UNITED STATES CODE 1971
Civil Rights Act of 1964~~

~~42 UNITED STATES CODE 12101 et seq.
Americans with Disabilities Act~~

~~EDUCATION CODE
220 et seq. Nondiscrimination
41365 Charter school revolving loan fund
44237 Criminal record summary
44830.1 Certificated employees, conviction of violent or serious felony~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~45122.1 Classified employees, conviction of a violent or serious felony-~~

~~47600-47616.7 Charter Schools Act of 1992-~~

~~48000 Minimum age of admission (kindergarten)-~~

~~48010 Minimum age of admission (first grade)-~~

~~48011 Minimum age of admission from kindergarten or other school-~~

~~51747.3 Apportionments for independent study-~~

~~54032 Limited English or low-achieving pupils-~~

~~56145-56146 Special education services in charter schools-~~

~~60605 Academic content and performance standards; assessments-~~

~~60640-60649 Standardized Testing and Reporting Program-~~

GOVERNMENT CODE

~~1090 et seq. Conflict of interest~~

~~6250 et seq. Public Records Act~~

~~54950-54962 The Ralph M. Brown Act-~~

~~12900 et seq. Fair Employment and Housing Act~~

~~87100 et seq. Conflict of interest~~

Doc# 41128-5 (08/2020, 03/2020)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS
COMPREHENSIVE LOCAL PLAN FOR SPECIAL EDUCATION**

PURPOSE: To set forth provisions regarding development, approval, and administration of the District's special education local plan area and the provision of special education.

The Board desires to provide a free appropriate public education to all individuals with disabilities, aged 3 to 21 years, who reside in the District, including children who have been suspended or expelled or placed by the District in a nonpublic, nonsectarian school.

Students shall be referred for special education only after the resources of the regular education program have been considered, and where appropriate, utilized. (Education Code 56303)

The special education local plan area (SELPA) shall administer a local plan and administer the allocation of funds. (Education Code 56195)

To meet the needs of individuals with disabilities and employ staff with adequate expertise for this purpose, the District shall serve as a SELPA.

The Superintendent or designee shall develop a local plan for the education of individuals with disabilities residing in the District. The plan shall set forth elements required by applicable laws and be approved by the Board.

Adopted: __/__/____

EDUCATION CODE

56000-56001 Education for individuals with exceptional needs
56020-56035 Definitions
56040-56046 General provisions
56048-56050 Surrogate parents
56055 Foster parents
56060-56063 Substitute teachers
56170-56177 Children enrolled in private schools
56190-56194 Community advisory committees
56195-56195.10 Local plans
56205-56208 Local plan requirements
56213 Special education local plan areas with small or sparse populations
56240-56245 Staff development
56300-56385 Identification and referral, assessment, instructional planning
56440-56447.1 Programs for individuals between the ages of three and five years
56500-56508 Procedural safeguards, including due process rights
56520-56524 Behavioral interventions
56600-56606 Evaluation, audits and information
56836-56836.05 Administration of local plan

**CLOVIS UNIFIED
SCHOOL DISTRICT****GOVERNMENT CODE**

7579.5 Surrogate parent, appointment, qualifications, liability
95000-95029 California Early Intervention Services Act

WELFARE AND INSTITUTIONS CODE

361 Limitations on parental control
726 Limitations on parental control

CODE OF REGULATIONS, TITLE 5

3000-3089 Regulations governing special education

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

99.10-99.22 Inspection, review and procedures for amending education records
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
300.1-300.818 Assistance to states for the education of children with disabilities, including:
300.500-300.520 Due process procedures for parents and children
303.1-303.654 Early intervention program for infants and toddlers with disabilities

Doc# 41232-3 (08/2020, 11/2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS
DISTRICT TECHNOLOGY PLAN**

PURPOSE: To address the development of a technology plan for the District.

The Board recognizes that technological resources can enhance student achievement by increasing student access to information, supporting teacher effectiveness, and facilitating the administration of student assessments. Effective use of technology can also increase the efficiency of the District's noninstructional operations and governance.

The Superintendent or designee shall develop a comprehensive technology plan that covers at least three years and is based on an assessment of current uses of technology in the District and an identification of future needs. The Superintendent or designee may appoint an advisory committee consisting of a variety of staff and community stakeholders to assist with the development of the technology plan.

The plan shall be integrated into the District's vision and goals for student learning and shall contain research-based strategies and methods for the effective use of technology. When required for state or federal grant programs in which the District participates, the plan shall also address all components required for receipt of such grants.

The Superintendent or designee shall ensure that any use of technological resources in the District protects the private and confidential information of students and employees in accordance with law.

Adopted: / /

BUSINESS AND PROFESSIONS CODE

22584-22585 Student Online Personal Information Protection Act

EDUCATION CODE

10550-10555 Telecommunications standards

11800 K-12 High Speed Network grant program

49060-49085 Student records

51006 Computer education and resources

51007 Programs to strengthen technological skills

51865 California distance learning policy

60010 Instructional materials, definition

66940 Distance learning

PENAL CODE

502 Computer crimes, remedies

**CLOVIS UNIFIED
SCHOOL DISTRICT**

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of Pupil Rights Amendment

7101-7122 Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

Part 312 Children's Online Privacy Protection Rule

CODE OF FEDERAL REGULATIONS, TITLE 34

Part 99 Family Educational Rights and Privacy

CODE OF FEDERAL REGULATIONS, TITLE 47

54.500-54.523 Universal service support for schools

Doc# 41233-3 (08/2020, 12/2014)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE PLANS
COMPREHENSIVE SAFETY PLAN**

PURPOSE: To set forth the procedures and requirements for the development of a comprehensive safety plan.

The Board recognizes the importance of safe and secure school campuses. The Board is committed to school safety and to creating a positive learning environment.

The school site council at each District school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286)

The school safety plan shall address the school's staffing, available resources, and building design, as well as other factors unique to the site.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) as set forth in Education Code section 32286. The comprehensive safety plan shall include a disaster preparedness plan as set forth in BP 3516 – Emergency and Disaster Preparedness Plan.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code section 32281. (Education Code 32288)

Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

Adopted: / /

EDUCATION CODE

200-262.4 Prohibition of discrimination

32260-32262 Interagency School Safety Demonstration Act of 1985

32270 School safety cadre

32280-32289 School safety plans

**CLOVIS UNIFIED
SCHOOL DISTRICT**

32290 Safety devices
35147 School site councils and advisory committees
35183 School dress code; uniforms
35291 Rules
35291.5 School-adopted discipline rules
41020 Annual audits
48900-48927 Suspension and expulsion
48950 Speech and other communication
49079 Notification to teacher; student act constituting grounds for suspension or expulsion
67381 Violent crime

GOVERNMENT CODE

54957 Closed session meetings for threats to security

PENAL CODE

422.55 Definition of hate crime
626.8 Disruptions
11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements
11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants
7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Doc# 41234-4 (08/2020, 12/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES AND COMPREHENSIVE PLANS
LOCAL CONTROL AND ACCOUNTABILITY PLAN**

PURPOSE: To set forth the procedures and requirements for development and approval of the District's local control and accountability plan.

The Board desires to ensure the most effective use of available funding to improve outcomes for all students. A comprehensive, data-driven planning process shall be used to identify annual goals and specific actions which are aligned with the District budget and facilitate continuous improvement of District practices.

The Board shall adopt a districtwide local control and accountability plan (LCAP), based on the template adopted by the State Board of Education (SBE), that addresses the state priorities in Education Code section 52060 and any local priorities adopted by the Board. The LCAP shall be updated on or before July 1 of each year and, like the District budget, shall cover the next fiscal year and two subsequent fiscal years. (Education Code 52060, 52064; 5 CCR 15494-15497)

The LCAP shall focus on improving outcomes for all students, particularly those who are "unduplicated students" or are part of any numerically significant student subgroup that is at risk of or is underperforming. The terms "unduplicated students" and "numerically significant student subgroups" are as defined in Education Code sections 42238.02 and 52052 respectively.

The Superintendent or designee shall review the school plan for student achievement (SPSA) submitted by each District school pursuant to Education Code section 64001 to ensure that the specific actions included in the LCAP are consistent with strategies included in the SPSA. (Education Code 52062)

The LCAP shall also be aligned with other District and school plans to the extent possible to minimize duplication of effort and provide clear direction for program implementation.

As part of the LCAP adoption and annual update to the LCAP, the Board shall separately adopt an LCFF budget overview for parents/guardians, based on the template developed by the SBE, which includes specified information relating to the District's budget. The budget overview shall be adopted, reviewed, and approved in the same manner as the LCAP and the annual update. (Education Code 52064.1)

Any complaint that the District has not complied with legal requirements pertaining to the LCAP may be filed pursuant to Board Policy and Administrative Regulation No. 1312.3 - Uniform Complaint Procedures. (Education Code 52075)

A. Plan Development

The Superintendent or designee shall gather, as appropriate or applicable, data and information needed for effective and meaningful plan development and present it to the Board and community.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board shall consult with teachers, principals, administrators, other school personnel, employee bargaining units, parents/guardians, and students in developing the LCAP. Consultation with students shall enable unduplicated students and other numerically significant student subgroups to review and comment on LCAP development and may include surveys of students, student forums, student advisory committees, and/or meetings with student government bodies or other groups representing students. (Education Code 52060; 5 CCR 15495)

B. Public Review and Input

1. The Board shall establish a parent advisory committee to review and comment on the LCAP in accordance with applicable laws. (Education Code 52062, 52063; 5 CCR 15495)
2. The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the LCAP. Such notification shall be provided in accordance with applicable laws. (Education Code 52062)

The District shall conduct the parent/guardian and community engagement process in accordance with applicable legal requirements. (Education Code 305-306)

3. The Superintendent or designee shall consult with the administrator(s) of the special education local plan area of which the District is a member to ensure that specific actions for students with disabilities are included in the LCAP and are consistent with strategies included in the annual assurances support plan for the education of students with disabilities. (Education Code 52062)
4. The Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the LCAP. The public hearing shall be held at the same meeting as the budget hearing required pursuant to Education Code section 42127 and Board Policy and Administrative Regulation No. 3100 - Budget. (Education Code 42127, 52062)

C. Adoption of the Plan.

The Board shall adopt the LCAP prior to adopting the District budget, but at the same public meeting. This meeting shall be held after the public hearing described above, but not on the same day as the hearing. (Education Code 52062)

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code section 52062 and the revisions are adopted in a public meeting. (Education Code 52062)

**CLOVIS UNIFIED
SCHOOL DISTRICT****D. Submission of Plan to County Superintendent of Schools**

Not later than five days after adoption of the LCAP, the District budget, and the budget overview for parents/guardians, the Board shall file the LCAP, the budget, and the budget overview with the county Superintendent of schools (County Superintendent). (Education Code 42127, 52064.1, 52070)

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall respond in writing within 15 days of the request. If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations. (Education Code 52070)

If the County Superintendent does not approve the District's LCAP, the Board shall accept technical assistance from the County Superintendent focused on revising the plan so that it can be approved. (Education Code 52071)

E. Monitoring Progress

The Superintendent or designee shall report to the Board, as appropriate in accordance with the timeline and indicators established by the Superintendent and the Board, regarding the District's progress toward attaining each goal identified in the LCAP.

The Superintendent or designee shall seek and/or accept technical assistance or other intervention that may be required pursuant to Education Code section 52071 or 52072 or 20 USC section 6311 when a school or a numerically significant student subgroup is not making sufficient progress toward the goals in the LCAP.

Adopted: / /

EDUCATION CODE

305-306 English language education

17002 State School Building Lease-Purchase Law, including definition of good repair

33430-33436 Learning Communities for School Success Program; grants for LCAP implementation

41020 Audits

41320-41322 Emergency apportionments

42127 Public hearing on budget adoption

42238.01-42238.07 Local control funding formula

44258.9 County superintendent review of teacher assignment

47604.33 Submission of reports by charter schools

47606.5 Charter schools, local control and accountability plan

48985 Parental notices in languages other than English

51210 Course of study for grades 1-6

**CLOVIS UNIFIED
SCHOOL DISTRICT**

51220 Course of study for grades 7-12
52052 Numerically significant student subgroups
52059.5 Statewide system of support
52060-52077 Local control and accountability plan
52302 Regional occupational centers and programs
52372.5 Linked learning program
54692 Partnership academies
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60605.8 California Assessment of Academic Achievement; Academic Content Standards Commission
64001 School plan for student achievement
99300-99301 Early Assessment Program

WELFARE AND INSTITUTIONS CODE

300 Dependent child of the court

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures
15494-15497 Local control and accountability plan and spending requirements

UNITED STATES CODE, TITLE 20

6311 State plan
6312 Local educational agency plan
6826 Title III funds, local plans

Doc# 41235-3 (08/2020, 10/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE
PLANSACCOUNTABILITY PLANNING & RESEARCH
~~Federal, State and Local Reporting~~
DISTRICT ACCOUNTABILITY**

PURPOSE: To establish an accountability system that focuses resources for, energy on, and commitment to achievement, quality, and sustained improvement at all levels of District.

The extraordinary success of ~~the Clovis Unified School~~ District is based on three essential ~~d~~District level functions:

1. Identification of specific District wide goals and the establishment of performance standards of excellence pursuant to the goals.
2. Implementation of a systematic process for assessing and reporting individual, classroom, school, area, and District progress toward achievement of student and District performance standards.
3. Implementation of a model for monitoring and reporting results which provides both diagnostic and evaluative information to stimulate and support efforts for improvement and to recognize those who achieve the desired levels of performance.

The Board is committed to ensuring accountability to the public for the performance of District and each District school. An accountability system ~~must be comprehensive, serve~~ shall be based on multiple measures specified in the California Accountability and Continuous Improvement System as reported on the California School Dashboard, consider all District schools and departments, and evaluate the ~~quality and success of the shareholders, i.e. District staff and; students, families and community members in the Clovis Unified School District.~~

The Board authorizes the Superintendent ~~or designee~~ to develop a comprehensive accountability system that focuses resources for, energy on, and commitment to achievement, quality and sustained improvement at all levels of ~~the DistrictClovis Unified.~~

Adopted: 11/20/1995

Reviewed: 03/06/2007, 08/06/2008, 01/20/2010

Amended: 03/24/2004, __/__/____ (BP 7302 renumbered as BP 0500)

EDUCATION CODE

33127-33129 Standards and criteria for fiscal accountability

33400-33407 California Department of Education evaluation of district programs

44660-44665 Evaluation of certificated employees

51041 Evaluation of the educational program

52052 Accountability; numerically significant student subgroups

CLOVIS UNIFIED SCHOOL DISTRICT

52060-52077 Local control and accountability plan

56366 Nonpublic, nonsectarian schools

60640-60649 California Assessment of Student Performance and Progress

CODE OF REGULATIONS, TITLE 5

1068-1074 Alternative schools accountability model, assessments

15440-15464 Standards and criteria for fiscal accountability

UNITED STATES CODE, TITLE 20

6311 Accountability, state plan

6312 Local educational agency plan

CODE OF FEDERAL REGULATIONS, TITLE 34

200.12-200.24 State accountability system

200.30-200.48 State and LEA report cards and plans

Doc# 41133-4 (08/2020, 10/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****PHILOSOPHY, GOALS, OBJECTIVES, AND COMPREHENSIVE
PLANSACCOUNTABILITY PLANNING & RESEARCHFederal, State & Local Reporting
SCHOOL ACCOUNTABILITY REPORT CARD**

PURPOSE: To define ~~Clovis Unified School~~the District's ~~E~~compliance with Education Code section 35256.

~~In enacting the "Classroom Instructional Improvement and Accountability Act," the public has mandated the annual assessment of specific conditions at each school site. The Board recognizes its responsibility to inform parents/guardians and the community about the conditions, needs, and progress at each District school and to provide data by which parents/guardians can make meaningful comparisons between schools. The Board shall annually issue cause-to-be-implemented for each elementary and secondary school in the school dDistrict a Sschool Aaccountability Rreport Ccard (SARC). (Education Code 35256) The Board desires that this assessment be viewed as an opportunity to communicate with the public, review achievements, identify areas for improvement, enlist local support, enhance internal operations, build consensus, and establish a vision for the future.~~

The Superintendent or designee shall maintain a process for developing and issuing site accountability report cards as required by law, ~~including the identification of site level indicators, both qualitative descriptions and quantitative measurements, which shall be used to assess each condition being evaluated. He/she shall also Aaccountability report cards are completed annually, publicized, the issuance of the SARCs and notify and parents/guardians thatnotified that a paper copy will be provided upon request. On or before February 1 of each year, the Superintendent or designee shall make tThe SARCs shall be available in paper copy and on the Districts' website, pursuant to law. (Education Code 35256)~~

Adopted: 09/27/1989

Reviewed: 08/06/2008, 01/20/2010

Amended: 03/25/1992, 11/20/1995, 03/24/2004, 01/14/2015, __/__/____ (BP 7301 renumbered as BP 0510)

~~Education Code~~

~~33126, 33126.1, 35256, 35256.1, 35258, 41409.3, 41409~~

EDUCATION CODE

1240 County superintendent, general duties

17002 Definition, including good repair

17014 Plan for building maintenance

17032.5 Portable classroom maintenance

17070.15 School Facilities Act; definitions

17089 Portable classroom maintenance

33126 School Accountability Report Card

33126.1 School Accountability Report Card model template

**CLOVIS UNIFIED
SCHOOL DISTRICT**

33126.15 School Accountability Report Card template
33126.2 Secretary of Education school accountability report card study
35256 School Accountability Report Card
35256.1 Information required in the School Accountability Report Card
35258 Internet access to the School Accountability Report Card
41409 Calculation of statewide averages
41409.3 Salary information required in the School Accountability Report Card
46112 Minimum school day for grades 1 through 3
46113 Minimum school day for grades 4 through 8
46117 Minimum kindergarten school day
46141 Minimum school day (high school)
51225.3 Requirements for graduation
52052 Accountability; numerically significant student subgroups
60119 Textbook sufficiency
60600-60618 General provisions
60640-60649 California Assessment of Student Performance and Progress
60800 Physical fitness testing

CALIFORNIA CONSTITUTION

Article 16, Section 8.5(e) Allocations to State School Fund

UNITED STATES CODE, TITLE 20

6311 State plans, including local educational agency report cards

Doc# 41132-5 (08/2020, 03/2008)

TABS 13 - 33
1000 COMMUNITY RELATIONS

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS****Community Relations****COMMUNICATIONS WITH THE PUBLIC**

PURPOSE: To address communications with the public.

The Board recognizes the importance of keeping the public informed regarding the goals, programs, achievements, and needs of the schools and District and to be responsive to the concerns and interests of the community. The Superintendent or designee shall, as appropriate, establish strategies for effective two-way communications between the District and the public and shall consult with the Board regarding the role of Board members as advocates for the District's students, programs, and policies.

The Superintendent or designee shall, as appropriate, provide the Board and staff with communications protocols and procedures to assist the District in presenting a consistent, unified message on District issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the District, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

The Superintendent or designee shall, as appropriate, utilize a variety of methods to provide information to the public with access to information. Such methods may include, but are not limited to, District and school newsletters, web sites, social media, electronic communications, mailings, notices sent home with students, recorded telephone messages for parent/guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

In developing communications strategies, the Superintendent or designee shall consider the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent or designee may provide staff members with professional development to assist them in effectively responding to requests for information or assistance by parents/guardians or members of the public.

The Superintendent or designee shall, as appropriate, provide multiple avenues and opportunities for members of the public to give input on District and school issues and operations. Community members are encouraged to become involved in school activities, participate on District and school committees, provide input at Board meetings, submit suggestions to District staff, and use the District's complaint procedures as appropriate.

**CLOVIS UNIFIED
SCHOOL DISTRICT****A. Mass Mailings at Public Expense**

Newsletters or mass mailings regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

A mass mailing is prohibited if all of the applicable legal criteria are met. (Government Code 89001-89002)

The above prohibition does not apply to the types of mass mailings specified in Government Code section 89002(b).

However, any of the excepted mass mailings specified in Government Code section 89002(b) that meet the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

B. Comprehensive Communications Plan

The Superintendent or designee shall, as appropriate, develop a communications plan for community outreach regarding District programs and issues, and communications during a crisis or other emergency situation that may arise.

Adopted: / /

EDUCATION CODE

7054 Use of district property or funds re: ballot measures and candidates

35145.5 Board meetings, public participation

35172 Promotional activities

38130-38138 Civic Center Act

48980-48985 Parental notifications

GOVERNMENT CODE

54957.5 Meeting agendas and materials

82041.5 Mass mailing

89001-89003 Newsletter or mass mailing

CODE OF REGULATIONS, TITLE 2

18901.1 Campaign-related mailings sent at public expense

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

Doc# 40837-3 (04/2020, 10/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT**~~SCHOOL~~ COMMUNITY RELATIONS
~~NEWS~~ MEDIA RELATIONS

PURPOSE: To establish guidelines for working with the media.

The Board believes the District belongs to and is operated for the benefit of the people who live within the District boundaries. ~~Because these people have a right to know~~ Except as provided by law, information concerning Clovis District schools and operations is public information. ~~The news media, including newspapers, TV and radio, represent the public interest in reporting information concerning Clovis Unified School District.~~ It is in the interest of both the District and the citizen-taxpayers that ~~lines of~~ communication ~~remain~~ **be kept** open at all times.

An open and honest relationship with the news media is important in maintaining and building continuing public confidence in education ~~in general~~ and ~~specifically in~~ the District.

Media representatives are welcome at all public Board meetings and shall receive meeting agendas upon request in accordance with law and Board policy.

District staff may provide the media, upon request, with information that may be disclosed under applicable laws and Board policies.

A. Media Contacts/Spokespersons

Spokepersons designated to speak to the media on the District's behalf include the Board President, Superintendent, and Chief Communications Officer. Other Board members and District staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue or appropriateness given a particular situation.

~~School~~ District personnel contacted by the news media shall coordinate with the District's Chief Communications Officer to provide appropriate responses; ~~should feel free to respond within the realm and scope of their personal responsibility and knowledge.~~

~~The Board shall have the final approval for all basic policies governing relations between the news media and the District.~~ The chief communication representative for the Board shall be the District's Chief Communications Officer ~~Administrator, Communications and Board Relations~~. Requests from the media received by Board Members should be routed through the Board President, who may work with the Chief Communications Officer ~~Board's chief communication representative.~~ ~~The Administrator, Communications and Board Relations will work as the liaison between the media and school personnel.~~

Nothing in this policy prevents any Board Members from speaking in his/her individual capacity. The Board Member shall make clear that he/she is speaking in his/her individual capacity and not on behalf of the Board.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~The Administrator, Communications and Board Relations shall be responsible for:~~

- ~~1. Being readily available to media representatives.~~
- ~~2. Providing media representatives upon request with all facts that give a true picture to the best of their knowledge.~~
- ~~3. Keeping media representatives fully informed with regard to the school system in all aspects, activities, and changes so that any reporting will be done on the basis of a complete and valid interview.~~
- ~~4. Submitting, suggesting or requesting feature stories or articles to media representatives which are of interest or importance.~~
- ~~5. Providing "media kits" to media representatives who attend meetings of the Board.~~

~~Assisting the Board in the preparation of regular and special publications to the publ
In order to maintain a progressive and coordinated program of public relations for the District, the following are essential.~~

B. Media Visits to District School Sites.

Media visits to school sites must be arranged through the Chief Communications Officer's office or other District staff designated by the Superintendent. ~~To ensure the safety of students and staff and avoid potential disruptions, any reporter or photographer from the print or electronic m~~Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds in accordance with board policies when school is in session~~Board Policy No. 9202 to announce their presence and purpose (E.C. 44810, 44812).~~

- ~~1. When a principal will not be on campus or available to clear the presence on campus of a media representative on a previously arranged assignment, he shall notify office personnel of clearance and designate a member of his staff to accompany the member of the media.~~
- ~~2. The principal shall delegate a staff member to act for him in matters of press relations when the principal is away from the campus.~~
- ~~3. The Administrator, Communications and Board Relations may be contacted by telephone after working hours for matters of urgency. This includes work on breaking news stories that occur after the close of the business day.~~
- ~~4. During the course of a media visit, a principal should determine if a reporter's subject involves a potentially volatile issue, or District-wide policies or procedures. Once this is determined, the principal shall:~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~a. Refer the matter to that member of the central staff as may be appropriate;~~
 - ~~b. Refer the matter to the Communications Office, which may put the reporter in contact with an appropriate news source;~~
 - ~~c. Delay or reschedule the interview and confer with an appropriate person in the Central Administration.~~
 - ~~d. Suggest that the matter be continued at an interview/press conference at which a member of Central Administration appears jointly to facilitate accurate information concerning District-wide conditions or policies.~~
- ~~5. Disagreements on proper interpretation of the procedure by either school personnel or media representatives should be referred to the Communications Office.~~
- ~~6. Charges of inappropriate actions on the part of media representatives or lack of cooperation by school employees should be made to the Communications Office which will attempt to work out differences to be mutually acceptable. If the matter cannot be solved in this manner, the Director of Administrator, of Communications and Board Relations will refer the matter to the Superintendent.~~
- ~~A. No employee of the District other than the Superintendent, Deputy, Associate or Assistant Superintendents, or the Chief Curriculum Officer may discuss the professional qualifications of another District employee. Questions involving certificated or classified personnel should be directed to the appropriate Deputy, Associate or Assistant Superintendents, or the Chief Curriculum Officer.~~
- ~~B. The identification of a student singled out for disciplinary action will not normally be available for publication, nor will names of students who are suspected of action that may result in disciplinary action be revealed. If the offense in question leads to legal action, the naming of the student by the police will be subject to police agency policies. Decision on exceptions to this policy can come from the Superintendent or designee.~~
- ~~C. In the event of an injury, the name of the victim may be withheld pending notification of parent or guardian.~~
- ~~D. Information about an individual student including address, parents' name, grades, etc., is, by law, not public information and cannot be given out in many cases. Specifically not precluded is the identification of such a student when the student is the recipient of some honor or award. Questions on this matter should be addressed to the Superintendent or designee.~~

~~It should be noted that the Superintendent, as the chief executive officer of the District, may appropriately comment on any subject mentioned previously. In cases where law or policy of~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~the Board preclude the release of information, the Superintendent is also bound by the regulations.~~

Adopted: 07/23/1975

Reviewed: 06/18/2007

Amended: 12/12/1979, 06/25/1980, 04/24/1987, 07/08/1992, 03/09/2005, 02/25/2009,
____/____/____ (BP 9101 renumbered as BP 1112)

~~Education Code sections 44810, 44812~~

EDUCATION CODE

32210-32212 Willful disturbance of public school or meeting

35144 Special meetings

35145 Public meetings

35160 Authority of governing boards

35172 Promotional activities

48907 Freedom of speech and press

48950 Prohibition against disciplinary action for first amendment speech

49061 Definition of directory information

49073 Directory information

EVIDENCE CODE

1070 Refusal to disclose news source

PENAL CODE

627-627.10 Access to school premises

UNITED STATES CODE, TITLE 20

1232g Family educational and privacy rights

CODE OF FEDERAL REGULATIONS, TITLE 34

99.3 Definition of directory information

COURT DECISIONS

Lopez v. Tulare Joint Union High School District (1995) 34 Cal.App.4th 1302

ATTORNEY GENERAL OPINIONS

79 Ops.Cal.Atty.Gen. 58 (1996)

Doc# 40838-5 (08/2020, 07/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
DISTRICT AND SCHOOL WEBSITES**

PURPOSE: To establish design standards, content guidelines, and privacy rights on District and school websites

To enhance communication with students, parents/guardians, staff, and community members, the Board encourages the Superintendent or designee to develop and maintain District and school web sites. The use of District and school web sites shall support the District's vision and goals and shall be coordinated with other District communications strategies.

A. Design Standards

The District and school websites will address, as appropriate, design standards to maintain a consistent identity, professional appearance, and ease of use.

The contents of the District and school websites shall comply with applicable laws and standards regarding accessibility for individuals with disabilities, including compatibility with commonly used assistive technologies.

B. Web Site Content

The Superintendent or designee shall develop content guidelines for District and school web sites and assign staff to review and approve content prior to posting.

The board policy pertaining to advertising in District and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on District and school web sites.

C. Privacy Rights

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on District and school web sites.

Photographs of individual students shall not be published on District or school web sites accompanied by the student's name or other personally identifiable information without the prior written consent of the student's parent/guardian.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or District web sites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on District or school web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

No public safety official shall be required to consent to the posting on the Internet of his/her photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or his/her family. (Government Code 3307.5)

Adopted: / /

EDUCATION CODE

35182.5 Contracts for advertising
35258 Internet access to school accountability report cards
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy
22584-22585 Student Online Personal Information Protection Act
22586 Preschool and prekindergarten privacy

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers
6254.21 Publishing addresses and telephone numbers of officials
6254.24 Definition of public safety official
11135 Nondiscrimination; accessibility to state web sites

PENAL CODE

14029.5 Prohibition against publishing personal information of person in witness protection program

UNITED STATES CODE, TITLE 17

101-122 Subject matter and scope of copyright
504 Penalties for copyright infringement

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

705 Definitions; Vocational Rehabilitation Act
794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

CODE OF FEDERAL REGULATIONS, TITLE 16
312.1-312.12 Children's Online Privacy

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
104.1-104.61 Nondiscrimination on the basis of disability

COURT DECISIONS
City of San Jose v. Superior Court (2017) 2 Cal.5th 608
Aaris v. Las Virgenes Unified School District (1998) 64 Cal.App.4th 1112

Doc# 40839-4 (08/2020, 10/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
DISTRICT-SPONSORED SOCIAL MEDIA**

PURPOSE: To establish content guidelines and address privacy rights on District social media platforms.

The Board recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official District social media platform shall be to further the District's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members.

The Superintendent or designee shall develop, as appropriate, content guidelines and protocols for official District social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

A. Guidelines for Content

Official District social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

The Superintendent or designee shall ensure that the limited purpose of the official District social media platforms is communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are responsible for the content of their posts.

Official District social media platforms may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

Staff or students who post prohibited content shall be subject to discipline in accordance with District policies and administrative regulations.

Users of official District social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

**CLOVIS UNIFIED
SCHOOL DISTRICT****B. Privacy**

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official District social media platforms.

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in Board Policy No. 1113 - District and School Web Sites, shall also apply to official District social media platforms.

Social media and networking sites and other online platforms shall not be used by District employees to transmit confidential information about students, employees, or District operations.

Adopted: / /

EDUCATION CODE

32261 School safety, definitions of bullying and electronic act
35182.5 Contracts for advertising
48900 Grounds for suspension and expulsion
48907 Exercise of free expression; rules and regulations
48950 Speech and other communication
49061 Definitions, directory information
49073 Release of directory information
60048 Commercial brand names, contracts or logos

GOVERNMENT CODE

3307.5 Publishing identity of public safety officers
6250-6270 Public Records Act, especially:
6254.21 Publishing addresses and phone numbers of officials
6254.24 Definition of public safety official
54952.2 Brown Act, definition of meeting

UNITED STATES CODE, TITLE 17

101-1101 Federal copyright law

UNITED STATES CODE, TITLE 20

1232g Federal Family Educational Rights and Privacy Act

UNITED STATES CODE, TITLE 29

157 Employee rights to engage in concerted, protected activity
794 Section 503 of the Rehabilitation Act of 1973; accessibility to federal web sites

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

**CLOVIS UNIFIED
SCHOOL DISTRICT****COURT DECISIONS**

Page v. Lexington County School District (2008, 4th Cir.) 531 F.3d 275

Downs v. Los Angeles Unified School District (2000) 228 F.3d 1003

Aaris v. Las Virgenes Unified School District (1998) 64 Cal.App.4th 1112

Perry Education Association v. Perry Local Educators' Association (1983) 460 U.S. 37

Board of Education, Island Trees Union Free School District, et.al. v. Pico (1982) 457 U.S. 853

NATIONAL LABOR RELATIONS BOARD DECISIONS

18-CA-19081 Sears Holdings, December 4, 2009

Doc# 40840-3 (08/2020, 07/2011)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
POLITICAL PROCESSES**

PURPOSE: To address political activities conducted by Board members and District employees acting on the District's behalf.

The Board is committed to advocate for fiscal and public policy that supports the District's schools and the children in the community and is consistent with the District's vision and goals. The Board's advocacy efforts shall be conducted in accordance with legal requirements.

A. Ballot Measures/Candidates

No District funds, services, supplies, or equipment shall be used to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

The Board may discuss and study the potential effect of proposed or qualified ballot measures on the District's schools at an open and agendized Board meeting. The Board's discussion of the effect of such measures shall include an opportunity for staff and members of the public to speak on all sides of the issue. At that meeting, the Board may adopt a position or resolution in support of or in opposition to a ballot measure. The language in any resolution adopted by the Board shall not urge the public to take any action regarding the measure.

The Board's position on a ballot measure, including any resolution, shall be publicized only through normal District procedures and consistent with regular District practice for reporting Board actions. Such publicity shall be for informational purposes and shall not attempt to influence voters.

The Superintendent or designee may use District resources to provide students, parents/guardians, and community members with fair and impartial information related to ballot measures, including information about the impact of ballot measures on the District. (Education Code 7054)

In preparing or distributing such informational material, the Superintendent or designee shall analyze the material to help ensure that it is an appropriate informational activity, provides a fair analysis of the issues, and does not advocate passage or defeat of a measure or candidate.

District resources, including email or computer systems, shall not be used to disseminate campaign literature. In addition, District resources shall not be used to purchase advertisements, bumper stickers, posters, or similar promotional items that advocate an election result or urge voters to take any action in support of or in opposition to a measure.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Political activity related to District bond measures shall, in addition to the above, be subject to the following conditions:

1. The Superintendent or designee may research, draft, and prepare a District bond measure or other initiative for the ballot, but shall not use District resources to influence voters or otherwise campaign for the measure.
2. Upon request, Board members and District administrators may appear at any time before a citizens' group to explain why the Board called for an election on a bond measure and to answer questions. (Education Code 7054.1)

If the presentation occurs during working hours, the employee representing the District shall not urge a citizens' group to vote for or against the bond measure.

3. The Board or any individual Board member may file a written argument for the ballot that is either for or against any school measure. (Elections Code 9501) An individual Board member shall specify that he/she is filing the written argument in his/her individual capacity.

B. Legislation

The Board's responsibility as an advocate for the District may include lobbying and outreach at the state, national, and local levels. The Board and Superintendent or designee shall work to establish and maintain ongoing relationships with elected officials, community leaders, and the media to communicate District positions and concerns.

The Board and Superintendent may develop an action plan to define expectations and responsibilities for advocacy. This plan may include, but is not limited to, legislative priorities, strategies for outreach to the media and community, development of key messages and talking points, and adoption of positions on specific legislation, regulations, or budget proposals.

To strengthen legislative advocacy efforts, the District may work with organizations and coalitions and may join associations whose representatives lobby on behalf of their members in accordance with Government Code section 53060.5.

The District may provide fair and impartial information about legislative issues affecting schools and children.

As necessary, the Board may direct the Superintendent or designee to draft legislative or regulatory proposals which serve the District's interests.

C. Legal Advocacy

The Board recognizes that some issues are more appropriately addressed judicially rather than legislatively. When a legal issue is likely to set a state or national precedent, the District may, with

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Board approval, join with other school districts or parties to resolve the issue through litigation or other appropriate means.

Adopted: __/__/__

EDUCATION CODE

7050-7058 Political activities of school officers and employees, including:

7054 Use of district property

7054.1 Requested appearance

7056 Soliciting or receiving political funds

35160 Authority of governing boards

35172 Promotional activities

ELECTIONS CODE

9501 School district elections, arguments for or against a measure

GOVERNMENT CODE

8314 Unlawful use of state resources

53060.5 Attendance at legislative body; expenses

54953.5 Right to record proceedings

54953.6 Broadcasts of proceedings

81000-91015 Political Reform Act, including:

82031 Definition of independent expenditure

CODE OF REGULATIONS, TITLE 2

18600-18640 Lobbyists

18901.1 Campaign related mailings sent at public expense

COURT DECISIONS

Vargas v. City of Salinas (2009) 46 Cal. 4th 1

Santa Barbara County Coalition Against Automobile Subsidies v. Santa Barbara County Association of Governments (2008) 167 Cal.App.4th 1229

Yes on Measure A v. City of Lake Forest (1997) 60 Cal.App.4th 620

Choice-in-Education League et al v. Los Angeles Unified School District (1993) 17 Cal.App.4th 415

League of Women Voters v. Countywide Criminal Justice Coordination Committee (1988) 203 Cal.App.3d 529

Miller v. Miller (1978) 87 Cal.App.3d 762

Stanson v. Mott (1976) 17 Cal. 3d 206

**CLOVIS UNIFIED
SCHOOL DISTRICT**

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 46 (2005)

73 Ops.Cal.Atty.Gen. 255 (1990)

Doc# 40950-4 (08/2020, 03/2011)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~COMMUNITY RELATIONS~~~~DISTRICT ORGANIZATION & GOALS~~~~Organizational Charts & Functions~~

**CITIZEN ADVISORY COUNCILS AND & COMMITTEES RELATIONSHIP TO
DISTRICT LINES OF AUTHORITY**

PURPOSE: To ~~establish~~ set forth the policy for citizen advisory councils and committees.

The Board ~~District declares its intent in establishing~~ recognizes that citizen advisory councils and committees enable the Board and District administration to better understand the interest and concerns of ~~to share responsibility for decisions which affect the schools and the District with the community, staff and students.~~ This policy applies to citizen advisory councils and committees, including but not limited to, any advisory committees established pursuant to Education Code sections 56190-56194 related to special education, any committees established pursuant to Education Code sections 17387-17391 related to the use or disposition of excess real property, any citizens' oversight committees established to examine the expenditure of general obligation bond or school facilities improvement bond revenues, and school site councils established pursuant to Education Code sections 65000-65001.

The Board shall establish citizen advisory councils or committees when required by law, ~~to strengthen the effectiveness of District and school operations, or to enhance student learning.~~ In its discretion, the Board may establish advisory councils or committees that are not required by law. The purpose of any such councils or committees shall be clearly defined and aligned to the District's vision, mission, and goals. The Board may dissolve any advisory council or committee not required by law when the council or committee has fulfilled its duties or at any time the Board determines to dissolve it ~~deems it necessary.~~

The Superintendent or designee may establish advisory councils or committees, which shall report to him/her ~~in accordance with law, Board policy, and administrative regulation.~~

Citizen advisory councils and committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent. They shall comply with District policies and regulations, and, as applicable, with the Ralph M. Brown Act and other laws.

Unless required by law, citizen advisory ~~C~~councils and committees shall not be standing committees. They shall be established for specific purposes ~~to~~, make recommendations and act in an advisory capacity. Councils and committees shall function on behalf of the schools or the District only through established lines of authority. Councils and committees shall advise and report on only those programs which relate to the specific purpose of the council or committee.

To the extent the law and ~~G~~guidelines for certain ~~S~~state and/or ~~F~~federal programs require citizen advisory councils or committees, ~~such~~ such councils or committee will be organized in accordance with ~~S~~state and/or ~~F~~federal guidelines ~~unless such are in conflict with the policies of the Board.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Councils and/or ~~C~~committees for ~~S~~state and/or ~~F~~federal programs shall advise and report only on those programs which relate to the specific purposes of the council or committee.

~~All policies of the Board, including those establishing lines of authority and job responsibility, shall apply throughout the District for State and Federal categorical as well as District funded schools and departments.~~

~~Actions taken by all councils and committees shall be in accord with policies adopted by the Board and administrative regulations established to implement the policies.~~

Adopted: 07/23/1975

Reviewed: 01/14/2009

Amended: 06/28/1978, 06/08/1992, 08/12/1992, 08/10/2005, 09/26/2007, __/__/__ (BP 1203
renumbered as BP 1220)

~~Education Code section 52870~~

~~EDUCATION CODE~~

~~8070 Career technical education advisory committee~~

~~11503 Parent involvement program~~

~~15278-15282 Citizens' oversight committee~~

~~15359.3 School facilities improvement districts~~

~~17387-17391 Advisory committees for use of excess school facilities~~

~~35147 School site councils and advisory committees~~

~~44032 Travel expense payment~~

~~52060 Local Control and Accountability Plan~~

~~52063 Local Control and Accountability Plan~~

~~52176 Advisory committees, limited-English proficient students program~~

~~54425 Advisory committees, compensatory education~~

~~54444.1-54444.2 Parent advisory councils, services to migrant children~~

~~56190-56194 Community advisory committee, special education~~

~~62002.5 Continuing parent advisory committees~~

~~64001 School plan for student achievement, consolidated application programs~~

~~65000-65001 School site councils~~

~~GOVERNMENT CODE~~

~~810.2 Tort claims act, definition employee~~

~~810.4 Tort claims act, definition employment~~

~~815.2 Injuries by employees within scope of employment~~

~~820.9 Members of local public boards not vicariously liable~~

~~6250-6270 California Public Records Act~~

~~54950-54963 Brown Act~~

~~UNITED STATES CODE, TITLE 42~~

~~1758b Local wellness policy~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

COURT DECISIONS

Frazer v. Dixon Unified School District (1993) 18 Cal.App.4th 781

Doc# 40842-5 (08/2020, 07/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL~~ COMMUNITY RELATIONS
SCHOOL-CONNECTED ORGANIZATIONS**

PURPOSE: To set forth the policy regarding ~~provide guidelines for~~ organizing and operating school-connected organizations in the District.

The ~~Governing~~ Board recognizes that parents/guardians and community members may wish to organize foundations, parent-teacher organizations, and/or booster clubs ~~to for the purpose of supporting~~ District schools and their co-curricular ~~and/or extracurricular~~ programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting school activities and helping to achieve the school's vision for student learning.

A school-connected organization shall obtain the written approval of the Superintendent or designee before soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a District school or the students at that school. (Education Code 51521) The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and District program. School-connected organizations shall consult with the principal to determine school needs and priorities.

Each school within the District may have a single nonprofit organization operating under Section 501(c) (3) of the Internal Revenue Code. Other groups wishing to organize for the purpose of supporting the school will operate under the umbrella of that single nonprofit organization. Activities by school-connected organizations shall not conflict with law, ~~District Board Policies and, Administrative Regulations~~, or any rules of the sponsoring school.

A school-connected organization, other than an associated student body or other student organization, shall be established and maintained as a separate entity from the school and District. Activities by school-connected organizations shall be conducted in accordance with law, District policies and regulations, and any rules of the sponsoring school.

Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

The Superintendent ~~or designee~~ shall adopt regulations ~~implement internal~~ setting forth procedures for establishing and operating ~~for all~~ school-connected organizations.

Adopted: 12/12/2007

Reviewed: 04/01/2009

Amended: 03/26/2008, __/__/____ (BP 9213 renumbered as BP 1230)

~~Legal Reference:~~

~~Education Code sections 200-262.5, 35160, 8130-38138, 48931-48932, 49431, 49431.2-49431.5, 51520, 51521~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Business and Professions Code sections 17510-17510.95, 25608~~

~~Government Code sections 12580-12599.7~~

~~Penal Code sections 319-329~~

~~Code of Regulations, Title 5, sections 4900-4965, 15500, 15501~~

~~Code of Regulations, Title 11, sections 300-312.1~~

~~United States Code, Title 20, sections 1681-1688~~

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35160 Authority of governing boards

38130-38138 Civic Center Act, use of school property for public purposes

48931 Authorization for sale of food by student organization

48932 Authorization for fund-raising activities by student organization

49011 Student fees

49431-49431.7 Nutritional standards

51520 Prohibited solicitation on school premises

51521 Fund-raising project

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

15575-15578 Requirements for foods and beverages outside the federal meals program

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

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

CODE OF FEDERAL REGULATIONS, TITLE 7

210.11 Competitive food services

220.12 Competitive food services

**CLOVIS UNIFIED
SCHOOL DISTRICT**

COURT DECISIONS

Serrano v. Priest (1976) 18 Cal. 3d 728

Doc# 40843-4 (04/2020, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL~~ COMMUNITY RELATIONS
VOLUNTEER ASSISTANCE**

PURPOSE: To encourage community members to enrich the educational experience of students while strengthening the schools' relationships with the community.

The ~~Governing~~ Board encourages parents/guardians and other members of the community to share their time, knowledge, and abilities with ~~our~~ District students. Community volunteers in ~~our~~ District schools enrich the educational program, contribute to school safety, and strengthen ~~our~~ the schools' relationships with the community. The Board encourages principals to develop a means for recognizing the contributions of each school's volunteers.

No person has any right to provide, nor is the District obligated to accept, volunteer services. A person also has no right to a particular volunteer assignment, event, location or classroom.

Volunteers shall ~~comply~~ ~~in accordance~~ with state and federal laws, District policies and regulations, and school rules, including but not limited to Board Policy No. 12509202 (~~School~~ Visitors/Public Attendance at District Events) and Board Policy No. 1250.19210 (Civility Policy), and school rules. The Superintendent or designee shall be responsible for investigating and resolving complaints regarding volunteers.

Volunteer maintenance work shall be limited to those projects that do not replace the normal maintenance duties of classified staff. Volunteer aides shall not be used to assist certificated staff in performing teaching or administrative responsibilities in place of ~~regularly authorized~~ classified employees who have been laid off.

The Board prohibits harassment of any volunteer on the basis of 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, and other legally protected status. (Government Code 12940(j))

The Superintendent ~~or designee~~ shall establish ~~administrative~~ regulations regarding ~~volunteers setting forth procedures to protect the safety of students and adults in accordance with applicable laws~~, including requirements for recruiting, screening, and placing volunteers.

The Board desires to provide a safe environment for volunteers and minimize the ~~d~~ District's exposure to liability. Upon the ~~annual~~ adoption of a resolution by the Board, volunteers shall be entitled to workers' compensation benefits for any injury sustained while engaged in the performance of service for the District. (Labor Code 3364.5)

Adopted: 08/24/2005

Reviewed: 03/06/2007, 10/01/2008, 05/18/2010, 11/10/2010

Amended: 05/10/2017, __/__/____ (BP 9212 renumbered as BP 1240)

EDUCATION CODE

8482-8484.6 After School Education and Safety program

**CLOVIS UNIFIED
SCHOOL DISTRICT**

8484.7-8484.9 21st Century Community Learning Center program

35021 Volunteer aides

35021.1 Automated records check

35021.3 Registry of volunteers for before/after school programs

44010 Sex offense; definition

~~44227.5 Classroom participation by college methodology faculty~~

44814-44815 Supervision of students during lunch and other nutrition periods

45125 Fingerprinting requirements

45125.01 Interagency agreements for criminal record information

45340-45349 Instructional aides

45360-45367 Teacher aides

48981 Parental notifications

49024 Activity Supervisor Clearance Certificate

49406 Examination for tuberculosis

GOVERNMENT CODE

~~3100-3109 Oath or affirmation of allegiance~~

3543.5 Prohibited interference with employees' rights

12940 Prohibited discrimination and harassment

HEALTH AND SAFETY CODE

1596.7995 Immunization requirements for volunteers in child care center or preschool

1596.871 Fingerprints of individuals in contact with child day care facility clients

LABOR CODE

1720.4 Public works; exclusion of volunteers from prevailing wage law

3352 Workers' compensation; definitions

3364.5 Authority to provide workers' compensation for volunteers ~~Persons performing voluntary services for school districts~~

PENAL CODE

290 Registration of sex offenders

290.4 Information regarding sex offenders

290.95 Disclosure by person required to register as sex offender

626.81 Sex offender; permission to volunteer at school

CODE OF REGULATIONS, TITLE 22

101170 Criminal record clearance

101216 Health screening, volunteers in child care centers

~~UNITED STATES CODE, TITLE 20~~

~~6319 Qualifications and duties of paraprofessionals, Title I programs~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
Whisman Elementary School District (1991) PERB Decision No. 868

Doc# 40844-5 (08/2020, 12/2014)

**CLOVIS UNIFIED
SCHOOL DISTRICT**~~SCHOOL~~ COMMUNITY RELATIONS~~Community Relations~~~~SCHOOL~~ VISITORS/PUBLIC ATTENDANCE AT DISTRICT EVENTS

PURPOSE: To establish procedures for school visitors and public attendance at District events.

The Board welcomes and encourages visits to District school campuses and sites by parents, other adult residents of the community, and interested educators. However, ~~in order~~ for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the schools, it is necessary to invoke visitor controls. The Superintendent, therefore, shall establish ~~Administrative R~~egulations that will protect pupils and employees of the District from disruption to the educational program or the efficient conduct of their assigned tasks.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

Except as permitted by law, no electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

In accordance with Penal Code section 626.7, the principal or designee may request that any individual who is causing a disruption, including but not limited to, exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Any person who is required to register as a sex offender pursuant to Penal Code section 290, including a parent/guardian of a District student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission. The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

Public Attendance at District Events

The Board welcomes the attendance of parents and members of the community at athletic and other public events held by the schools and District administration. To maintain order and preserve the facilities of the District during the conduct of such events, the Board expects ~~has determined~~ that all persons attending such events must treat each other and District facilities with respect and civility.

The Board declares as follows:

1. On-Site Public Events: Any person attending a public event at District facilities and hosted by a school and/or District administration shall comply with District policies, including but not limited to, ~~with the School Visitors Policy (Board Policy No. 9202) and the Civility~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Policy (Board Policy No. 1250.19240). Any person who engages in conduct that violates this policy ~~the School Visitors Policy~~ or the Civility Policy shall be subject to the applicable procedures and actions set forth in those ~~board~~-policies. Further, the Superintendent or ~~his/her~~ designee(s) may bar any parent or member of the public who engages in conduct that violates this policy ~~the School Visitors Policy~~ or the Civility Policy from attending future public events hosted by a school and/or District administration, whether they are held on or off District facilities.

2. Off-Site Public Events: Any person attending a public event hosted by a District school and/or District administration at a location other than at District facilities shall comply with the Civility Policy (Board Policy No. 1250.19240). Any person who engages in conduct that violates the Civility Policy shall be subject to the procedures and actions set forth therein. In addition to the procedures and actions set forth in the Civility Policy, the Superintendent or ~~his/her~~ designee(s) may take one or all of the following actions:
 - a. Direct any parent or member of the public who engages in unacceptable or disruptive behavior to promptly leave the premises where the public event is being held.
 - b. Notify and/or seek the assistance of law enforcement officials or private security personnel in resolving any incident involving a violation of the Civility Policy.
 - c. Bar any parent or member of the public who engages in unacceptable or disruptive behavior from attending future public events held by schools in the District and/or District administration, whether on or off District schools and facilities.
3. No Alcoholic Beverages and Illegal Betting: In compliance with the law, the Board directs that no alcoholic beverage be consumed at any function, event, or activities, sponsored by the District, nor any illegal betting occur on District schools and premises.

Adopted: 07/23/1975

Reviewed: 05/02/2007, 10/01/2008, 11/10/2010

Amended: 11/06/1991, 04/12/2000, 03/24/2004, / / (BP 9202 renumbered as BP 1250;
all contents of BP 9204 moved to BP 1250)

~~Education Code sections 32210, 32211-32212, 35160-35160.1
44810, 44811, 44901.4~~

~~Penal Code sections 71, 243.5, 415.5, 626.2, 626.4, 626.7
626.8, 627.7, 653g~~

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

CLOVIS UNIFIED SCHOOL DISTRICT

35292 Visits to schools (board members)
49091.10 Parental right to inspect instructional materials and observe school activities
51101 Parent Rights Act of 2002
51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders
626-626.10 Schools
626.81 Misdemeanor for registered sex offender to come onto school grounds
627-627.10 Access to school premises, especially:
627.1 Definitions
627.2 Necessity of registration by outsider
627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

Doc# 40845-5 (08/2020, 12/2014)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL~~ COMMUNITY RELATIONS
CIVILITY POLICY**

PURPOSE: To promote and maintain mutual respect, civility, and orderly conduct among District employees, parents, and the public.

~~This policy~~The Board is committed to and promotes mutual respect, civility, and orderly conduct among District employees, parents, and the public. It encourages positive communication and discourages disruptive, volatile, or hostile communications or actions. The Board seeks public cooperation with this endeavor.

District staff will maintain orderly educational and administrative processes, keep schools and administrative offices free of disruptions, and prevent unauthorized persons from entering school campuses and premises of the District. ~~Members of the Clovis Unified School~~ District staff will treat parents and other members of the public with respect and expect the same in return.

This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain a safe, harassment-free environment for our students, staff, parents and the public. ~~The Clovis Unified School District encourages positive communication and discourages disruptive, volatile or hostile communications or actions. The District seeks public cooperation with this endeavor. The District is committed to maintaining orderly educational and administrative processes, keeping schools and administrative offices free of disruptions, and preventing unauthorized persons from entering school campuses and premises of the District.~~ To maintain a safe, non-disruptive, and harassment-free environment for students, staff, parents, and the public, the Superintendent shall establish regulations that will promote mutual respect, civility, and orderly conduct among District employees, parents, and the public.

Adopted: 02/24/1999

Reviewed: 03/06/2007, 10/01/2008

Amended: 03/24/2004, 11/16/2011, __/__/__ (BP 9210 renumbered as BP 1250.1)

EDUCATION CODE

32210, ~~32211~~ 32212; Willful disturbance, public schools or meetings

35160-35160.1 Governing board powers and duties

44014; Reporting of assault or threats upon school district or county superintendent of schools employees

44810, ~~44811~~ Disruption upon school ground or schoolhouse

PENAL CODE

71; Threats or injury of public or private educational institution officer or employee

243.5; Assault and battery

415.5; Crimes against the public peace

626.2, ~~626.4, 626.7~~ 626.8, ~~626.81, 626.85~~; Disruption of schools

626.9; Gun-Free School Zone Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

627.7; Access to school premises
653m Other and miscellaneous offenses

UNITED STATES CODE
20 U.S.C. ~~79617454~~ Gun free requirement

Doc# 40846-5 (08/2020, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
EDUCATIONAL FOUNDATIONS**

PURPOSE: To support and define the District's relation with educational foundations.

The Board recognizes the importance of community support of District programs, including voluntary financial contributions, to assist the District in achieving its goals for student learning.

The Board desires to work cooperatively with educational foundations in determining the purposes for which funds may be used to meet the changing needs of the District and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the District. Foundations are encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the District can help support the foundation's activities.

With the consent of the Superintendent or designee, the educational foundation, as appropriate, may use the District's name, a school's name, a school team's name, or any logo attributable to a school or the District.

The Board supports foundation allocations that serve District schools.

Adopted: / /

EDUCATION CODE

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

COURT DECISIONS

Serrano v. Priest (1976) 18 Cal. 3d 728

Doc# 40847-3 (08/2020, 07/2007)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL COMMUNITY RELATIONS~~****~~FORMAL COMPLAINTS REGARDING DISTRICT EMPLOYEES PERSONNEL AND PRACTICES~~**

PURPOSE: To establish a process for the ~~expeditious~~ ~~prompt and equitable~~ resolution of complaints regarding District ~~employees personnel and practices~~.

~~It is the Governing~~ The Board's policy ~~is to provide~~ ~~develop and publish~~ a ~~complaint~~ process for the ~~expeditious~~ ~~prompt and equitable~~ resolution of complaints filed by pupils, employees, parents/guardians, and the public regarding District ~~employees personnel and practices~~ pursuant to the procedures in the administrative regulation to this policy.

The Superintendent or designee will not investigate a complaint that is filed anonymously unless there is specific and reliable information, and/or consideration of other pertinent factors warrant an investigation.

Upon receipt of a complaint, the Superintendent or designee shall determine whether the complaint is against the District and/or a District employee and whether it should be handled pursuant to this policy and the accompanying administrative regulation. Complaints regarding subject matters that are addressed by other policies shall be handled using the procedures set forth in the applicable policy and administrative regulation.

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except ~~to for~~ the extent necessary to investigate the complaint. ~~The District will not investigate anonymous complaints unless it so desires.~~

Complaints not covered by this policy

This policy does not apply to the following types of complaints:

- ~~1) Complaints regarding materials used in the instruction of pupils (see Board Policy No. 3306—Reconsideration of Learning Resources)~~
- ~~2) Complaints regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancies or misassignments, or the failure to provide intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12 (see Board Policy No. 9211, Uniform Complaint Procedures Regarding Areas Included in Williams Settlement)~~
- ~~3) Pupil sexual harassment complaints (see Board Policy/Administrative Regulation No. 2111—Sexual Harassment)~~
- ~~4) Employee sexual harassment complaints (see Board Policy/Administrative Regulation No. 6301—Sexual Harassment)~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~5) Complaints alleging violation of federal or state laws or regulations governing the following educational programs, including allegations of unlawful discrimination in the programs and activities receiving state funds:~~

~~a) Adult basic education~~

~~b) Consolidated categorical aid programs~~

~~e) Migrant education~~

~~d) Career Technical and Technical Education and Career Technical Training Programs~~

~~e) Child care and development programs~~

~~f) Child nutrition programs~~

~~g) Special education programs~~

~~h) Federal School Safety Plan Requirements~~

~~(See: Board Policy/Administrative Regulation No. 9208 – Uniform Complaint Procedures Regarding Programs/Discrimination)~~

Adopted: 11/14/1984

Reviewed: 01/11/1989, 02/22/2006, 01/14/2009, 06/15/2010, 01/25/2012

Amended: 04/10/1991, 05/13/1992, 08/02/1995, 09/22/1999, 12/15/2004, 01/23/2008,
01/15/2014, __/__/____ (BP 9207 renumbered as BP 1312.1)

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

**CLOVIS UNIFIED
SCHOOL DISTRICT**

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

COURT DECISIONS

Baca v. Moreno Valley Unified School District (1996) 936 F. Supp. 719

Doc# 40851-4 (05/2020, 05/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS CURRICULUM SERVICES AND INNOVATIONS Instructional
Materials and Equipment
COMPLAINTS REGARDING INSTRUCTIONAL MATERIALS RECONSIDERATION
OF LEARNING RESOURCES**

PURPOSE: To establish a procedure for parents, community members, or employees to submit complaints concerning the content or use of District instructional materials ~~formally challenge learning resources used in the District's educational program on the basis of appropriateness.~~

The Board recognizes the importance of age and developmentally appropriate instructional materials that are aligned with the adopted core curriculum. The Board uses a comprehensive process to adopt District instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of parents/guardians, community members, and employees.

The Board authorizes the Superintendent or designee to ~~use~~ enlist the ~~following~~ procedures set forth in the accompanying administrative regulation when parents/guardians, community members, or employees submit ~~dispute the appropriateness of materials being used in the instruction of students.~~ complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment. ~~The procedure in t~~ This Board Policy is for the purpose of considering the opinions of parents/guardians, community members, and employees ~~those persons in the schools and the community~~ who are not directly involved in the selection process for instructional materials.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

For complaints regarding alleged deficiencies of textbooks and ~~related to~~ instructional materials, the procedure ~~listed~~ in Board Policy and Administrative Regulation No. 1312.4 9214 – Williams Uniform Complaint Procedures shall apply ~~(Instructional Materials, Conditions of Facilities, and Teacher Vacancies or Misassignments)~~ should be followed.

A. Request for Informal Reconsideration

- ~~1. The school receiving a complaint regarding a learning resource shall try to resolve the issue informally.~~
 - ~~a. The principal or library media teacher shall explain to the questioner the school's selection procedure, criteria, and qualifications of those persons selecting the resource.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~b. The principal or other appropriate staff shall explain the particular learning function the questioned resource serves in the education program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.~~

~~B. Request For Formal Reconsideration~~

- ~~1. If resolution is not obtained through the informal reconsideration procedure and the questioner wishes to file a formal challenge, the site principal shall provide the questioner with a copy of the District Selection of Learning Resources Policy and a District Request for Reconsideration of Learning Resources Form.~~
- ~~2. The Request for Reconsideration of Learning Resources Form shall be completed and signed by the questioner and filed with the principal.~~
- ~~3. The Associate Superintendent Curriculum Services and Innovations shall be informed of the filing of the Request for Reconsideration of Learning Resources Form, along with the Administrator Elementary Curriculum and Professional Development or the Administrator Secondary Curriculum and Professional Development, as appropriate.~~
- ~~4. Within five business days of the filing, the principal shall submit a copy of the form to the Reconsideration Committee.~~
- ~~5. The Reconsideration Committee shall be made up of ten members including:~~
 - ~~a. The Administrator Elementary Curriculum and Professional Development, the Administrator, Secondary Curriculum and Professional Development, and the Coordinator, Instructional Resources and Library Services.~~
 - ~~b. A District principal designated annually by the Administrator Elementary Curriculum and Professional Development and/or the Administrator Secondary Curriculum and Professional Development.~~
 - ~~c. District library media teacher designated annually by the Associate Superintendent Curriculum Services and Innovations.~~
 - ~~d. Five members of the community designated by the Associate Superintendent Curriculum Services and Innovations.~~
- ~~6. Access to challenged material shall not be restricted during the reconsideration process.~~
- ~~7. The Administrator Elementary Curriculum and Professional Development or the Administrator Secondary Curriculum and Professional Development shall distribute copies of challenged material as available.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~8. After the Committee has reviewed the challenged material a conference shall be arranged with the Reconsideration Committee and the
 - ~~a. Site principal,~~
 - ~~b. Site library media teacher and/or other appropriate staff, and~~
 - ~~c. Questioner~~~~
- ~~9. The sole criteria for the Committee's decision shall be the appropriateness of the material for its intended educational use. The Reconsideration Committee's decision shall be:
 - ~~a. To take no removal action;~~
 - ~~b. To remove the challenged material from the total school environment;~~
 - ~~c. To allow students to use alternate titles, approved by school personnel involved; or~~
 - ~~d. To limit the educational use of the challenged material.~~~~
- ~~10. If not satisfied with the decision of the Reconsideration Committee, the questioner may request that the matter be reviewed by the Associate Superintendent Curriculum Services and Innovations and the Associate Superintendent School Leadership. The decision of the Associate Superintendents on a piece of literature or material shall be final.~~
- ~~11. Before the Committee can accept a request to review materials the Committee has reviewed within the last five years, a majority of the Committee members must agree to do so. Every Request for Reconsideration of Learning Resources Form shall be acted upon by the Reconsideration Committee.~~

Adopted: 06/21/1995

Amended: 02/11/2004, 12/12/2007, 01/27/2016, __/__/____ (BP 3306 renumbered as BP 1312.2)

EDUCATION CODE

- 18111 Exclusion of books by governing board
- 35010 Control of district; prescription and enforcement of rules
- 35186 Williams Uniform Complaint Procedures
- 44805 Enforcement of course of studies; use of textbooks, rules and regulations
- 51501 Subject matter reflecting on race, color, etc.
- 60000-60005 Instructional materials, legislative intent
- 60040-60048 Instructional requirements and materials
- 60119 Public hearing on sufficiency of materials

**CLOVIS UNIFIED
SCHOOL DISTRICT**

60200-60206 Elementary school materials

60226 Requirements for publishers and manufacturers

60400-60411 High school textbooks

60510-60511 Donation of sale of obsolete instructional materials

Doc# 40852-5 (08/2020, 03/2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL~~ COMMUNITY RELATIONS****~~Community Relations~~ UNIFORM COMPLAINT PROCEDURES ~~REGARDING~~
~~PROGRAMS/DISCRIMINATION~~**

PURPOSE: To establish ~~uniform complaint~~ procedures for resolving complaints that are required to be resolved through the District's uniform complaint procedures ~~seertain~~
~~state and federal programs and unlawful discrimination.~~

The Board recognizes that the District has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

A. Complaints Subject to Uniform Complaint Procedures

The District's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging District violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the District, including:
 - a. Adult education programs.
 - b. After School Education and Safety programs.
 - c. Agricultural career technical education.
 - d. American Indian education centers and early childhood education program assessments.
 - e. Bilingual education.
 - f. California Peer Assistance and Review programs for teachers.
 - g. State career technical and technical education, career technical, and technical training programs.
 - h. Federal career technical education.
 - i. Childcare and development programs.
 - j. Child nutrition programs.
 - k. Compensatory education.
 - l. Consolidated categorical aid programs.
 - m. Economic Impact Aid.
 - n. The federal Every Student Succeeds Act.
 - o. Migrant education.
 - p. Regional Occupational Centers and Programs.
 - q. School safety plans.
 - r. Special education programs.
 - s. California State Preschool Programs.
 - t. Tobacco-Use Prevention Education programs.
 - u. Any other District-implemented state categorical program that is not funded

**CLOVIS UNIFIED
SCHOOL DISTRICT**

through the local control funding formula pursuant to Education Code section 64000.

2. Any complaint, by a student, employee, or other person participating in a District program or activity, alleging the occurrence of unlawful discrimination. (5 CCR 4610)
3. Any complaint alleging District noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student. (Education Code 222)
4. Any complaint alleging District noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code section 46015. (Education Code 46015)
5. Any complaint alleging District noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)
6. Any complaint alleging District noncompliance with applicable requirements of Education Code sections 52060-52077 related to the implementation of the local control and accountability plan. (Education Code 52075)
7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding. (Education Code 64000-64001, 65000-65001)
8. Any complaint, by or on behalf of a student who is a foster youth, as defined in Education Code section 51225.2, alleging District noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the District's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, District, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements. (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)
9. Any complaint, by or on behalf of a student who transfers into the District after the second year of high school and is a homeless child or youth as defined in 42 USC section 11434a, a former juvenile court school student currently enrolled in the District, a child of a military family as defined in Education Code section 49701, or a migrant student as defined in Education Code section 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code section 51225.2 in the third or fourth year of high school, alleging District noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation

**CLOVIS UNIFIED
SCHOOL DISTRICT**

requirements. (Education Code 51225.1)

10. Any complaint, by or on behalf of a student who is a homeless child or youth, a former juvenile court school student, a child of a military family, a migrant child, or a newly arrived immigrant student who is participating in a newcomer program, alleging District noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, District, or country. (Education Code 51225.2)
11. Any complaint alleging District noncompliance with the requirements of Education Code sections 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions. (Education Code 51228.3)
12. Any complaint alleging District noncompliance with the physical education instructional minutes requirement for students in elementary school. (Education Code 51210, 51223)
13. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.

The Superintendent or designee shall ensure that employees ~~responsible for compliance and/or designated to receive and~~ investigation~~se~~ of complaints are knowledgeable about the laws and programs for which they are assigned to investigate~~responsible~~. (5 CCR 4621) Such employees may have access to legal counsel as determined by the Superintendent or designee.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR sections 4631 and 4633.

~~The District shall investigate and seek to resolve complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws related to all programs and activities implemented by the District that are subject to the Uniform Complaint Procedure, which include the following:~~

- ~~1. Adult Basic Education~~
- ~~2. Consolidated Categorical Aid Programs~~
- ~~3. Migrant Education~~
- ~~4. Career Technical and Technical Education and Career Technical Training Programs~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~5. Child Care and Development Programs~~
- ~~6. Child Nutrition Programs~~
- ~~7. Special Education Programs~~
- ~~8. School Safety Planning Requirements of Title IV of Every Student Succeeds Act/No Child Left Behind~~
- ~~9. Student Fees~~
- ~~10. Local Control and Accountability Plans (LCAP)~~
- ~~11. Exemption from Graduation Requirements and Award of Coursework Credits for Pupils Who are in Foster Care, Homeless Children or Youth, Former Juvenile Court School Pupils, Children of Military Families, or Migratory Children Pursuant to Education Code section 51225.1~~
- ~~12. Accommodation for Pregnant and Parenting Pupils~~
- ~~13. Reasonable Accommodation to lactating pupils~~
- ~~14. Assignment to Course without Educational Content or to Course Previously Satisfactorily Completed (without meeting certain requirements)~~
- ~~15. Physical Education Instructional Minutes~~
- ~~16. Graduation Requirements for Former Juvenile Court School Students~~
- ~~17. After School Education and Safety~~
- ~~18. Agriculture Vocational Education~~
- ~~19. American Indian Education Centers and Early Childhood Program Assessments~~
- ~~20. Bilingual Education~~
- ~~21. California Peer Assistance and Review Programs for Teachers~~
- ~~22. Compensatory Education~~
- ~~23. Economic Impact Aid~~
- ~~24. English Learner Programs~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~25. Every Student Succeeds Act/No Child Left Behind (Titles I-VII)~~

~~26. Regional Occupational Centers and Programs~~

~~27. Deficiencies related to preschool health and safety issues for California State Preschool Program pursuant to Education Code section 8235.5~~

~~28. Tobacco Use Prevention Education~~

~~The District shall also follow the Uniform Complaint Procedure when addressing complaints of unlawful discrimination, harassment, intimidation and bullying for protected groups identified in Education Code sections 200 and 220, and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55, or any other basis provided by law, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by the District, which is funded directly by, or that receives or benefits from any state financial assistance. The District shall investigate and seek to resolve complaints at the local level.~~

B. Non-UCP Complaints

When an allegation that is not subject to UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the District's UCP. Non-UCP complaints and/or allegations shall be investigated and resolved using the procedures set forth in the applicable policy and administrative regulation.

~~The District's Uniform Complaint Procedure does not apply to the following types of complaints:~~

- ~~1. Complaints regarding materials used in the instruction of pupils (see Board Policy No. 3306, Reconsideration of Learning Resources);~~
- ~~2. Complaints regarding alleged deficiencies related to instructional materials, the conditions of a facility that is not maintained in a clean or safe manner or in good repair, teacher vacancies or misassignments, and the provision of intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12 (see Board Policy No. 9211, Uniform Complaint Procedures Regarding Areas Included in Williams Settlement);~~
- ~~3. Employee complaints alleging sexual harassment (see Board Policy No. 6301, Sexual Harassment);~~
- ~~4. Pupil complaints alleging sexual harassment (see Board Policy/Administrative Regulation No. 2111, Sexual Harassment), and~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~5. Complaints by the public regarding District personnel and practices (see Board Policy No. 9207, Formal Complaints Regarding District Personnel and Practices).~~

Discrimination issues involving Title IX of the Educational Amendments of 1972 shall be referred to the U. S. Office of Civil Rights (OCR). Title IX complaints shall only be referred to the OCR if there is no state discrimination law or regulation at issue. Unless otherwise negotiated through a memorandum of understanding/agreement, a preliminary inquiry and/or investigation concerning these complaints shall be conducted by OCR. The complainant shall be notified by certified mail if the complaint has been transferred to OCR by the Superintendent.

Complaints concerning special education programs shall be addressed in accordance with the regulations and procedures of the Special Education Local Planning Area (SELPA). However, the SELPA's complaint procedure must comply with the UCP ~~Uniform Complaint Procedures~~ outlined in this policy.

Complaints concerning student fees or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the applicable legal requirements governing student fees or LCAPs.

The following complaints shall not be subject to the District's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the county department of social services protective services division and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to department of social services and shall, for licensing-exempt facilities, be referred to the appropriate child development regional administrator.
3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the District in accordance with the procedures specified in applicable District policy and administrative regulation AR 4030 – ~~Nondiscrimination in Employment~~, including the right to file the complaint with the California Department of Fair Employment and Housing.

C. No Retaliation

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, harassment, intimidation or bullying, or for participation in complaint procedures. ~~Such participation shall not in any way affect the status, grades, or work assignments~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~of the complainant.~~ For allegations of retaliation based on the filing of a complaint, the District also shall follow the ~~UCP~~**Uniform Complaint Procedures**.

D. Privacy/Confidentiality

The Board acknowledges and respects pupil and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant alleging discrimination, harassment, intimidation, retaliation or bullying shall be kept confidential as appropriate and permitted by law.

~~The Superintendent or designee shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.~~

Responsibilities of Complainant**The Complainant:**

- ~~1. Shall receive the District Complaint Procedures.~~
- ~~2. Shall file the Complaint in writing and follow the steps in the District Complaint Procedures Administrative Regulation.~~
- ~~3. May appeal to the state agency for resolution if he/she is dissatisfied with the decision of the District.~~
- ~~4. May appeal to the State Superintendent of Public Instruction if the complainant is dissatisfied with the determination of the state agency.~~

Responsibilities of the District**The District:**

- ~~1. Shall designate a staff member to be responsible for complaint resolution.~~
- ~~2. Shall develop complaint procedures consistent with California Code of Regulations, Title 5, sections 4600-4670.~~
- ~~3. Shall inform pupils, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties at least annually of approved Uniform Complaint Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District will make this information available by publication in its~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~informational materials, including the Student and Parent Rights and Responsibilities Handbook that is available at the beginning of each school year. This information shall also be available on the District's web site at www.eusd.com. Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between CUSD and private school officials.~~

- ~~4. Shall resolve the complaint through an informal complaint process or through the formal complaint procedures by completing an investigation and a written report within 60 calendar days of receipt of a formal complaint. The time period for completion may be extended by written agreement of the complainant.~~

~~The District's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.~~

- ~~5. Shall submit, on notification of an appeal, information requested by the California State Department of Education (CDE):-~~

~~a. The original complaint.~~

~~b. A copy of the District's decision.~~

~~c. A summary of the nature and extent of the investigation conducted by the District, if not covered in the District's decision.~~

~~d. A copy of the investigation file, including but not limited to, all notes, interviews and documents submitted by the parties or gathered by the investigator.~~

~~e. A report of any action taken to resolve the complaint.~~

~~f. A copy of the Uniform Complaint Procedures.~~

~~g. Such other relevant information as the CDE may require.~~

- ~~6. May appeal to the State Superintendent of Public Instruction if the District is dissatisfied with the state agency's decision.~~

Adopted: 07/08/1992

Reviewed: 10/14/2009

Amended: 04/10/1996, 09/22/1999, 04/24/2002, 07/19/2006, 01/23/2008, 02/27/2013,
03/12/2014, 09/24/2014, 05/25/2016, 06/28/2017, 09/27/2017, 08/28/2019,
__/__/____ (BP 9208 renumbered as BP 1312.3)

**CLOVIS UNIFIED
SCHOOL DISTRICT****EDUCATION CODE**

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33380-33384 California Indian Education Centers
35186 Williams uniform complaint procedures
44500-44508 California Peer Assistance and Review Program for Teachers
46015 Parental leave for students
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49014 Student fees
49060-49079 Student records, especially:
49069.5 Records of foster youth
49490-49590 Child nutrition programs
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52462 Career technical education
52500-52616.24 Adult schools
54000-54029 Economic Impact Aid
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56865 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

**CLOVIS UNIFIED
SCHOOL DISTRICT**

1596.7925 California Child Day Care Act; health and safety regulations
104420 Tobacco-Use Prevention Education

PENAL CODE

422.55 Hate crime; definition
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX of the Education Amendments of 1972
6301-6576 Title I Improving the Academic Achievement of the Disadvantaged
6801-7014 Title III language instruction for limited English proficient and immigrant students
UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975
12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Notification of nondiscrimination on the basis of age

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Education Code 200-262.3 Prohibition of discrimination~~

~~Education Code section 32289 complaint of non-compliance with school safety planning~~

~~Education Code 46015 Pregnant and Parenting Pupils; accommodation rights; complaints of noncompliance-~~

~~Education Code 49060-49079 Student Records~~

~~Education Code 52075 Local Control Accountability Plan (LCAP) and Education Code 49010-49013 Student Fees~~

~~Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2 Homeless and Foster Youth, Former Juvenile Court School Pupils, Children of Military Families, Migratory Children~~

~~Education Code 51228.1, 51228.2 and 51228.3 Repeat of Previously Taken Course and Assignment to Course without Educational Content~~

~~Education Code 51210 and 51223 Elementary Physical Education Minutes~~

~~Education Code 222 Lactating Pupil~~

~~Code of Regulations Title 5 3080 Application of section 4600-4671~~

~~Code of Regulations Title 5 4600-4671 Uniform Complaint Procedures~~

~~Government Code 950-950.8 Actions against public employees~~

~~Government Code 54957-54957.8 Closed Sessions~~

~~Title VI, Civil Rights Act of 1964~~

~~Title IX, Education Amendments of 1972~~

~~Section 504, Rehabilitation Act of 1973~~

~~Code of Federal Regulations 200.74 and Part 300~~

~~General Education Provisions Act, 20 U.S.C. 1221 et seq., especially:~~

~~Family Education and Privacy Rights Act, 20 U.S.C. 1232g~~

Doc# 40853-5 (08/2020, 03/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL COMMUNITY RELATIONS~~****~~WILLIAMS UNIFORM COMPLAINT PROCEDURES REGARDING AREAS
INCLUDED IN THE WILLIAMS SETTLEMENT~~**

PURPOSE: To establish a uniform complaint procedure to resolve complaints specified in Education Code ~~section~~ 35186 regarding the Williams ~~S~~settlement.

The Board recognizes that the District has primary responsibility for ~~i~~ensuring that it complies with state and federal laws and regulations governing educational programs. Persons responsible for conducting investigations shall be knowledgeable about the matters that they are assigned to investigate.

The District shall follow ~~this complaint~~ procedures set forth in the accompanying administrative regulation only to investigate and resolve the following ~~to identify and resolve deficiencies in three primary areas:~~

1. Complaints regarding the insufficiency of textbooks and instructional materials. (Education Code 35186, 5 CCR 4681)
2. Complaint regarding teacher vacancy or misassignment. (Education Code 35186, 5 CCR 4682)
3. Complaints regarding, the condition of aschool facilities~~y that poses an emergency or urgent threat to the health and safety of students or staff, and teacher vacancy and misassignment.~~ (Education Code 35186, 5 CCR 4683)
4. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code section 1596.7925 and related state regulations. (Education Code 8235.5; Health and Safety Code 1596.7925)

Complaints regarding matters that do not fall under this policy shall be investigated and resolved using the procedures set forth in the applicable policy and administrative regulation. ~~This complaint procedure does not apply to the following types of complaints:~~

- ~~1. Complaints regarding the appropriateness of learning resources or other instructional materials (see Board Policy No. 3306, Reconsideration of Learning Resources)~~
- ~~2. Employee complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 6301, Sexual Harassment)~~
- ~~3. Pupil complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 2111, Sexual Harassment)~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~4. Complaints by the public regarding personnel or practices of the District (see: Board Policy/Administrative Regulation No. 9207, Formal Complaints Regarding District Personnel and Practices)~~
- ~~5. Complaints alleging District violation of certain state and federal programs and unlawful discrimination (see: Board Policy/Administrative Regulation No. 9208, Uniform Complaint Procedures Regarding Programs/Discrimination)~~

The Board prohibits retaliation in any form for the filing of a complaint or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board acknowledges and respects pupil and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant shall be kept confidential as appropriate and permitted by law; ~~however, complaints and responses shall be considered public records.~~

The Superintendent or designee shall ensure that employees ~~responsible for compliance and/or designated to receive and~~ investigation~~se~~ of complaints are knowledgeable about the laws and programs for which they are assigned to investigate~~responsible~~. (5 CCR 4621) Such employees may have access to legal counsel as determined by the Superintendent or designee.

Responsibilities of Complainant**The Complainant:**

- ~~1. Shall receive a copy of the Uniform Complaint Procedures without charge.~~
- ~~2. Shall file the complaint in writing with the principal of the school or his or her designee and follow the steps in the Uniform Complaint Procedures Administrative Regulation 9211.~~
- ~~3. If dissatisfied with the resolution of the school Principal or Superintendent's designee, may describe the complaint to the Governing Board during public comment at a regularly scheduled meeting of the Board.~~
- ~~4. If dissatisfied with the resolution proffered by the school Principal or Superintendent's designee, and if the complaint involves a condition of a facility that poses an emergency or urgent threat as defined in Education Code section 17592.72(e)(1), has the right to file an appeal to the Superintendent of Public Instruction within fifteen calendar days of receiving the report, who shall provide a written report to the State Board of Education describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****Responsibilities of the District****The District:**

- ~~1. Shall designate a staff member to be responsible for complaint resolution.~~
- ~~2. Shall develop complaint procedures consistent with California Code of Regulations, Title 5, sections 4600-4687.~~
- ~~3. Shall inform parents and the public at least annually of approved Uniform Complaint Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District shall make this information available by publication in its informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each pupil upon registration in the District and at the beginning of each year. This information can also be found at www.eusd.com.~~
- ~~4. Shall resolve a complaint with respect to alleged deficiencies related to instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, and teacher vacancies and misassignments.~~
- ~~5. Shall report summarized data on the nature and resolution of all complaints to the Governing Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. The complaints and responses shall be available as public records.~~

Adopted: 12/15/2004

Reviewed: 10/14/2009

Amended: 05/23/2007, 01/23/2008, 01/15/2014, 06/28/2017, __/__/____ (BP 9211
renumbered as BP 1312.4)

~~Education Code sections 17592.72, 33126, 35186, 35292.5,
37254, 48985, and 60119~~

~~Code of Regulations Title 5 3080, 4600-4687~~

EDUCATION CODE

234.1 Prohibition of discrimination, harassment, intimidation, and bullying

1240 County superintendent of schools, duties

8235-8239.1 California State Preschool Programs, especially:

8235.5 California State Preschool Program, complaints regarding health and safety issues

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedures

**CLOVIS UNIFIED
SCHOOL DISTRICT**

35292.5-35292.6 Restrooms, maintenance and cleanliness

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

6314 Title I schoolwide program

Doc# 40854-4 (05/2020, None)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONSSTUDENT SERVICES RIGHTS AND RESPONSIBILITIES
~~Student Activities~~FUNDRAISING AND SOLICITATION OF FUNDS FROM AND BY
STUDENTS**

PURPOSE: To establish procedures for student fundraising and solicitation by students.

The ~~Governing~~ Board recognizes that student participation in fundraising and solicitation activities for the schools and non-profit, non-partisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program. All fundraising and solicitation activities that meet the conditions of this policy must be approved by the ~~Governing~~ Board prior to start of the fundraising activity.

This policy does not apply to the sale of student pictures, the operation of school stores, the District publication CUSD Today, or ~~Pparent-Tteacher Cclub~~ or ~~Ffoundation~~ fundraising activities where students are not active participants. If ~~Pparent-Tteacher Cclub~~ or ~~Ffoundation~~ fundraising involves active student participation, this policy applies and Board approval is required.

The ~~Superintendent~~ shall adopt regulations setting forth the procedures for implementing this policy ~~are outlined in Administrative Regulation No. 2503 and cross-referenced in Board Policy and Administration Regulation No. 2101—Student Rights and Responsibilities.~~

~~A. Fundraising~~

Fundraising efforts by students ~~must be on a voluntary basis and~~ may be authorized under conditions that do not conflict with the instructional program and the normal conduct of the schools.

During school hours, and within one hour before the time of opening and ~~within one hour after the time of closing of school~~, students ~~of the public school~~ shall not be solicited on school premises by teachers or others to subscribe or contribute to the funds of, to become members of, or to work for, any organization not directly under the District's control ~~of the school authorities~~, unless the organization is a nonpartisan, charitable organization; ~~1.0~~ organized for charitable purposes by an act of Congress or under laws of the State, and; ~~a~~ the purpose of the solicitation is nonpartisan and charitable; and ~~b~~ the solicitation has been approved by the Superintendent or ~~his/her~~ designee. (Education Code 51520)

Nothing in this section shall be construed as prohibiting the solicitation of students of the public school on school premises by students of that school for any otherwise lawful purpose.

No person shall solicit any other person to contribute to any fund or to purchase any item of personal property, upon the representation that the money received is to be used wholly or in part for the benefit of any public school or the student body of any public school, unless such person obtains the prior written approval of the Superintendent or his/her designee.

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~B. Advertising in School Publications~~**

~~Prior to distribution or publication, school-sponsored publications containing paid advertisements shall be reviewed and approved by the Superintendent or designee to ensure such publications do not include content inconsistent with the goals and purpose of a public school district.~~

~~C. Collections~~

~~—Principals may shall have the authority to~~ permit students to collect and/or donate material goods for the needy.

~~D. Informational Material~~

~~—~~Informational material regarding fundraising may be displayed on a school at appropriate places designated by the principal or designee or, if on any other District premises, at places designated by the Superintendent or designeeat the school sites or campuses.

~~E. Budgeting and Accounting~~

~~The principal or designee shall establish proper budgeting and accounting controls for each fundraising activity.~~

~~F. Prizes and Awards for Students~~

~~Prizes and awards for students who participate in fundraising may be provided so long as they do not interfere with the instructional program.~~

Adopted: 07/23/1975

Reviewed: 10/20/2006

Amended: 06/08/1992, 01/1996, 02/28/1996, 02/11/2004, 07/16/2008, 03/11/2009, 02/24/2010,
____/____/____ (BP 2503 renumbered as BP 1321; all contents of BP 9205 moved to BP
1321)

~~Education Code sections 41020, 48930-48938, 51521, 51220~~

EDUCATION CODE

51520 Prohibited solicitations on school premises

51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Charitable solicitations

PENAL CODE

319-329 Raffles

**CLOVIS UNIFIED
SCHOOL DISTRICT**

REVENUE AND TAX CODE

6361 Sales tax exemption for certain sales

CODE OF REGULATIONS, TITLE 8

11706 Dangerous activities and occupations

Doc# 40855-5 (08/2020, 07/2003)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
ADVERTISING AND PROMOTION**

PURPOSE: To establish standards for advertisements and promotions by non-school groups in school-sponsored publications, on District and school web sites and social media, and on school facilities and grounds.

The Board establishes this policy to set standards for advertisements and promotions by non-school groups in school-sponsored publications, on District and school web sites and social media, and on school facilities and grounds.

The Board desires to promote positive relationships between District schools and the community to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy, approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians.
2. Distribution of promotional materials of a commercial nature to students or parents/guardians.
3. Paid advertisements on District property, including, but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards. Any signs containing the advertisements shall comply with the requirements of the District's board policies, including but not limited to, Board Policy No. 3517 – Maintenance of District Facilities and Grounds/Facilities Inspection.
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, including web sites and social media.
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product.

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

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

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any non-school group's promotional materials to be distributed, posted, or published, stating that the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

distribution, posting, or publishing of the materials does not imply District endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the District or school does not endorse any advertised products or services.

Criteria for Approval

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

1. Are lewd, obscene, libelous, or slanderous.
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools.
3. Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act.
5. Position the District on any side of a controversial issue.
6. Discriminate against, attack, or denigrate any group on account of any unlawful consideration.
7. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children.
8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code sections 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)
9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy.
10. Distribute unsolicited merchandise for which an ensuing payment is requested.

The Superintendent or designee may also consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

materials or advertisements support the basic educational mission of the District, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

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

Adopted: __/__/__

EDUCATION CODE

7050-7058 Political activities of school officers and employees

35160 Authority of governing boards

35160.1 Broad authority of school districts

35172 Promotional activities

38130-38139 Civic Center Act

49430-49434 The Pupil Nutrition, Health, and Achievement Act of 2001, especially:

49431.9 Advertisement of non-nutritious foods

BUSINESS AND PROFESSIONS CODE

25664 Advertisements encouraging minors to drink

CALIFORNIA CONSTITUTION

Article 1, Section 2 Free speech rights

U.S. CONSTITUTION

Amendment 1, Freedom of speech and expression

UNITED STATES CODE, TITLE 42

1751-1769j School Lunch Program

1773 School Breakfast Program

COURT CASES

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

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

Yeo v. Town of Lexington (1997) 131 F.3d 241

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

Bright v. Los Angeles Unified School District (1976) 18 Cal. 3d 450

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

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS FACILITIES****~~Leasing and Community Use~~****USE OF DISTRICT FACILITIES**

PURPOSE: To establish ~~procedures and requirements~~ **guidelines** for the use of District facilities.

The Board believes that school facilities and grounds are a vital community resource which should be used to foster community involvement and development.

A. Permitted Uses of District Facilities.

The Board ~~authorizes~~ **directs** the Superintendent ~~or designee~~ to make District facilities and grounds ~~under its jurisdiction~~ available as a civic center to citizens and community groups for the following purposes, subject to ~~applicable laws and~~ District policies and regulations: (Education Code 38131)

1. Public, literary, scientific, recreational, educational, or public agency meetings.
2. The discussion of matters of general or public interest.
3. The conduct of religious services ~~for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place for the conduct of the services, provided the church or religious organization is charged a fee as specified in Education Code section 38134(d).~~
4. Childcare ~~or daycare~~ programs to provide supervision and activities for children of preschool and elementary school age.
5. The administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies.
6. Supervised recreational activities.
7. ~~A~~ **e**Community youth centers.
8. A ceremony, patriotic celebration, or related assembly conducted by a veterans' organization.
- ~~8. Mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, and shall cooperate in furnishing and maintaining such services as it deem necessary to meet community needs.~~
9. Other purposes deemed appropriate by the Board.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board authorizes the use of District facilities for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, and shall cooperate in furnishing and maintaining such services as it deems necessary to meet community needs.

The Superintendent or designee may grant the use of District facilities or grounds on days on which District schools are closed. (Education Code 37220)

B. Prohibited Uses of District Facilities.

The Board shall not grant the use of District facilities for any of the following activities:

1. Any use by an individual or group for the commission of any crime or any act prohibited by law.
2. Any use of District facilities or grounds which is inconsistent with their use for school purposes or which interferes with the regular conduct of school or school work.
3. Any use that violates the establishment clause of the Ffederal Constitution.
4. Any use which involves the possession, consumption, or sale of alcoholic beverages or any restricted substances on school property.
5. Any use for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States or the state by force, violence, or other unlawful means.
6. Any use which is not open to the public or which is not supportive of the multicultural goals of the District.
7. Any use of District Ffacilities which is inconsistent or conflicts with the District's educational mission, including the growth and development of the whole student to "Be the best you can be in mind, body and spirt."

There shall be no advertising on District facilities and grounds except as allowed by Board Policy No. 1325 – Advertising and Promotion.

C. Fees for Use of District Facilities.**1. Fee Schedule (Exhibit No. 13305301):**

~~1.~~ The Board authorizes the Superintendent or designee to ~~District has established~~ a Facility Use Fee Schedule, Exhibit No. 1330, setting forth fees to be charged for community use of

**CLOVIS UNIFIED
SCHOOL DISTRICT**

District facilities and grounds and ~~that~~ reflecting the direct costs for the ~~intended~~ use of ~~its~~ the facilities or grounds. The schedule of fees shall be prepared in accordance with applicable law.

Pursuant to Education Code section 38134, the District will charge non-profit organizations an amount not to exceed the District's direct costs for the ~~intended~~ use of District facilities or grounds. Direct costs shall be determined in accordance with applicable law, including 5 CCR 14037-14041 ~~includes supplies, utilities, custodial services, services of other District employees and salaries paid to district employees necessitated by the organization's use of District facilities.~~ For-profit organizations Other groups that request the use of District facilities or grounds under this policy and the Civic Center Act will be charged pursuant to the established Facility Use ~~Fee~~ sSchedule. When District facilities or grounds are used for religious services, the amount that is charged shall be at least equal to the District's direct costs. (Education Code 38134)

The Superintendent or designee shall, as appropriate, review the fee schedule ~~shall be reviewed annually~~ with consideration to the consumer price index.

The facility use fee schedule ~~does not apply to~~ ~~will be suspended for~~ District-sponsored activities which include District students.

2. Waiver of Fee Schedule:

When an alternative location is not available, the Superintendent or designee may ~~Board will consider~~ waiver of the fee schedule for the use of District facilities or grounds by nonprofit organizations or clubs/associations which promote youth and school activities. These groups include, but are not limited to, Girl Scouts, Boy Scouts, Camp Fire, Inc., parent-teachers' associations, and school/community advisory councils.

Where a group is eligible for a waiver of the fee schedule and prefers to use District facilities at a time when custodial, grounds, and/or food services are not normally available, the District will charge for the direct cost of a custodian, grounds personnel, and/or food services personnel. The principal or designee shall first ensure the availability of other times during the week when the facility could be provided without charge, and this availability shall be pointed out to the ~~requesting free-use~~ group. The District will charge for the direct cost of a security guard for events requiring security.

3. Fair Rental Value for Certain Groups and Organizations:

~~3.~~ Groups shall be charged fair rental value when using District facilities or grounds for entertainment or meetings where ~~ren~~ admission fees are charged, or contributions are solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. (Education Code 38134) Fair rental value means the direct costs to the District, plus the amortized costs of the District facilities or grounds used for the duration of the activity authorized. (Education Code 38134)

**CLOVIS UNIFIED
SCHOOL DISTRICT****4. Expending Funds Collected as Capital Direct Costs**

4. Any funds collected as capital direct costs shall be deposited into a special fund to be used only for capital maintenance, repair, restoration, and refurbishment of District facilities and grounds. (5 CCR 14042).

D. Use by a Church or Religious Organization.

Subject to the requirements of law and this policy, ~~the purpose of this policy is to permit rental of~~ District facilities ~~shall be available for use~~ by outside organizations without regard to their religious or non-religious nature. ~~It is the policy of the District not to become entangled in the nature of the use of District facilities by religious organizations provided that such use complies~~ ~~in compliance~~ with this policy and the law.

~~It is to be expressly understood that~~ The Board, in approving the use of District facilities for religious services, does not support, condone, endorse, or in any way whatsoever indicate any District preference for a particular sect, belief, or religion, and no member of the Board, ~~or District administrator, or any~~ employee, may cause to be printed, distributed, or posted any material, or any other manner recognize through any auspices of the District, any particular organization approved for religious services.

Any sign, notice, or other means of announcing a religious use shall be posted only on the day of the use itself, and shall not be posted during school hours.

E. Priority of Users.

Applications for use of District facilities shall be given preference in the following order:

1. In-school uses, ~~such as~~ ~~(clubs and, class events, etc.)~~.
2. Contracted uses.
3. School support groups, ~~or~~ youth and senior citizens groups.
4. Public agencies and public affairs groups.
5. Community recreational and cultural groups (nonprofit).
6. Nonprofit special interest groups, ~~such as~~ ~~(the Audubon Society, etc.)~~.
7. Others as approved by the Superintendent ~~or designee~~.

**CLOVIS UNIFIED
SCHOOL DISTRICT****F. Damage to District Property.**

Groups or persons using District facilities under the provisions of this policy shall be liable for any property damages caused by the activity.

~~The Board shall charge the amount necessary to repair the damages and may deny the group further use of District facilities. (Also see Board Policy No. 5202.)~~

~~Groups or persons using District facilities shall be liable for property damages. In order to maintain the integrity of the physical plants, a~~Any major damage to District facilities caused by or arising out of any group's or person's use of such facilities, including but not limited to, painted surfaces, wood moldings, walls, backboards, ceilings, and/or other equipment caused by improper use of scotch tape, masking tape, or any other type of tape or adhesive, or by improper use of nails, tacks, thumbtacks, etc., shall be charged against the groups or persons ~~found to be responsible for the damage or for authorizing actions that would result in damage.~~ The Superintendent or designee ~~Board~~ shall charge the amount necessary to repair or restore the damaged surface ~~or equipment to its original condition before the group or person's use of District facilities and may deny the group or persons further use of District facilities.~~

G. Application for Use of Facilities.

The Superintendent ~~or designee~~ shall maintain application procedures and regulations for the use of District facilities. Regulations shall include, but not be limited to: (Education Code 38133)

1. Providing ~~aid, assistance, and encouragement and assistance~~ for any of the activities listed in Paragraph A above.
2. Preserving order in District ~~facilitiesbuildings~~ and on District grounds; and protecting District facilities. If necessary, a person may be designated to supervise this task.
3. Ensuring that the use of ~~District~~ facilities or grounds under this policy is not inconsistent with the use of the District facilities or grounds for school purposes and does not interfere with the regular conduct of school work.

~~A copy of this Board policy and administrative regulation governing use of District facilities shall be issued to all persons or groups requesting use of District facilities or grounds.~~

Any persons applying for the use of District property on behalf of any society, group, or organization shall be a member of the applicant group. Unless the applicant is an officer of the group, the applicant shall present written authorization from the group to make the application.

H. Use of District Facilities as Polling Places

If a city or county elections official specifically requests the use of a school building as a polling

**CLOVIS UNIFIED
SCHOOL DISTRICT**

place, the Board shall allow its use for such purpose. The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places. (Elections Code 12283)

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to persons with disabilities. (Elections Code 12283)

Adopted: 07/23/1975

Reviewed: 10/22/2008, 05/12/2010

Amended: 09/27/1978, 09/28/1988, 10/22/1989, 06/08/1992, 07/07/1993, 02/23/2000,
08/10/2005, 09/12/2012, __/__/____ (BP 5301 renumbered as BP 1330; selected
provisions of BP 5202 moved to BP 1330; all contents of BP 9401 moved to BP
1330)

~~Education Code sections 10900 et seq., 38130-38139~~

EDUCATION CODE

10900-10914.5 Community recreation programs

32282 School safety plan

37220 School holidays

38130-38138 Civic Center Act, use of school property for public purposes

BUSINESS AND PROFESSIONS CODE

25608 Alcoholic beverage on school premises

ELECTIONS CODE

12283 Polling places: schools

GOVERNMENT CODE

54950-54963 The Ralph M. Brown Act

MILITARY AND VETERANS CODE

1800 Definitions

CODE OF REGULATIONS, TITLE 5

14037-14042 Proportionate direct costs for use of school facilities and grounds

**CLOVIS UNIFIED
SCHOOL DISTRICT**

UNITED STATES CODE, TITLE 20
7905 Equal access to public school facilities

COURT DECISIONS

Good News Club v. Milford Central School (2001) 533 U.S. 98
Lamb's Chapel v. Center Moriches Union Free School District (1993) 508 U.S. 384
Cole v. Richardson (1972) 405 U.S. 676
Connell v. Higgenbotham (1971) 403 U.S. 207
ACLU v. Board of Education of Los Angeles (1961) 55 Cal .2d 167
Ellis v. Board of Education (1945) 27 Cal.2d 322

ATTORNEY GENERAL OPINIONS

82 Ops.Cal.Atty.Gen. 90 (1999)
79 Ops.Cal.Atty.Gen. 248 (1996)

Doc# 40857-5 (08/2020, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONSACCOUNTABILITY, PLANNING & RESEARCH
ACCESS TO DISTRICT RECORDS/PUBLIC RECORDS**

PURPOSE: To establish requirements and procedures for public access to public records~~define these records included/excluded as "public records," and is consistent with public records provisions of the Government Code.~~

The Board recognizes the importance of providing access to public records of the District ~~as the official record of the acts of this public body~~ and the District's responsibility to make ~~those~~ public records, ~~with certain exceptions~~, available to the public. Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act and other stated and federal law.

In response to a public records request made in accordance with law, the Superintendent or designee shall make reasonable efforts to locate the requested records, including, but not limited to, any electronic communication substantively related to the records, such as email, text messages, instant messages, and other electronic communications, regardless of whether they are transmitted through a District-provided device or account or through an employee's or Board member's personal device or account.

~~For purposes of this policy, "public records" shall include all writings containing information relating to the conduct of the public's business and made, maintained or kept on file by this Board or its officials, except that "public records" shall not include:~~

- ~~A. Statements of personal worth or personal financial data required by law of any officer or employee;~~
- ~~B. Personnel payroll, medical and similar information concerning employees, the disclosure of which would constitute an invasion of personal privacy;~~
- ~~C. Records carrying information regarding individual students;~~
- ~~D. Records pertaining to an investigation in progress when the inspection of such records would be inimical to the public interest;~~
- ~~E. Real estate appraisals, engineering or feasibility estimates and evaluations relative to the acquisition of property, or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all of the contract agreement obtained, provided that the law of eminent domain shall not be affected by this limitation;~~
- ~~F. Instructions given to a Board negotiator;~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~G. Temporary notations or tape recordings made by an individual solely as an administrative convenience in the performance of his duties;~~
- ~~H. Rosters of Board employees, except as they are required by law to be supplied to bargaining units;~~
- ~~I. Rosters of students, except as they are released by the Board to recognize student achievement;~~
- ~~J. The home address and telephone numbers of any individual staff member or student;~~
- ~~K. Preliminary drafts, notes, interagency or intra-agency memoranda, circulars, etc. which are not retained by the District in the ordinary course of business, provided that the public interest in withholding such information clearly outweighs the public interest in disclosure;~~
- ~~L. Records pertaining to pending litigation to which the District is a party, or to claims and actions against the District or an employee acting in behalf of the District;~~
- ~~M. Records of complaints to, or investigations conducted by the District or any local or state agency, for correctional, law enforcement, or licensing purposes. This includes records of intelligence information and security procedures involved;~~
- ~~N. Test questions, scoring keys, and other examination data used for academic, employment, or licensing purposes;~~
- ~~O. Information obtained in confidence from any person, necessary to the proper conduct of District affairs;~~
- ~~P. Information required from any taxpayer in connection with the collection of local taxes which is received in confidence, the disclosure of which would result in unfair competitive disadvantage to that taxpayer;~~
- ~~Q. Library and museum materials made or acquired and presented solely for reference or exhibition purposes;~~
- ~~R. Records, the disclosure of which is exempted or prohibited by any other federal or state law, including but not limited to provisions of the Evidence Code relating to privilege.~~

The Board directs that all records of this District be made, maintained, and safeguarded in full compliance with the requirements of law and policies and regulations.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Any citizen who has an interest in the public records of this Board may inspect them between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday (Monday-Thursday during the District's observation of summer work hours, and unless affected by the observance of legal holidays) provided a written request specifying these records to be inspected has been submitted in advance to the Office of the Superintendent. Said written request may be made by letter or by Public Records Request form (Exhibit No. 7202).~~

The District may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

~~Any citizen may purchase copies of the public records of this District upon payment of a reasonable fee to be determined by the District in advance. Copies may be picked up at the District Administration Office at 1450 Herndon Avenue in Clovis between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. (Monday-Thursday during the District's observation of summer work hours, and unless affected by the observance of legal holidays.) This does not apply to other school districts or agencies which interchange information with this District in the normal course of business and on the basis of reciprocity.~~

Nothing in this policy shall be construed as preventing a Board member from inspecting any records of this District, except student records, in the performance of his/her official duties.

To help maintain the security of District records, members of the public granted access shall examine records in the presence of a District staff member.

~~The Superintendent shall develop procedures to implement this policy which include:~~

- ~~A. Preparation of a retention schedule which shall conform to the State approved schedule and as a minimum require the permanent safeguarding of Board minutes, annual audit reports, and permanent student records, and the retention of all fiscal records required for audit until said audit has been received and approved;~~
- ~~B. Designation of custodians of all Board records; and~~
- ~~C. Provisions to guard the confidentiality of records exempted from the availability of public records.~~

Adopted: 12/12/1979

Amended: 06/08/1992, 02/22/2006, __/__/____ (BP 7202 renumbered as BP 1340)

Education Code 35145, 35146, 35163, 35250 et. seq., 49060 et. seq.,
Gov. Code 6250 et. seq.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~5 Cal. Code of Regulations 450, 16020 et. seq.~~

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

35145 Public meetings

35170 Authority to secure copyrights

35250 Duty to keep certain records and reports

41020 Requirement for annual audit

42103 Publication of proposed budget; hearing

44031 Personnel file contents and inspections

44839 Medical certificates; periodic medical examination

49060-49079 Student records

49091.10 Parental review of curriculum and instruction

GOVERNMENT CODE

3547 Proposals relating to representation

6250-6270 California Public Records Act

6275-6276.48 Other exemptions from disclosure

8310.3 California Religious Freedom Act

53262 Employment contracts

54957.2 Minute book record of closed sessions

54957.5 Agendas and other writings distributed for discussion or consideration

81008 Political Reform Act, public records; inspection and reproduction

CALIFORNIA CONSTITUTION

Article 1, Section 3 Right of access to governmental information

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Los Angeles County Board of Supervisors v. Superior Court (2016) 2 Cal.5th 282

International Federation of Professional and Technical Engineers v. The Superior Court of Alameda County (2007) 42 Cal.4th 319

Los Angeles Times v. Alameda Corridor Transportation Authority (2001) 88 Cal.App.4th 1381

Kleitman v. Superior Court (1999) 74 Cal.App. 4th 324

Fairley v. Superior Court (1998) 66 Cal.App. 4th 1414

North County Parents Organization for Children with Special Needs v. Department of Education (1994) 23 Cal.App. 4th 144

**CLOVIS UNIFIED
SCHOOL DISTRICT**

ATTORNEY GENERAL OPINIONS

71 Ops.Cal.Atty.Gen. 235 (1988)

64 Ops.Cal.Atty.Gen. 186 (1981)

Doc# 40859-5 (08/2020, 05/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
RELATIONS WITH OTHER GOVERNMENTAL AGENCIES**

PURPOSE: To address relations and collaboration with other governmental agencies.

The Board believes that District efforts to provide a high-quality education for students in the community can be enhanced by collaboration with other government and public agencies that are responsible for the health, safety, and well-being of children and youth. The District is committed to maintaining good working relationships with representatives of state and local agencies to maximize student and family access to support services that will help students achieve to their highest potential.

The Board may initiate or participate in collaborative relationships with city and county elected officials to design and coordinate multi-agency programs that respond to the needs of children and families and provide more efficient use of District and community resources.

The Superintendent and appropriate staff shall cooperate with government and public agencies in the planning and implementation of joint projects or activities within the community.

The Board shall approve the services to be offered by the District, the resources that will be allocated to support collaboration, any use of school facilities for services, and any development or joint use of facilities with other jurisdictions. All agreements with other agencies to coordinate services or share resources shall be in writing. The Board may establish joint powers agreements or memorandums of understanding, when feasible, to formalize the responsibilities and liabilities of all parties in a collaborative activity.

Adopted: __/__/__

EDUCATION CODE

8800-8807 Healthy Start support services for children

10900-10914.5 Cooperative community recreation programs

49073 Privacy of student records

49075 Parent/guardian permission for release of student records

49557.2 Sharing of information for MediCal eligibility

HEALTH AND SAFETY CODE

120440 Immunization records; release to local health departments

130100-130155 Early childhood development; First 5 Commission

WELFARE AND INSTITUTIONS CODE

5850-5883 Mental Health Services Act

18961.5 Computerized database; families at risk for child abuse; sharing of information

18980-18983.8 Child Abuse Prevention Coordinating Council

18986-18986.30 Interagency Children's Services Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

18986.40-18986.46 Multidisciplinary services teams

18986.50-18986.53 Integrated day care program

18987.6-18987.62 Family-based services

Doc# 40860-4 (08/2020, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~SCHOOL COMMUNITY RELATIONS AND PARTNERSHIPS~~
RELATIONS WITH COMMUNITY, AND PRIVATE INDUSTRY, INSTITUTIONS AND
PARTNERSHIPS**

PURPOSE: To address ~~ensure appropriate~~ relations and collaboration with the community, and ~~private industry, and business institutions and partnerships.~~

The Board encourages program development and communication mutually beneficial between the public schools of the District and community, industry, business, and other institutions ~~which comprises the community as served by the District.~~ The Board also encourages these institutions to be involved in efforts to support the District's core mission and goals and students.

The Board encourages, for its secondary education students, cooperative training programs with its community partners described above. Any programs which develop from community cooperative efforts require Board approval prior to implementation.

In developing ~~a~~ community partnerships and educational training programs in the community, the Superintendent or designee ~~administration~~ shall be guided by the following principles:

1. Students shall not be used to promote private or commercial interests;
2. Students shall not be used for direct sales promotion of goods or services;
3. Students shall not be assigned outside tasks which do not benefit the student primarily; and
4. Students shall not engage in school/business partnerships that are in violation of any existing board policy or applicable law.

Adopted: 12/12/1979

Reviewed: 02/22/2006, 06/18/2007, 09/07/2008

Amended: 05/13/1992, 11/25/1996, 02/11/2004, __/__/____ (BP 9206 renumbered as BP 1700)

~~E.C. 51760, et. seq.~~

EDUCATION CODE

8070 Career technical education advisory committee

35160 Authority of governing boards

35160.1 Broad authority of school districts

41030-41037 Gifts and bequests

51760-51769.5 Work experience education

52300-52499.66 Career technical education

**CLOVIS UNIFIED
SCHOOL DISTRICT**

UNITED STATES CODE, TITLE 20

2301-2414 Strengthening Career and Technical Education for the 21st Century Act, especially:

2354 Local application for career technical education, business involvement

Doc# 40861-5 (08/2020, 03/2008)

TABS 34 - 39
2000 ADMINISTRATION

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION ~~DISTRICT ORGANIZATION & GOALS~~****Governing Board****~~RESPONSIBILITY OF THE OFFICE OF~~ SUPERINTENDENT RESPONSIBILITIES
AND DUTIES**

PURPOSE: To specify the major responsibilities of the office of the Superintendent.

The Board desires to establish a productive working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning and achievement and the attainment of the District's vision and goals. The Board also desires to provide a basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations.

The Board may, if it determines necessary, clarify expectations and goals for the Superintendent at the beginning of each academic year.

The ~~District~~ Superintendent's responsibilities and duties include, but are not limited to, the following:

1. ~~Shall s~~ Serve as secretary to the Board and is the chief executive officer of the ~~District~~ Board. The Superintendent shall ~~be charged with the responsibility for~~ implementing the policies and decisions of the Board, support Board decision making, and manage the District's instructional and noninstructional operations.
2. ~~Act as an advisor to the Board and r~~ Recommend a course of action on all matters presented to ~~the Superintendent for~~ the Board.
3. Recommend for employment all certificated and classified employees.
4. ~~After discussion with the Board, m~~ Make personnel assignments, re-assignments, and transfers for the best interests of the educational program.
5. Serve as the Board's representative in cooperative undertakings with ~~other~~ community agencies and be charged with the responsibility of maintaining both within and outside the school system a program of public information designed to improve public understanding of the public school system.
6. ~~May d~~ Delegate to other staff members any of the powers and duties which the Board has entrusted to the ~~Superintendent office~~, but in every instance that a power or duty is delegated, the Superintendent shall continue to be responsible to the Board for the execution of the power or duty delegated.
7. ~~Will k~~ Keep the Board informed of significant administrative decisions.

**CLOVIS UNIFIED
SCHOOL DISTRICT****~~8. Will avoid surprises for the Board at Board meetings.~~**

~~9.8. Will~~ ~~r~~Respect the opinion of Board members, the staff, and community members.

~~10.9. Will~~ ~~t~~Treat each Board member, the staff, and community members with dignity and respect.

~~11.10. Will~~ ~~e~~Consider any matter reported by a Board member and, if necessary, seek approval of the Board if the matter requires extensive staff time to research.

~~12.11. Will~~ ~~p~~Provide ~~equal~~ information ~~equally~~ to all Board members.

~~13.12. Will~~ ~~give~~Provide the Board full disclosure of significant school problems.

~~14.13. Will~~ ~~i~~Involve the Board in periodic ~~careful~~ planning.

~~15. Will defend Board members from unwarranted accusations.~~

~~16.14. Will~~ ~~r~~Receive and welcome constructive criticism.

~~17.15. Will~~ ~~e~~Conduct special studies requested by the Board.

~~18.16. Will~~ ~~s~~Secure legal opinions when needed.

~~19.17. As Secretary to the Board, along with the Board President, prepare the agenda and minutes of Board meetings, ~~handle~~process Board correspondence, and maintain all Board records, contracts, securities, and other documents.~~

~~20.18. Arrange for the evaluation of each staff member and identify appropriate opportunities for continued professional development.~~

~~21.19. Together with staff, study the curricula and make recommendations to the Board regarding the courses of study, major changes in texts and time schedules, and ~~potentially sound~~ new and/or innovative programs.~~

~~22.20. Apprise the Board of contemporary educational practices and related legislative issues.~~

~~21~~23. —Represent the Board on legislative matters at the local, state, and federal level.

~~22~~24. Seek and identify sources of income and funding.

~~23~~25. —Annually prepare and submit to the Board the District ~~B~~budget.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~2426.~~ — Make recommendations to the Board regarding the maintenance, safety, improvement, and/or expansion of school facilities, sites, equipment, transportation services, food services, insurance, and other non-instructional programs.
- ~~2527.~~ ~~Hear~~**Review** complaints against the schools and resolve controversies between employees or between employees and students or parents/guardians.
- ~~2628.~~ Report **expeditiously** ~~immediately~~ to ~~each member of~~ the Board when an unusual incident arises in the District which may cause community concern or may be referred to the Board members by ~~parents/guardians or community members~~**patrons** of the District.
- ~~2729.~~ ~~Will b~~**Be** visible and accessible at each site and within the community.
- ~~2830.~~ ~~Will w~~**Work** effectively and communicate with the Board, staff, and community.
- ~~2931.~~ ~~Will e~~**Effectively** use technology to increase efficiency and improve communication.

Chain of Command and Organization of Staff

~~It is the policy of the Board that~~ The Superintendent shall be responsible for all matters related to the District's operations ~~of the District be the control of the Superintendent, except where the law designates that responsibility to others.~~

The ~~Governing~~ Board authorizes the Superintendent to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations, ~~subject to approval by the Governing Board.~~ The Superintendent or designee may adjust staff responsibilities temporarily or permanently as needed to accommodate the workload and/or individual responsibilities.

~~Under the direction of the Superintendent, organizational charts which designate lines of primary responsibility shall be developed for each division and department of the District. Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.~~

The Superintendent ~~Governing Board~~ shall cause to be prepared and shall approve organizational charts reflecting the organization and ~~for the operations of the District which shall be included as exhibits to this policy.~~ Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.

Adopted: 09/24/1997

Reviewed: 10/20/2008

Amended: 11/15/2000, 02/11/2004, 08/08/2007, __/__/____ (BP 1106 renumbered as BP 2110,

**CLOVIS UNIFIED
SCHOOL DISTRICT**

all contents of BP 1201 and BP 1202 moved to BP 2110)

EDUCATION CODE

17604 Delegation of powers to agents

17605 Delegation of authority to purchase supplies, equipment and services

35020-35046 Powers and duties of superintendent

48900 Authority of superintendent to recommend suspension or expulsion

Doc# 38897-5 (08/2020, 07/2005)

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION ~~DISTRICT ORGANIZATION & GOALS~~****Governing Board****RECRUITMENT AND SELECTION ~~APPOINTMENT~~ OF SUPERINTENDENT**

PURPOSE: To specify procedures to recruit and employ the Superintendent.

The Board considers the selection and appointment of a superintendent who can effectively translate into action the policies of the Board and the aspirations of the community for its schools, foremost among its responsibilities. Whenever a vacancy in the ~~school~~ ~~office of the~~ ~~s~~Superintendent ~~occurs~~ ~~approaches~~, the Board will conduct an active search to locate the most promising candidates.

The Board may seek the advice and counsel of interested individuals or of an advisory committee, or it may hire consultant(s) to assist in ~~the recruitment and selection of the Superintendent.~~ However, final selection will rest with the Board after a thorough consideration of qualified applicants.

The Board shall interview preliminary and final candidates in closed session and determine the best match for the District. (Government Code 54957)

The selected candidate shall hold both a valid school administration certificate and a valid teacher's certificate. However, the Board may waive any credential requirement but shall not employ a person whose credential has been revoked by the California Commission on Teacher Credentialing pursuant to Education Code 44421-44427. (Education Code 35028, 35029, 35029.1)

The Board shall deliberate in closed session to affirm the selection of the candidate and shall report the selection in open session. (Government Code 54957)

A vote of the majority of the Board membership present at a Board meeting, for which due notice was given of the intended action, will be required for the employment of the Superintendent.

As necessary, the Board may appoint an interim Superintendent to manage the District during the recruitment and selection process for a permanent Superintendent.

Catastrophic Vacancy ~~in~~ The Superintendent's Position

If for any reason the Superintendent is unable to carry out the responsibilities of the office of the Superintendent ~~ey~~, the Deputy Superintendent will assume the ~~responsibilities of the Superintendent~~ ~~as designated by the Board President~~ until such time as the Board takes action to appoint an interim Superintendent or permanent Superintendent.

~~If it becomes apparent that the Superintendent will be unable to resume the duties of the office in a reasonable time, the Board may designate the Deputy Superintendent to serve as an interim~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Superintendent or make an interim appointment other than the aforementioned positions until a permanent Superintendent is appointed.~~

~~The Board may then take the appropriate steps to implement the procedures to recruit and employ a District Superintendent.~~

Adopted: 02/14/1990

Reviewed: 06/18/2007

Amended: 11/06/1991, 11/15/2000, 02/11/2004, 10/14/2009, 08/08/2012, __/__/____ (BP 1105
renumbered as BP 2120)

EDUCATION CODE

220 Prohibition of discrimination

35026 Employment of superintendent by board

35028 Certification

35029-35029.1 Waiver of credential requirement

35031 Term of employment

44420-44440 Revocation and suspension of certification documents

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 California Fair Employment and Housing Act

53260-53264 Employment contracts

54954 Time and place of regular meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

CODE OF REGULATIONS, TITLE 2

11019 Terms, conditions and privileges of employment

UNITED STATES CODE, TITLE 29

794 Section 504 of the Vocational Education Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX, 1972 Education Act Amendments

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

**CLOVIS UNIFIED
SCHOOL DISTRICT**

106.9 Dissemination of nondiscrimination policy

Doc# 38889-5 (08/2020, 03/2002)

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION
SUPERINTENDENT'S CONTRACT**

PURPOSE: To establish the framework for the Superintendent's employment contract.

The Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent will work together as a governance team to achieve District goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the value of stability in District administration, the best use of District resources, and the Board's duty to ensure accountability to the public for the performance of the District's schools.

The contract shall be reviewed by the District's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code section 35031.
2. Length of the work year and hours of work.
3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board.
4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff. The contract may also address payment for professional dues and activities, the District's provision of cell phones or other technological devices, and the use of a personal vehicle.
5. Vacation, illness and injury leave, and personal leaves.
6. Professional development.
7. General duties and responsibilities of the position.
8. Criteria, process, and procedure for annual evaluation of the Superintendent.
9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract.
10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code section 35031, and the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice.

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date.
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's official capacity in the performance of employment-related duties.

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code section 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

The Board may consult with District legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

Terms of the contract shall remain confidential until the ratification process commences.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

Termination of Contract

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with applicable law and contract provisions. Termination of the Superintendent for cause shall be as described in the Superintendent's contract.

The maximum cash settlement that the Superintendent may receive upon termination of the contract, without cause, shall not exceed the Superintendent's monthly salary multiplied by the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

When the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

If the Superintendent is convicted of a crime involving an abuse of office or position, the Superintendent shall reimburse the District for payments received as paid leave salary pending investigation or as cash settlement upon termination, and for any funds expended by the District in defending the Superintendent against a crime involving the Superintendent's office or position. (Government Code 53243-53243.4, 53260)

Adopted: / /

EDUCATION CODE

35031 Term of employment

41325-41328 Conditions of emergency apportionment

GOVERNMENT CODE

3511.1-3511.2 Local agency executives

6250-6270 California Public Records Act

53243-53243.4 Abuse of office

53260-53264 Employment contracts

54953 Oral summary of recommended salary and benefits of superintendent

54954 Time and place of regular meetings

54956 Special meetings

54957 Closed session personnel matters

54957.1 Closed session, public report of action taken

54957.6 Closed sessions regarding employee matters

UNITED STATES CODE, TITLE 26

105 Self-insured medical reimbursement plan; definition of highly compensated individual

UNITED STATES CODE, TITLE 42

300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals

**CLOVIS UNIFIED
SCHOOL DISTRICT**

CODE OF FEDERAL REGULATIONS, TITLE 26
1.105-11 Self-insured medical reimbursement plan

COURT DECISIONS
San Diego Union v. City Council (1983) 146 Cal.App.3d 947

ATTORNEY GENERAL OPINIONS
57 Ops. Cal. Atty. Gen. 209 (1974)

Doc# 38891-3 (04/2020, 12/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION ~~DISTRICT ORGANIZATION & GOALS~~****~~Governing Board~~****EVALUATION OF THE SUPERINTENDENT**

PURPOSE: To specify the procedures and timeline for the District Superintendent's evaluation.

The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals regularly.

The purpose for the Superintendent's evaluation is to:

1. Clarify the Superintendent's function and responsibilities and to ~~review~~ ~~confer on~~ the Superintendent's performance on a regular basis.
2. Identify areas of strengths and weaknesses and provide recommendations to improve performance and effectiveness.
3. ~~Give~~ Provide encouragement and commendation and improve job satisfaction of the Superintendent.
4. Enhance the Board's ability to monitor progress toward established goals and issues.
5. Provide a means ~~a regular and anticipated outlet~~ for resolving conflicts.
- ~~6. Establish reasonable standards for continued employment.~~
7. Promote communication and strengthen working relationships between the Board and Superintendent.

The evaluation format shall be reasonably objective and may contain, but not be limited to, ~~at least~~ the following criteria:

1. Board-Superintendent ~~R~~relations.
2. Community ~~R~~relations.
3. Staff and personnel ~~R~~relations.
4. Educational ~~P~~program.
5. Business and ~~F~~financial ~~M~~matters.
6. Professional and ~~L~~leadership ~~F~~functions.

**CLOVIS UNIFIED
SCHOOL DISTRICT****7. Student Achievement.**

The Board shall develop with the Superintendent the specific format, criteria, and timeline for accomplishing the evaluation.

The Board shall meet in closed session with the Superintendent to discuss the evaluation. (Government Code 54957)

After the Board and Superintendent have discussed the evaluation, the Board President and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file. The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.

Adopted: 02/14/1990

Amended: 11/06/1991, 05/26/1993, 11/15/2000, 03/22/2006, __/__/____ (BP 1107 renumbered as BP 2140)

GOVERNMENT CODE

6254.8 Public Records Act; employment contracts

54957 Closed session, personnel matters

COURT DECISIONS

Versaci v. Superior Court, (2005) 127 Cal.App.4th 805

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

Doc# 38890-5 (08/2020, 07/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION****ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY**

PURPOSE: To delineate the Superintendent's authority to take immediate actions consistent with law and Board policies.

The Board recognizes that, in the course of operating District schools or implementing District programs, situations may arise which may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or District property, or to prevent disruption of school operations, the Superintendent is delegated the authority to take necessary action in circumstances not provided for in ~~B~~board policies, provided that such action is consistent with law and board policies and ~~is-shall-be~~ reported, as appropriate, to the Board at the meeting next following such action. This action shall be subject to review by the Board at which time it may duly consider the need for one or more policies to cover future situations of a similar nature.

As necessary, the Superintendent or designee shall consult with other District staff, including legal counsel and/or the chief business official, regarding the exercise of this authority.

Adopted: / /

EDUCATION CODE

35010 Control of district, prescription and enforcement of rules

35035 Powers and duties of superintendent

35160 Authority of governing boards

35161 Powers and duties; authority to delegate

35163 Official actions, minutes and journal

Doc# 38892-4 (08/2020, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****ADMINISTRATION
REPRESENTATIVE AND DELIBERATIVE GROUPS**

PURPOSE: To set parameters regarding the Superintendent's establishment and use of advisory groups or committees.

The Board believes that broad input on District operations and policy from staff, parents/guardians, students and members of the public can provide the District with a diversity of viewpoints and expertise, help build a sense of ownership of the schools, enhance District efficiency, and assist District communications. As desired, the Superintendent or designee may establish a management team, administrative councils, task forces, cabinets, or committees in accordance with law.

The membership, composition and responsibilities of these groups shall be defined by the Superintendent or designee. The Superintendent or designee may establish, change, or dissolve these groups at his/her discretion.

Groups established by the Superintendent or designee shall act only in an advisory capacity. Advisory groups shall submit their recommendations to the Superintendent or designee, who may report the recommendations to the Board as appropriate.

Expenses incurred for consulting services, materials, travel, or other related operations shall be approved by the Superintendent or designee in advance.

Adopted: / /

EDUCATION CODE

35160.1 Broad authority of school districts

45100.5 Senior classified management positions

45256.5 Designation of certain senior classified management positions

GOVERNMENT CODE

3540.1 Definitions

54952 Legislative body, definition

Doc# 38893-4 (08/2020, 07/2001)

TABS 40-65
9000 BOARD BYLAWS

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS DISTRICT ORGANIZATION AND GOALS****Governing Board****ROLE AND RESPONSIBILITY OF THE GOVERNING BOARD**

PURPOSE: To specify the **role and** major responsibilities of the ~~members of the Governing Board.~~

Section 1—A. Official Name of the Board

The Board shall be known officially as “The Board of Clovis Unified School District” in the County of Fresno.

Section 1— Authority

The Board is established by and derives its authority from the Constitution and ~~laws the statutes of the State of California and other applicable laws; the Education Code; the Government Code; the Motor Vehicle Code; the Business and Professions Code; the Civil Code; the Elections Code; the Insurance Code; the Military and Veterans Code; the Penal Code; the Health and Safety Code; the California Administrative Code; Title 5; Rules & Regulations of the Board of Education of Fresno County; Federal laws and regulations; and opinions of courts of jurisdiction.~~

Section 1—B. Number of Board Members and Trustee Area

The ~~Clovis Unified School District~~ Board shall consist of seven members ~~and one student representative.~~ Each ~~M~~members of the Board must reside within the **trustee** area which he/she they represents.

Section 2—Area Designation

Each ~~T~~trustee ~~election~~ area is outlined in Exhibit No. 9000-1101.

Section 1—Corporate Body**C. Authority of the Board**

The Board ~~constitutes a corporate body which~~ possesses all the usual powers of a ~~corporation for~~ public school district duly organized under the laws of the State of California ~~purposes~~, and in that name may sue and be sued; purchase, hold, and sell personal and real property; and, enter into such obligations and exercise such powers as authorized by law.

The Board may initiate and carry on any program or activity or may otherwise act in any manner that is not in conflict with, inconsistent with, or preempted by any law and which is not in conflict with the purposes for which school districts are established. (Education Code 35160)

**CLOVIS UNIFIED
SCHOOL DISTRICT****Section 2—D. Responsibilities and Duties of the Board**

The Board's major duties and responsibilities shall include:

1. Establish ~~District-board~~ policies and ~~Board~~-bylaws, and work with the Superintendent to ~~shall~~ implement procedures for policy and bylaw adoption, revision, and review.
2. Oversee District operations to assure policy implementation and maintenance.
3. Employ and evaluate the ~~District s~~Superintendent, who shall be the chief executive and secretary to the Board.
4. Adopt an annual budget, authorize District expenditures, establish salary schedules, and approve capital investments.
- 4.5. Establish academic expectations and adopt the curriculum and instructional materials.
- 5.6. Serve, where required by law or board policy, as the final appeal for formal complaints from the public, staff, or students.
- 6.7. Delegate such duties as may be appropriate to the Superintendent.
8. Define the mission for the District and establish priorities for District programs, services, and activities.

~~Establish other duties consistent with existing law as may be appropriate.~~

- ~~1. To select a Superintendent who shall be the Chief Executive and Secretary to the Board.~~
- ~~2. To delegate operational responsibility to the education staff through the Superintendent.~~
- ~~3. 9. To eEmploy all personnel upon the consideration of the Superintendent's recommendation of the Superintendent.~~
- ~~4. 10. To mMake continuous efforts to acquaint themselves with matters pertaining to education and to the duties and responsibilities of their offices.~~
- ~~5. 11. To rReserve judgment on all matters until hearing the Superintendent's recommendation of the Superintendent and discussing the matter with other members of the Board in a duly authorized meeting.~~
- ~~6. No member of the Board has any legal authority to direct the Superintendent on an individual basis.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- ~~6.~~ 12. ~~Each member of the Board is obligated to a~~Abide by and uphold the adopted policies of the Board whether that individual board member voted for the adoption or not.
- ~~7.~~ 13. During Board meetings and out of meetings, ~~Board members will~~ not make statements that would be interpreted as having Board approval.
- ~~8.~~ 14. ~~Board members are e~~Encouraged to visit schools and attend school functions; but must not speak or act in an official capacity unless authorized by the Board.
- ~~9.~~ 15. Not unlawfully disclose ~~Only~~ items authorized by the ~~"Brown Act"~~ will be discussed in ~~C~~losed ~~S~~sessions and keep all such discussion ~~will be~~ confidential.
- ~~10.~~ 16. ~~Board members will r~~Respect the Superintendent and staff by informing them whenever possible of matters of concern prior to Board meetings.
- ~~11.~~ 16. ~~Board members will r~~Respect the opinion of other Board members, the staff, and community members.
- ~~13.~~ 17. ~~Board members will t~~Treat other Board members, the staff, and community members with dignity and respect.
- ~~14.~~ 18. Direct ~~Q~~uestions about agenda items ~~will be directed~~ to the Superintendent or appropriate staff member prior to a Board meeting when possible.
- ~~15.~~ 19. Discuss ~~A~~ny concerns regarding ~~irritation with~~ the Superintendent or a staff member ~~will be discussed~~ with the Superintendent as soon as possible.
- ~~16.~~ 20. Direct ~~A~~ny request by Board members for reports or study ~~will be directed~~ to the Superintendent.
- ~~17.~~ 21. Refer ~~A~~ny complaints made to a Board member ~~will be referred~~ to the Superintendent.
22. ~~Board members will e~~Exchange ideas freely and clearly and avoid internal conflicts that block progress.
- ~~18.~~ Board members should understand and support the lines of authority and the assignment of all responsibilities.

Section 3 Policy Making Responsibility

~~The Board shall exercise its policy making responsibility by adopting bylaws and policies not inconsistent with the law and/or opinions of courts of competent authority for its own government and for the organization and operation of the District.~~
~~The formulation and adoption of written bylaws and policies shall constitute the basic method by which the Board shall exercise its leadership.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Adopted: 09/24/1997

Reviewed: 06/11/2007

Amended: 11/19/2003, __/__/__ (BP 1108 renumbered as BB 9000)

EDUCATION CODE

5304 Duties of governing board (re school district elections)

12400-12405 Authority to participate in federal programs

17565-17592 Board duties re property maintenance and control

33319.5 Implementation of authority of local agencies

35000 District name

35010 Control of district; prescription and enforcement of rules

35020-35046 Officers and agents

35100-35351 Governing boards, especially:

35160-35185 Powers and duties

35291 Rules

Doc# 41113-5 (08/2020, 07/2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD PUBLIC STATEMENTS**

PURPOSE: To set forth provisions regarding public statements made by or on behalf of the Board.

The Board recognizes the responsibility of Board members in their role as community leaders to participate in public discourse on matters of civic or community interest, including those involving the District, and their right to freely express their personal views. However, to ensure communication of a consistent, unified message regarding District issues, Board members are expected to respect the authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.

All public statements authorized to be made on behalf of the Board shall be made by the Board president or, if appropriate, by the Superintendent or other designated representative. Communications with the media shall be made in accordance with Board Policy No. 1112 – Media Relations.

When speaking for the District, the Board encourages its spokespersons to exercise restraint and tact and to communicate the message in a manner that promotes public confidence in the Board's leadership.

Board spokespersons shall not disclose confidential information or information received in closed session except when authorized by a majority of the Board. (Government Code 54963)

When speaking to community groups, members of the public, or the media, individual Board members should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board members have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

In addition, the Board encourages Board members who participate on social networking sites, blogs, or other discussion or informational sites to conduct themselves in a respectful, courteous, and professional manner and to model good behavior for District students and the community.

Adopted: / /

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

GOVERNMENT CODE

6250-6270 California Public Records Act

54960 Actions to stop or prevent violation of meeting provisions

**CLOVIS UNIFIED
SCHOOL DISTRICT**

54963 Confidential information in closed session

Doc# 41388-3 (06/2020, 08/2013)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS****DISCLOSURE OF CONFIDENTIAL/PRIVILEGED INFORMATION**

PURPOSE: To set forth requirements governing the disclosure of closed session and privileged/confidential information.

The Board recognizes the importance of maintaining the confidentiality of information acquired as part of a Board member's official duties. Confidential/privileged information shall be released only to the extent authorized by law. Disclosure of closed session information by a Board member in violation of applicable laws may subject the Board member to sanctions and other liabilities pursuant to applicable laws.

A. Disclosure of Closed Session Information

A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

The Board shall not take any action against any person for disclosing confidential information, nor shall the disclosure be considered a violation of the law or Board policy, when the person is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session.
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action.
3. Disclosing information that is not confidential.

B. Other Disclosures

A Board member shall not disclose, for pecuniary gain, confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the Board member. (Government Code 1098)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Disclosures excepted from this prohibition are those made to law enforcement officials or to the joint legislative audit committee when reporting on improper governmental activities. (Government Code 1098)

Adopted: / /

EDUCATION CODE

35010 Power of governing board to adopt rules for its own governance

35146 Closed session

EVIDENCE CODE

1040 Privilege for official information

GOVERNMENT CODE

1098 Public officials and employees re confidential information

3549.1 Meeting and negotiating in public educational employment

6250-6270 Inspection of public records

54950-54963 Brown Act, especially:

54956.8 Open meeting laws

54956.9 Closed meeting for pending litigation

54957 Closed session; "employee" defined; exclusion of witnesses

54957.1 Subsequent public report and rollcall vote; employee matters in closed session

54957.5 Public records

54957.6 Closed session; representatives with employee organization

54957.7 Reasons for closed session

54963 Confidential information in closed session

ATTORNEY GENERAL OPINIONS

80 Ops.Cal.Atty.Gen. 231 (1997)

Doc# 41389-4 (08/2020, 11/2002)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD MEMBER ELECTRONIC COMMUNICATIONS**

PURPOSE: To address electronic communications by Board members.

The Board recognizes that electronic communication is an efficient and convenient way for Board members to communicate and expedite the exchange of information within the District and with members of the public. Board members shall exercise caution so as to ensure that electronic communications are not used as a means for the Board to deliberate outside of an agendaized Board meeting nor to circumvent the public's right to access records regarding District business.

A majority of the Board shall not, outside of an authorized meeting, use a series of electronic communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

Board members may use electronic communications to discuss matters that do not pertain to District business, regardless of the number of Board members participating in the discussion.

A Board member may respond, as appropriate, to an electronic communication received from a member of the community and should make clear that his/her response does not necessarily reflect the views of the Board as a whole. Any complaint or request for information should be forwarded to the Superintendent in accordance with Board bylaws and protocols so that the issue may receive proper consideration and be handled through the appropriate District process. As appropriate, communication received from the media shall be forwarded to the designated District spokesperson in accordance with Board Policy No. 1112 – Media Relations.

To the extent possible, electronic communications regarding any District-related business shall be transmitted through a District-provided device or account.

Adopted: / /

EDUCATION CODE

35140 Time and place of meetings
35145 Public meetings
35145.5 Agenda; public participation; regulations
35147 Open meeting law exceptions and applications

GOVERNMENT CODE

6250-6270 California Public Records Act
11135 State programs and activities, discrimination
54950-54963 The Ralph M. Brown Act, especially:
54952.2 Meeting, defined
54953 Meetings to be open and public; attendance

**CLOVIS UNIFIED
SCHOOL DISTRICT**

54954.2 Agenda posting requirements, board actions

COURT DECISIONS

City of San Jose v. Superior Court (2017) 2 Cal.5th 608

Doc# 41390-3 (06/2020, 05/17)

CLOVIS UNIFIED SCHOOL DISTRICT

BOARD BYLAWS BOARD ORGANIZATION

PURPOSE: To set forth provisions and procedures regarding the annual organization meeting of the Board.

~~Section 1 – Organizational Meeting~~ Each year, Tthe Board shall hold an ~~organize annually at an~~ organizational ~~M~~meeting in December. The organizational meeting shall be held: (1) in any year in which a regular election of the District Board members is conducted, within a 15-day period that commences with the date upon which Board ~~M~~members elected that year take office; or (2) within a 15-day period of the second Friday in December if no ~~election of District Board~~ ~~M~~members ~~are elected~~is conducted that year. (Education Code 5107, 35143)

The day and time of the annual organizational meeting shall be selected by the Board at the prior annual organizational meeting or at anyits regular meeting held prior to the first day of the 15-day period. On behalf of the Board, the Superintendent shall notify the county superintendent of Sschools of the day and time selected. Within 15 days prior to the date of the annual organizational meeting, the clerk of the Board, with the assistance of the Superintendent, shall notify in writing all Board members and members-elect of the date and time selected for the meeting. (Education Code 35143)

Section 1 – Officers

~~The Board shall organize by the election of a President, Vice President, and a Clerk from among its members. Election may be by secret ballot. The Superintendent shall serve as Ssecretary of the Board and the Board will appoint an Assistant Secretary.~~

At this meeting, the Board shall:

1. Elect a president, vice-president, and a clerk from its members.
2. Approve a schedule of regular meetings for the year.
3. Designate Board representatives to serve on committees, subcommittees, or commissions of the District, other public agencies, or organizations with which the District partners or collaborates.

Section 2 – Membership

1. ~~The Board shall, at its annual Organizational Meeting, elect a representative to the Fresno County Committee on School District Organizati~~The Board may wish to appoint from its membership persons to represent the Board in organizations such as the Fresno County School Trustees Association, the California School Boards Association, and other similar organizations~~the like.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****Election of Officers**

The Board shall each year elect its entire slate of officers. The election of Board officers shall be conducted during an open session of the annual organizational meeting.

Adopted: __/__/__

EDUCATION CODE

5017 Term of office

35143 Annual organizational meeting date, and notice

35145 Public meetings

GOVERNMENT CODE

54953 Meetings to be open and public; attendance

ATTORNEY GENERAL OPINIONS

68 Ops.Cal.Atty.Gen. 65 (1985)

59 Ops.Cal.Atty.Gen. 619, 621-622 (1976)

Doc# 41391-4 (08/2020, 07/2015)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
TERMS OF BOARD MEMBER OFFICE**

PURPOSE: To address the terms of office of Board members.

Section 7 – Term

The entire Board was elected at the time of unification (July 1, 1960) and it was determined by lot that trustee areas 1, 3 and 6 would serve for an initial two-year period and trustee areas 2, 4, 5 and 7 would serve for an initial four-year period. Subsequent to this determination, Board members are elected for a four-year term. Unexpired terms are filled in accordance with the Education Code of the State of California.

The Board shall consist of seven members, whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. (Education Code 35012)

The term of office for Board members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 5017)

Board members whose terms have expired shall continue to discharge the duties of office until their successors have qualified by taking the oath of office. (Education Code 5017; Government Code 1302, 1360)

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Adopted: __/__/__

EDUCATION CODE

5000-5033 Election of school district board members

35010 Control of district

35012 Board members; number, election and terms

35107 Eligibility

ELECTIONS CODE

1302 Local elections, school district election

10400-10418 Consolidation of elections

14050-14057 California Voter Participation Rights Act

GOVERNMENT CODE

1302 Continuance in office until qualification of successor

1303 Exercising functions of office without having qualified

**CLOVIS UNIFIED
SCHOOL DISTRICT**

1360 Necessity of taking constitutional oath

Doc# 41392-3 (06/2020, 10/2018)

CLOVIS UNIFIED SCHOOL DISTRICT

BOARD BYLAWS PRESIDENT

PURPOSE: To describe the role and responsibilities of the Board president.

The President shall participate in District activities, ~~that~~ includinge but ~~are~~ not limited to:

1. Attending all ~~B~~board ~~A~~agenda ~~R~~review meetings.;
2. Serving as an active member of the Foundation for Clovis Schools.;
3. Speaking on behalf of the Board at ~~Districtthe following~~ events, including but not limited to: –annual General Session, ~~N~~national and ~~S~~state school recognition ceremonies, ~~G~~groundbreaking ceremonies, ~~E~~mployee ~~R~~ecognition ceremonies, ~~R~~etirement ceremonies, Districtwide ~~S~~tudent ~~R~~ecognition ceremonies, and other Districtwide events as necessary.;
4. Serving as the voice of the Board for media inquiries regarding significant District-related issues in accordance with Board Policy No. 1112 – Media Relations.

In collaboration with the Superintendent's ~~Executive Cabinet~~, an out-going ~~P~~resident may participate in an ~~O~~rientation ~~S~~ession for the newly appointed ~~Board P~~resident.

The ~~P~~resident shall preside at all meetings of the Board and shall perform ~~otherall~~ duties imposed by law~~statutes~~ and/or set forth in ~~prescribed by the B~~board policies and bylaws. The ~~P~~resident shall preserve order and decorum at ~~the Board~~ meetings. The ~~P~~resident shall declare all votes and conduct a roll call vote if required by law or requested by any Board member ~~requests a roll call vote, the Assistant Secretary shall call the roll and the President shall declare the ayes and noes. The President shall have the same right as other members to discuss questions and to vote thereon.~~

To ensure that Board meetings are conducted in an efficient, transparent, and orderly manner, the president shall:

1. Call such meetings of the Board as he/she may deem necessary, causing notice to be given as required by law.
2. Consult with the Superintendent or designee on the preparation of Board meeting agendas.
3. Call the meeting to order at the appointed time or as close to the appointed time as the business of the Board permits and preside over the meeting.
4. Announce the business to come before the Board in its proper order.
5. Enforce the Board's bylaws related to the conduct of meetings and help ensure compliance

**CLOVIS UNIFIED
SCHOOL DISTRICT**

with applicable requirements of the Brown Act and the Education Code.

6. Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference.
7. Facilitate the Board's effective deliberation, ensuring that each Board member has an opportunity to participate in the deliberation and that the discussion remains focused.
8. Rule on issues of parliamentary procedure.
9. Put motions to a vote and state the results of the vote.

The president shall have the same rights as other members of the Board, including the right to discuss and vote on all matters before the Board.

Section 2—Vice President

The ~~V~~vice ~~P~~resident shall preside when the ~~P~~resident resigns or is absent or upon request of the ~~P~~resident.

Adopted: / /

EDUCATION CODE

35022 President of the board

35143 Annual organizational meetings; dates and notice

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Doc# 41393-3 (06/2020, 07/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
SECRETARY**

PURPOSE: To describe the role and responsibilities of the Board secretary.

Section 4 – Secretary

~~The Superintendent shall serve as Secretary of the Board. The Secretary shall send out notices of all meetings. The Secretary shall keep a proper and complete record of the proceedings of the meetings of the Governing Board. The Secretary shall prepare the minutes, distribute and file same, or designate such action. The Secretary shall post all legal notices, prepare and sign all legal documents and reports that require signature. The Secretary shall perform such other duties as may be prescribed by the Board or by state statutes. The Secretary shall also serve as Parliamentarian for the Board.~~

The secretary to the Board shall be responsible for maintaining an accurate and complete record of all Board proceedings and shall:

1. Prepare, distribute, and maintain the Board agenda.
2. Record, distribute, and maintain the Board minutes.
3. Maintain Board records and documents.
4. Conduct official correspondence for the Board.
5. As directed by the Board, sign and execute official papers.
6. Post notices as required by law.
7. Perform other duties as assigned by the Board.

Adopted: __/__/__

EDUCATION CODE

35025 Secretary and bookkeeper

35143 Annual organizational meetings; dates and notice

35250 Duty to keep certain records and reports

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
CLERK**

PURPOSE: To describe the role and responsibilities of the Board clerk.

The Board shall elect a clerk from its own membership at the annual organizational meeting.
(Education Code 35143)

The duties of the clerk shall be to:

1. Certify or attest to actions taken by the Board when required.
2. Maintain such records or reports as required by law.
3. Sign documents on behalf of the District as directed by the Board.
4. Serve as presiding officer in the absence of the president and vice president.
5. Work with the Superintendent to notify Board members and members-elect of the date and time for the annual organizational meeting.
5. Perform any other duties assigned by the Board.

Section 3—Clerk

~~The Clerk shall perform duties of the President in the absence of the President and Vice President and shall execute all documents on behalf of the Board, except as otherwise provided by law.~~

Adopted: __/__/__

EDUCATION CODE

17593 Repair and supervision of property (duty of district clerk)
35038 Appointment of clerk by county superintendent of schools
35039 Dismissal of clerk
35121 Appointment of clerk in certain city and high school districts
35143 Annual organizational meetings
35250 Duty to keep certain records and reports
38113 Duty of clerk (re provision of school supplies)

GOVERNMENT CODE

54950-54963 Ralph M. Brown Act

Doc# 41395-3 (06/2020, 03/2011)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD COMMITTEES**

PURPOSE: To describe the procedures and requirements governing the Board's establishment and use of committees.

The Board may establish a committee whenever it determines that such a committee would benefit the District. Such committees may be subcommittees of the Board or committees that include members of the community, staff, or other stakeholder groups.

Upon establishing a committee, the Board shall define the committee's purpose, any timeline for completion of assigned responsibilities, any stakeholder groups or individuals to be represented on the committee, length of time that committee members are expected to serve, expectations for reporting to the Board and/or the Superintendent or designee, and other matters that the Board determines appropriate. The committee shall act only in an advisory capacity.

Except for subcommittees of the Board, members of committees established by the Board shall, as appropriate, be recommended by the Superintendent or designee and approved by the Board.

The Superintendent or designee shall provide, as appropriate, committee members with information and assistance necessary for the fulfillment of the committee's charges and may serve as a non-voting advisor to the committee at the discretion of the Board.

Whenever so charged, a committee may actively seek input and participation by parents/guardians, staff, community, and students and may consult with local public boards and agencies.

Any committee not required by law may be dissolved when its duties or term has been completed or whenever the Board deems necessary.

Section 1—A. Standing SubCcommittees of the School Board

1. Types of CSubcommittees:

The Board ~~shall~~ establishes the following standing Board subcommittees:

- Clovis City Council/Governing Board Joint Subcommittee
- ~~Fresno City Council/Governing Board Joint Subcommittee~~
-

**CLOVIS UNIFIED
SCHOOL DISTRICT****2. Terms**

The two standing subcommittees' membership terms of office shall be one year from the annual ~~Organizational Meeting~~ to the next ~~subsequent Organizational Meeting~~ of the Board.

3. Membership

Membership of Board subcommittees shall be no more than three Board members. Members shall be selected by consensus of the Board **at the annual organizational meeting**. The Superintendent, or designee, shall serve as an ex-officio member of each Board **subcommittee**.

4. Authority

All Board subcommittees shall be advisory to the ~~full Board~~. Board subcommittees may **only** make recommendations to the ~~full Board~~, ~~but no decisions made in a Board subcommittee meeting shall be binding on the full Board~~.

Section 2—B. Special Advisory Committees

The Board ~~may establish~~**declares its intent to appoint** special ~~Advisory Committees~~ **and appoint members thereto**. These committees shall be charged by the Board specifically to conduct studies, make recommendations to the Board, and act in an advisory capacity. ~~but~~ They shall, at no time, take action on behalf of the Board. Such committees shall be created by a majority vote of the Board. A motion creating a special ~~Advisory Committee~~ shall state, **at a minimum**, the following:

1. ~~The purpose of the advisory committee.~~
2. ~~The number of members.~~
3. ~~The date the committee will be activated.~~
4. ~~The powers, including specific instruction and/or prohibitions.~~ **and**
5. **The date a report is due** ~~date~~ if such report is requested by the Board.

The majority of the members of the special ~~Advisory Committee~~ shall **reside within the boundaries** ~~be bona fide residents~~ of the District during the entire period of their service on the committee. Any District resident who terminates residency during the term of service shall immediately submit a resignation to the Board. District staff shall be assigned to support special ~~Advisory Committee~~ work.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Committee members shall be appointed by the Board in the following manner:

1. Each member of the Board shall nominate one or more persons depending upon the size of the committee.
2. Nominations shall be made at ~~the first~~ meeting following the creation of the committee.
3. Prior to the submission of names of potential committee members, each Board member ~~shall work with the Superintendent or designee to may~~ communicate with ~~the~~ nominees to determine whether the nomination will be accepted, and those who decline shall not be ~~placed in~~ nomination.
4. If any vacancy occurs during the life of the committee, replacement nomination shall be ~~madenamed~~ by the Board member who nominated the committee member whose departure created the vacancy. ~~The Board shall approve any such replacement nomination.~~

Special ~~A~~advisory ~~C~~committees will receive, ~~as appropriate, full logistical~~ support from ~~the resources of~~ the District. This support may include clerical assistance, postage, local transportation for the purpose of investigation, and the assistance of District employees as experts on particular subjects. Advisory ~~C~~committees are not authorized to obligate the District for the payment of any other funds in connection with their work. If ~~thea~~ committee determines that the expenditure of public funds is required by the assigned task, it shall so report to the Board which will take action according to the circumstances and the law relating to such matters.

At the first meeting of the ~~A~~advisory ~~C~~committee, a representative of the Board and/or the Superintendent, or designee, shall be present to explain to the ~~A~~advisory ~~C~~committee the reason for being called into existence, and the task the Board wishes the committee to accomplish.

All meetings of the committee shall be open to the public, but the public shall not interfere with, nor disturb, the meetings.

The special ~~A~~advisory ~~C~~committee shall be dissolved upon its final recommendation to the Board unless the Board determines otherwise. The committee may be terminated by a majority vote of the Board any time.

Written notices of all meetings shall be prepared and provided to all committee members.

Membership may be withdrawn if a member fails to attend three successive meetings. Special ~~A~~advisory ~~C~~committees shall advise and report upon only those programs which relate to the purposes of the committee.

**CLOVIS UNIFIED
SCHOOL DISTRICT****C. Committee Meetings**

Unless otherwise exempted by law, Board-created committees shall provide public notice of their meetings and conduct meetings in accordance with Government Code sections 54950-54963 (Brown Act).

Board subcommittees composed solely of less than a quorum of the members of the Board are not subject to open meeting laws unless they are standing committees. Standing committees of the Board, irrespective of membership, are those that have a continuing subject matter jurisdiction or a meeting schedule established by action of the Board. (Government Code 54952)

When a majority of the members of the Board attend an open and noticed meeting of a standing committee, the Board members who are not members of the standing committee shall attend only as observers. (Government Code 54952.2)

Whenever any advisory or standing committee, including a committee not otherwise subject to the Brown Act, posts a meeting agenda at least 72 hours in advance of the meeting, that meeting shall be considered as a regular meeting of the Board for purposes of the Brown Act, and therefore, must be held within District boundaries unless otherwise authorized by law. (Government Code 54954)

Committees may meet in a closed session during a regular or special meeting only as authorized by law.

Adopted: __/__/__

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35024 Executive committee

35160 Authority of governing boards

35160.1 Broad authority of school districts

GOVERNMENT CODE

54950-54963 The Brown Act, especially:

54952 Legislative body, definition

54952.2 Definition of meeting

54954 Time and place of regular meetings; special meetings; emergencies

54954.3 Opportunity for public to address legislative body

54957 Closed session purposes

COURT DECISIONS

Frazer v. Dixon Unified School District (1993) 18 Cal.App.4th 781

**CLOVIS UNIFIED
SCHOOL DISTRICT**

ATTORNEY GENERAL OPINIONS

81 Ops.Cal.Atty.Gen. 156 (1998)

80 Ops.Cal.Atty.Gen. 308 (1997)

79 Ops.Cal.Atty.Gen. 69 (1996)

Doc# 41396-4 (08/2020, 04/2013)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD REPRESENTATIVES**

PURPOSE: To describe the procedures for designating or appointing Board members as representatives on District committees or committees of another agency or organization.

The Board recognizes that effective performance of its community leadership responsibilities may require its participation in District or community committees on matters of concern to the District and its students. As needed, the Board may appoint any of its members to serve as its representative on a District committee or on a committee of another public agency or organization of which the Board or District is a member or to which the Board is invited to participate.

When making such appointments, the Board shall, as appropriate and applicable, specify the authority and responsibilities of the representative(s), including, but not limited to, reporting back to the Board regarding committee activities and/or actions. Board representatives shall not exercise the authority of the Board without prior Board approval.

If a committee discusses a topic on which the Board has taken a position, the Board representative shall express the position of the Board. When contributing his/her own ideas or opinions, the representative shall clearly indicate that he/she is expressing his/her individual idea or opinion.

Board Representative to Elect Members of County Committee on School District Organization

At its annual organizational meeting, the Board shall designate one Board member as its representative to elect members to the county committee on school district organization. (Education Code 35023)

Adopted: __/__/__

EDUCATION CODE

4000-4014 County committees on school district organization

35020-35046 School district officers and agents (power of governing board to employ or appoint)

35160 Authority of governing boards

GOVERNMENT CODE

54952.2 Meetings

Doc# 41397-3 (06/2020, 03/2011)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS****DUTIES AND LIMITS OF AUTHORITY OF BOARD MEMBERS**

PURPOSE: To address the duties and limits of authority of individual Board members.

~~Section 2~~—A. Limits of Board Members Authority

As publicly elected officials, Board members may choose to be accessible and responsive to their constituents, to meet with their constituents, and to express their individual opinions and concerns. However, the Board, as a whole, is the unit of authority over the District and an individual Board member has no individual authority to act on behalf of the District, unless directed to do so by the Board. The Board shall not be bound in any way by any statement or action on the part of an individual member except when such statement or action is pursuant to specific instruction by the Board. Individual Board members shall represent the Board at official functions, such as public hearings, only by official appointment or direction from a majority of the Board in ~~P~~public Ssession.

Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any District employee. No member of the Board has any legal authority to direct the Superintendent on an individual basis. Individual Board members shall submit requests for information to the Superintendent. Board members shall refer Board-related correspondence to the Superintendent for forwarding to the Board or for placement on the Board's agenda, as appropriate.

Individual Board members do not have the authority to resolve complaints. Any Board member approached directly by a person with a complaint should refer the complainant to the Superintendent or designee so that the problem may receive proper consideration and be handled through the appropriate District process.

A Board member whose child is attending a District school should be aware of his/her role as a Board member when interacting with District employees about his/her child. Because his/her position as a Board member may inhibit the performance of school personnel, the Board member should inform the Superintendent or designee before volunteering in his/her child's classroom.

The Superintendent or designee shall provide information regarding the state's open meeting laws (Brown Act) to each new Board member.

Board members and persons elected to the Board who have not yet assumed office are responsible for complying with the requirements of the Brown Act. (Government Code 54952.1)

~~Section 1~~—B. Duties of Board Members

The major duties of an individual Board member ~~include~~are as the followings:

**CLOVIS UNIFIED
SCHOOL DISTRICT**

1. ~~To be~~ familiar with ~~the State school laws governing public school districts, regulations of the State Department of Education, and Clovis Unified School~~ and District policies.
2. ~~To develop~~ a general understanding of the priorities, goals, and objectives of the ~~Clovis Unified School~~ District.
1. ~~To attend~~ regular and special Board meetings; ~~and be~~ prepared to act upon agenda items.
- 3.
- 3.4. ~~To vote and act in the Board meetings ethically and legally.~~ ~~To vote~~ and act in the Board meetings impartially, ethically, and in compliance with the law ~~and~~ in the best interest of the District.
- 4.5. ~~To accept~~ the will of the majority Board vote.
- 5.6. ~~To refer~~ inquiries or concerns to the Superintendent ~~proper District personnel~~.
- 6.7. ~~To follow~~ established rules of order in the conduct of ~~Board~~ meetings.
- 7.8. ~~To participate~~ in Board development activities by attending conferences and workshops designed to enhance ability to perform Board duties as needed.
- 8.9. ~~To visit~~ schools of the District.
- 9.10. ~~To adhere~~ to applicable laws and board policies ~~the Code of Ethics of the California School Boards Association as adopted by the Board.~~

Adopted: __/__/__

EDUCATION CODE

200-262.4 Prohibition of discrimination

7054 Use of district property

35010 Control of district; prescription and enforcement of rules

35100-35351 Governing boards, especially:

35160-35184 Powers and duties

35291 Rules

35292 Visits to schools (board members)

51101 Rights of parents/guardians

GOVERNMENT CODE

54950-54962 The Ralph M. Brown Act, especially:

54952.1 Member of a legislative body of a local agency

**CLOVIS UNIFIED
SCHOOL DISTRICT**

54952.7 Copies of chapter to members of legislative body

Doc# 41399-4 (08/2020, 07/2006)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD ELECTIONS**

PURPOSE: To describe the process and requirements for elections of Board members.

A. Board Member Qualifications

Any person is eligible to be a member of the Board, without further qualifications, if he/she is 18 years of age or older, a citizen of California, a resident of the District, a registered voter, and not legally disqualified from holding civil office. Any person who has been convicted of a felony involving the giving, accepting, or offering of a bribe, embezzlement or theft of public funds, extortion, perjury, or conspiracy to commit any such crime, under California law or the law of another state, the United States of America, or another country, is not eligible to be a candidate for office or elected as a Board member except when he/she has been granted a pardon in accordance with law. (Education Code 35107; Elections Code 20)

A District employee elected to the Board shall resign his/her employment before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

B. Elections Process and Procedures

Each Board member shall reside within the trustee area that he/she represents but shall be elected by all voters in the District. Members of the Board shall be elected in a manner specified by law.

C. Campaign Conduct

All candidates, including current Board members running as incumbents, shall abide by local, county, state, and federal requirements regarding campaign donations, funding, and expenditures.

D. Statement of Qualifications

On the 125th day prior to the day fixed for the general District election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and District seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the District to be filled at the general election and which offices, if any, are for the balance of an unexpired term.
2. Whether the District or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code section 13307.

Candidates for the Board may submit a candidate statement to the elections official for inclusion in the voter's pamphlet. Candidate statements shall be limited to no more than 200 words.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

(Elections Code 13307)

When the elections official allows for the electronic distribution of candidate statements, a candidate for the Board may, in addition to or instead of submitting a candidate statement for inclusion in the mailed voter's pamphlet, prepare and submit a candidate statement for electronic distribution.

The District shall assume no part of the cost of printing, handling, translating, mailing, or electronically distributing candidate statements filed pursuant to Elections Code section 13307. As a condition of having candidate statements included in the hard copy and/or electronic voter's pamphlet, the District may require candidates to pay their estimated pro rata share of these costs to the District in advance pursuant to Elections Code section 13307.

E. Tie Votes in Board Member Elections

Whenever a tie makes it impossible to determine which of two or more candidates has been elected to the Board, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

Adopted: / /

EDUCATION CODE

1006 Qualifications for holding office, county board of education

5000-5033 Elections

5220-5231 Elections

5300-5304 General provisions (conduct of elections)

5320-5329 Order and call of elections

5340-5345 Consolidation of elections

5360-5363 Election notice

5380 Compensation (of election officer)

5390 Qualifications of voters

5420-5426 Cost of elections

5440-5442 Miscellaneous provisions

7054 Use of district property

35107 Eligibility; school district employees

35177 Campaign expenditures or contributions

35239 Compensation of governing board member of districts with less than 70 ADA

ELECTIONS CODE

20 Public office eligibility

1302 Local elections, school district election

2201 Grounds for cancellation

4000-4008 Elections conducted wholly by mail

**CLOVIS UNIFIED
SCHOOL DISTRICT**

10010 District boundaries
10400-10418 Consolidation of elections
10509 Notice of election by secretary
10600-10604 School district elections
13307 Candidate's statement
13308 Candidate's statement contents
13309 Candidate's statement, indigence
14025-14032 California Voting Rights Act
14050-14057 California Voter Participation Rights Act
20440 Code of Fair Campaign Practices

GOVERNMENT CODE

1021 Conviction of crime
1097 Illegal participation in public contract
12940 Nondiscrimination, Fair Employment and Housing Act
81000-91014 Political Reform Act

PENAL CODE

68 Bribes
74 Acceptance of gratuity
424 Embezzlement and falsification of accounts by public officers
661 Removal for neglect or violation of official duty

CALIFORNIA CONSTITUTION

Article 2, Section 2 Voters, qualifications
Article 7, Section 7 Conflicting offices
Article 7, Section 8 Disqualification from office

UNITED STATES CODE, TITLE 52

10301-10508 Voting Rights Act

COURT DECISIONS

Rey v. Madera Unified School District (2012) 203 Cal. App. 4th 1223
Randall v. Sorrell (2006) 126 S.Ct. 2479
Sanchez v. City of Modesto (2006) 145 Cal. App. 4th 660
Dusch v. Davis (1967) 387 U.S. 112

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 49 (2002)
83 Ops.Cal.Atty.Gen. 181 (2000)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

81 Ops.Cal.Atty.Gen. 98 (1998)
69 Ops.Cal.Atty.Gen. 290 (1986)

Doc# 41400-3 (06/2020, 07/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD MEMBER RESIGNATION**

PURPOSE: To describe the process for Board member resignation from the Board.

A member of the Board who wishes to resign from the Board shall file a written resignation with the Fresno County Superintendent of Schools (County Superintendent). (Education Code 5090)

The resigning Board member shall also notify the Board and give a copy of his/her written resignation to the Board secretary.

The resignation shall become effective when filed with the County Superintendent, except when a deferred effective date is specified in the resignation. A Board member may not defer the effective date of his/her resignation for more than 60 days after he/she files the resignation with the County Superintendent. (Education Code 5090, 5091)

Once filed, a written resignation, whether specifying a deferred effective date or otherwise, shall be irrevocable. (Education Code 5090)

A Board member who tenders his/her resignation with a deferred effective date shall, until the effective date of the resignation, continue to exercise all the powers of the office, except that he/she shall not have the right to vote for his/her successor in an action taken by the Board to make a provisional appointment. (Education Code 5091, 35178)

A Board member who resigns shall file, within 30 days of leaving office, a revised Statement of Economic Interest/Form 700 covering the period of time between the closing date of the last statement required to be filed and the date he/she leaves office. (Government Code 87302, 87500)

Adopted: __/__/__

EDUCATION CODE

5090-5095 Vacancies on the board

35178 Resignation with deferred effective date

GOVERNMENT CODE

1770 Vacancy on the board

87300-87313 Conflict of interest code

87500 Statement of economic interests

Doc# 41401-3 (06/2020, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
FILLING BOARD VACANCIES**

PURPOSE: To describe the procedures and requirements for filling vacancies on the Board.

A vacancy on the Board occurs as specified in applicable laws. When a vacancy occurs on the Board, the Board shall comply with applicable laws in filling the vacancy. (Education Code 5093)

To be appointed or elected to fill a vacancy on the Board, a person must meet the eligibility requirements specified in Education Code section 35107.

A. Provisional Appointments

When authorized by law to make a provisional appointment to fill a vacancy on the Board, the Board may advertise in the local media to solicit candidate applications or nominations. The Board may conduct one or more interviews of the candidates at a public meeting. The Board shall accept oral or written public input and select the provisional appointee by a majority vote.

Within 10 days after the provisional appointment is made, notices of the actual vacancy or the filing of a deferred resignation, and the provisional appointment shall be posted and published in accordance with Education Code section 5092. (Education Code 5092)

The person appointed to fill a vacancy shall hold office only until the next regularly scheduled election for District Board members that is scheduled 130 or more days after the effective date of the vacancy, whereupon an election shall be held to fill the vacancy for the remainder of the unexpired term. (Education Code 5091) The appointed person shall be afforded all the powers and duties of a Board member immediately following his/her appointment. (Education Code 5091)

B. Appointment Due to Failure to Elect

When a vacancy occurs because no candidate or an insufficient number of candidates have been nominated (i.e., a failure to elect) and a District election will not be held, the Board shall appoint a qualified person to the office and provide notice thereof in accordance with Education Code section 5328 and other applicable laws. (Education Code 5328, 5328.5)

The procedure for selecting and interviewing candidates may be the same as the procedures for Provisional Appointments, as specified above.

Section 5—Filling a Vacancy

~~Vacancies on the Board occasioned by resignation, recall, expulsion, failure to elect, or death shall be filled in accordance with the Education and Government Codes of the State of California.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****Section 6 – Removal**

~~A Board member may be removed by death, resignation, recall, termination of District residency, or corrupt misconduct or failure to discharge the duties of the office for a period of three consecutive months.~~

Adopted: __/__/__

EDUCATION CODE

5000-5033 Elections
5090-5095 Vacancies
5200-5208 Districts governed by boards of education
5300-5304 Elections
5320-5329 Order and call of election
5340-5345 Consolidation of elections
5360-5363 Election notice
5420-5426 Cost of elections
5440-5442 Miscellaneous provisions, elections
35107 Eligibility of board members
35178 Resignation with deferred effective date

ELECTIONS CODE

10600-10604 School district elections
11381-11386 Candidates for recall

GOVERNMENT CODE

1064 Absence from state
1770 Vacancies: definition
3000-3003 Forfeiture of office
3060-3075 Removal other than by impeachment
6061 One time notice
54950-54963 The Ralph M. Brown Act

PENAL CODE

88 Bribery, forfeiture from office

UNITED STATES CODE, TITLE 18

704 Military medals or decorations

ATTORNEY GENERAL OPINIONS

58 Ops.Cal.Atty.Gen. 888 (1975)

Doc# 41402-4 (08/2020, 08/2014)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD MEMBER OATH OR AFFIRMATION**

PURPOSE: To set forth the requirements relating to the taking of the oath of office by Board members.

Prior to entering upon the duties of their office, all Board members shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

The oath may be administered and certified by a Board member, secretary or assistant secretary to the Board, Superintendent, deputy or assistant superintendent, principal, or county superintendent of schools or any other person authorized in Education Code section 60.

The executed oath shall be filed with the County Clerk. (Government Code 1363)

Adopted: __/__/__

EDUCATION CODE

60 Persons authorized to administer and certify oaths

GOVERNMENT CODE

1303 Misdemeanor for failure to take oath

1360-1369 Oath of office

3100-3109 Oath or affirmation of allegiance

CALIFORNIA CONSTITUTION

Article 20, Section 3 Oath of office

COURT DECISIONS

Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

Doc# 41403-3 (06/2020, 07/2003)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS****BOARD MEMBER RENUMERATION, REIMBURSEMENT, AND OTHER BENEFITS**

PURPOSE: To describe remuneration, reimbursement, and other benefits for Board members.

A. Compensation

~~Compensation for voting members shall be the maximum rate established by California Education Code Section 35120.~~ Each member of the Board may receive the maximum monthly compensation as provided for in Education Code section 35120.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code section 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. (Education Code 35120)

B. Reimbursement of Expenses

Board members are reimbursed ~~upon presentation of a voucher for expenses incurred in the performance of their duties.~~ for actual and necessary expenses incurred when performing authorized services for the District. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for District employees and at the same rate of reimbursement. Approval of the warrant at a regular Board meeting shall constitute authorization for reimbursement to the individual Board member on the part of the Board.

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on District-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on District business.

Any questions regarding a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

C. Health and Welfare Benefits for Current Board Members

Board members, during their terms of office, who so elect may receive such health and welfare benefits as are available to District classified management employees pursuant to section B.1 of Board Policy No. 6503 (to be renumbered as Board Policy No. 4154, 4254, 4354).

Health and welfare benefits for Board members shall be no greater than that received by the District's non-safety employees with the most generous schedule of benefits. (Government Code

**CLOVIS UNIFIED
SCHOOL DISTRICT**

53208.5)

The District shall pay the employer's share of premiums required for Board members electing to participate in the District's Health and Welfare Benefit Plan to the same extent that it pays for District classified management employees. Board members shall be responsible for the employee's share of the premiums.

Health and welfare benefits provided to Board members shall be extended at the same level to their spouse/registered domestic partner and to their eligible dependent children as specified in law and the health plan.

D. Health and Welfare Benefits for Former Board Members

Former Board members may participate in the health and welfare benefits program provided for District employees under the conditions specified below.

Health and welfare benefits for former Board members shall be no greater than those received by District non-safety employees with the most generous schedule of benefits. (Government Code 53208.5)

Former Board members may be eligible to participate in the District's Health and Welfare Benefit Plan for District retirees in accordance with the provisions in Section C.4 of Board Policy No. 6503 (to be renumbered as Board Policy No. 4154, 4254, 4354) (Government Code 53201)

Health and welfare benefits provided to a former Board member shall be extended to his/her spouse/registered domestic partner and eligible dependent children as specified in Section C.4 of Board Policy No. 6503 (to be renumbered as Board Policy No. 4154, 4254, 4354).

Adopted: / /

EDUCATION CODE

33050-33053 General waiver authority
33362-33363 Reimbursement of expenses for attendance at workshops
35012 Board members; number, election and term
35044 Payment of traveling expenses of representatives of board
35120 Compensation for services as member of governing board
35172 Promotional activities
44038 Cash deposits for transportation purchased on credit

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

8314 Use of public resources
20322 Elective officers; election to become member

**CLOVIS UNIFIED
SCHOOL DISTRICT**

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees

53200-53209 Group insurance

54952.3 Simultaneous or serial meetings; announcement of compensation

HEALTH AND SAFETY CODE

1373 Health services plan, coverage for dependent children

INSURANCE CODE

10277-10278 Group and individual health insurance, coverage for dependent children

UNITED STATES CODE, TITLE 26

403 Tax-sheltered annuities

UNITED STATES CODE, TITLE 42

18011 Right to maintain existing health coverage

CODE OF FEDERAL REGULATIONS, TITLE 26

1.403(b)-2 Tax-sheltered annuities, definition of employee

COURT DECISIONS

Thorning v. Hollister School District (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County (1979) 93 Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

91 Ops.Cal.Atty.Gen. 37 (2008)

83 Ops.Cal.Atty.Gen. 124 (2000)

Doc# 41404-4 (08/2020, 08/2013)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD MEMBER LEGAL PROTECTION**

PURPOSE: To address liability insurance and legal protection for Board members.

A. Liability Insurance

The Board shall provide insurance necessary to protect Board members and employees while acting within the scope of their office or employment in accordance with Education Code section 35208.

B. Protection Against Liability

No Board member shall be liable for harm caused by his/her act or omission when acting within the scope of District responsibilities. The act or omission must be in conformity with federal, state, and local laws and made in furtherance of an effort to control, discipline, expel, or suspend a student, or maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply as provided in applicable laws. (20 USC 7946)

Adopted: __/__/__

EDUCATION CODE

17029.5 Contract funding; board liability

35208 Liability insurance

35214 Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)

GOVERNMENT CODE

815.3 Intentional torts

820-823 Tort Claims Act

825.6 Indemnification of public entity

1090-1098 Conflicts of interest, prohibitions applicable to specified officers

54950-54963 The Ralph M. Brown Act

87100-89503 Conflicts of interest

UNITED STATES CODE, TITLE 18

16 Crime of violence defined

UNITED STATES CODE, TITLE 20

6731-6738 Teacher Protection Act

**CLOVIS UNIFIED
SCHOOL DISTRICT**

COURT DECISIONS

Caldwell v. Montoya (Paramount Unified School District) 10 Cal 4th 972 (1995)

Doc# 41946-3 (06/2020, 07/2003)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS ~~FINANCIAL SERVICES~~ ~~Revenue, Tuition, & Fees~~
CONFLICT OF INTEREST CODE****A. Conflict of Interest Code**

The District's Conflict of Interest Code shall be comprised of the terms of the California Code of Regulations, Title 2, Section 18730, together with attachments specifying ~~D~~designated ~~P~~positions and the specific types of disclosure statements required for each position. (Government Code 87303)

B. Review

Pursuant to law, upon direction of the Fresno County Board of Supervisors, the code reviewing body, the ~~Governing~~ Board shall review the Conflict of Interest Code in even-numbered years. If no change in the code is required, the District shall notify the code reviewing body by October 1 by submitting a written statement to that effect. (Government Code 87306.5)

C. Revisions

When a change in the District's ~~e~~Conflict of ~~i~~Interest ~~e~~Code is necessitated by changed circumstances, such as the creation of new Designated Positions, amendments or revisions, the changed code shall be submitted to the code reviewing body within 90 days of the changed circumstances necessitating the amendments have become apparent. (Government Code 87306)

When reviewing and preparing the District's conflict of interest codes, the Superintendent or ~~designee~~~~District~~ shall provide officers, employees, consultants and members of the community adequate notice and a fair opportunity to present their views. (Government Code 87311)

D. Designated Positions

Unless otherwise required by law, the positions listed in Exhibit No. ~~92704605~~-(1) shall be Designated Positions.

E. Disclosure Statement — Filing

1. Persons holding Designated Positions shall file the appropriate statement listed below disclosing investments, interests in real property, business positions, and income required to be reported under the category or categories assigned in Exhibit ~~4605-9270~~(1). An investment, interest in real property, business position, or income shall be reportable if the business entity in which the investment or business position is held, the interest in real property, or source of income may foreseeably be affected materially by any decision made or participated in by the person holding a Designated Position. The specific disclosure responsibilities assigned to each Designated Position are set forth in Exhibit ~~4605-9270~~(2).

**CLOVIS UNIFIED
SCHOOL DISTRICT**

2. An ~~initial~~ ~~S~~statement shall be filed by each person holding a Designated Position within 30 days after the effective date of this Conflict of Interest Code, disclosing investments, interests in real property, business positions, and income received in the ~~(12)~~ months prior to the effective date of this ~~Conflict of Interest~~ ~~e~~Code.
3. Annual statements shall be filed by April 1 disclosing investments, interests in real property, business positions, and income during the preceding calendar year by persons holding Designated Positions.
4. An Assuming Office Statement shall be filed by persons elected, appointed, promoted or transferred to Designated Positions within 30 days after assuming the position.
5. The statements for Designated Positions, other than the members of the ~~Governing~~ Board and the Superintendent of the District, shall be filed with the Superintendent ~~or designee~~. The members of the ~~Governing~~ Board and the Superintendent are to file their original statements directly with the Clerk of the Board for the Fresno County Board of Supervisors (~~Board of Supervisors~~) using the electronic filing system. If the statements are not filed electronically, the paper statement and waiver shall be filed with the Superintendent ~~or designee~~ and, upon receipt of these paper statements with waivers, the Superintendent ~~or designee~~ shall make and retain a copy and forward the original to the Clerk of the Board of Supervisors.

The Superintendent ~~or designee~~ shall retain a copy of all electronically filed statements, a copy of all paper statements with waivers and the original statements of Designated Positions and shall make the statements available for public review, inspection, and reproduction. (~~Government~~ Code ~~section~~ 81008.)

6. A Leaving Office Statement shall be filed by any person holding a Designated Position whose position with the District is terminated, voluntarily or involuntarily, within 30 days after termination, disclosing reportable investments, business positions, interests in real property and income held or received covering the period between the closing date of the previous Statement of Economic Interests and the termination date.
7. Any person who resigns from a Designated Position within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer of the person's filing obligation, whichever is earlier, is not deemed to "assume or leave office," provided that during the period between appointment and resignation, the person does not make, participate in making, or use the position to influence any decision of the District or to receive or become entitled to receive any form of payment as a result of his or her appointment.
 - a. Within 30 days of the date of a notice from the filing officer, the person shall do both of the following:
 - (1) File a written resignation with the appointing power; and

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- (2) File a written statement with the filing officer signed under penalty of perjury stating that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the District or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

F. Disclosure Statements - Contents

Disclosure statements shall be made on forms (Form 700) prescribed by the California Fair Political Practices Commission (FPPC) and supplied by the District.

1. Contents of Investment and Interest in Real Property Reports

When an investment or interest in real property is required to be disclosed, the statement shall contain the following:

- a. A statement of the nature of the investment or interest.
- b. The name of the business entity in which each investment is held and a general description of the business activity in which the business entity is engaged.
- c. The address or other precise location of the real property.
- d. A statement whether the fair market value of the real property or investment equals or exceeds two thousand dollars (\$2,000), but does not exceed ten thousand dollars (\$10,000), exceeds ten thousand dollars (\$10,000), but does not exceed one hundred thousand dollars (\$100,000), exceeds one hundred thousand dollars (\$100,000), but does not exceed one million dollars (\$1,000,000), or exceeds one million dollars (\$1,000,000). This information need not be provided with respect to an interest in real property that is the filer's principal residence.
- e. If the property or investment was partially or wholly acquired or disposed of during the period covered by the statement, the date of acquisition or disposal.
- f. Other information required by the FPPC (**Fair Political Practices Commission**) forms.

2. Contents of Income Reports

- a. When income is required to be reported under this **Conflict of Interest** Code, the statement shall contain the following:
 - (1) The name and address of each source of income aggregating five hundred dollars (\$500) or more in value and a general description of the business activity, if any, of

**CLOVIS UNIFIED
SCHOOL DISTRICT**

each source. (Persons holding Designated Positions are not required to report salary, reimbursement for expenses or per diem, social security, disability, or other similar benefit payments received from a federal, state, or local government agency, including sums received as compensation for serving as Board Members as provided in the Education Code.)

- (2) A statement whether the aggregate value of income from each source or in the case of a loan reportable as income, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, was greater than one thousand dollars (\$1,000), was greater than ten thousand dollars (\$10,000), or was greater than one hundred thousand dollars (\$100,000).
 - (3) A description of the consideration, if any, for which the income was received.
 - (4) In the case of a gift valued at fifty dollars (\$50) or more, the name, address, and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received.
 - (5) In the case of a loan reportable as income, the annual interest rate and the security, if any, given for the loan, and the term of the loan.
 - (6) Other information required by the FPPC forms.
- b. When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:
- (1) The name, address, and a general description of the business activity of the business entity.
 - (2) The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal or greater than ten thousand dollars (\$10,000) during a calendar year.
 - (3) Other information required by the FPPC forms.

3. Contents of Business Position Reports

When business positions are required to be reported, a person holding a Designated Position shall list the name and address of each business entity not specified above in which he/she is a director, officer, partner, trustee, employee, or in which he/she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity, and any other information required by the FPPC forms.

**CLOVIS UNIFIED
SCHOOL DISTRICT****G. Prohibition on Receipt of Honoraria**

No person holding a Designated Position shall accept any honorarium from any source, if the person would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. Subdivisions (a), (b), and (c) of Government Code section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code section 89506.

Board members and persons holding Designated Positions may accept gifts only under the conditions and limitations specified in Government Code section 89503 and California Code of Regulations, Title 2, Section 18730. ~~The applicable gift limit in effect from January 1, 2017 to December 31, 2018 is \$470.~~

The limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value as described in Government Code section 89503.

Gifts of travel and related lodging and subsistence shall be subject to the prevailing gift limitation except as described in Government Code section 89506.

A gift of travel does not include travel provided by the District for Board members and persons holding Designated Positions.

H. Loans to Public Officials

1. No member of the ~~Governing~~ Board of the District shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the District (including those of any public agency over which the District has direction and control).
2. No member of the ~~Governing~~ Board of the District shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the District (including those of any public agency over which the District has direction and control). This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
3. Paragraphs 1 and 2 above shall not apply to the following:
 - a. Loans made to the campaign committee of an elected officer or candidate for elective office,

**CLOVIS UNIFIED
SCHOOL DISTRICT**

- b. Loans made by a ~~Governing~~ Board Member's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
- c. Loans from a person who is an officer, employee, member, or consultant of the District (including those of any public agency over which the District has direction and control), or who has a contract with the District (including those of any public agency over which the District has direction and control) that, in the aggregate, do not exceed five hundred dollars (\$500) at any given time.
- d. Loans made, or offered in writing, before January 1, 1998.

4. Loan Terms

- a. Except as set forth in subdivision (4.b.), no Member of the ~~Governing~~ Board of the District shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of five hundred dollars (\$500) or more from a single lender, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.
- b. This section shall not apply to the following types of loans:
 - 1) Loans made to the campaign committee of the elected officer.
 - 2) Loans made by a ~~Governing~~ Board ~~M~~member's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under Government Code section 87460.
 - 3) Loans made, or offered in writing, before January 1, 1998.
 - 4) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code (the Political Reform Act of 1974).

5. Personal Loans

- a. Except as set forth in subdivision 5.b., a personal loan received by any person holding a Designated Position shall become a gift to the designated employee for the purposes of this

**CLOVIS UNIFIED
SCHOOL DISTRICT**

section in the following circumstances:

- 1) If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
- 2) If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a) The date the loan was made.
 - b) The date the last payment of one hundred dollars (\$100) or more was made on the loan.
 - c) The date upon which the debtor has made payments on the loan aggregating to less than two hundred fifty dollars (\$250) during the previous 12 months.
- b. This section shall not apply to the following types of loans:
 - 1) A loan made to the campaign committee of an elected officer or a candidate for elective office.
 - 2) A loan that would otherwise not be a gift as defined in Title 9 of the Government Code (the Political Reform Act of 1974).
 - 3) A loan that would otherwise be a gift as set forth under subdivision 5.a., but on which the creditor has taken reasonable action to collect the balance due.
 - 4) A loan that would otherwise be a gift as set forth under subdivision 5.a., but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
 - 5) A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.
- c. Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code (the Political Reform Act of 1974).

I. Disqualification

1. Persons holding Designated Positions must disqualify themselves from making or participating in the making of any decisions or using their official positions to influence the making of any decision which will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally on the official or a member of his or her immediate

**CLOVIS UNIFIED
SCHOOL DISTRICT**

family or on: (2 CCR 18730)

- a. Any business entity in which the designated person has a direct or indirect investment worth two thousand dollars (\$2,000) or more;
 - b. Any real property in which the designated person has a direct or indirect interest worth two thousand dollars (\$2,000) or more;
 - c. Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated person within 12 months prior to the time when the decision is made;
 - d. Any business entity in which the designated person is a director, officer, partner, trustee, employee, or holds any position of management; or
 - e. Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating exceeding the limitation specified in Government Code section 89503 and California Code of Regulations, Title 2, Section 18730, provided to, received by, or promised to the designated person within 12 months prior to the time when the decision is made. ~~The applicable gift limit in effect from January 1, 2017 to December 31, 2018 is \$470.~~
2. No person holding a Designated Position shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated person who is on a voting body is needed to break a tie does not make his or her participating legally required for purposes of this section.

J. Definition of Terms

Except as otherwise provided, the definitions contained in the Political Reform Act of 1974, Government Code Section 81000, et seq., and any regulations adopted by the Fair Political Practices Commission pursuant to the Act, are incorporated herein and this **Conflict of Interest** Code shall be interpreted in a manner consistent therewith.

Adopted: 12/08/1976

Reviewed: 01/14/2015, 08/31/2016

Amended: 02/22/1984, 11/21/1994, 09/25/2002, 03/24/2004, 03/22/2006, 09/24/2008,
11/14/2012, 08/27/2014, 09/26/2018, 02/06/2019, / / (BP 4605 renumbered
as BB 9270)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

GOVERNMENT CODE

~~Sections 81000 – 91014 Political Reform Act of 1974, et. seq., 89500, et seq.~~

**CALIFORNIA CODE OF REGULATIONS, TITLE 2, ~~Section 18730~~
18110-18997 Regulations of the Fair Political Practices Commission**

Doc# 41114-4 (06/2020, 05/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS**~~DISTRICT ORGANIZATION AND GOALS~~~~Governing Board~~**BOARD POLICIES**~~Y AND BYLAWS DEVELOPMENT AND DISSEMINATION~~

PURPOSE: To describe procedures for policy and bylaw development, revision, and dissemination.

The Board shall adopt written bylaws and policies to convey its expectations for actions that will be taken in the District, clarify roles and responsibilities of the Board and Superintendent, and communicate Board philosophy and positions to students, staff, parents/guardians, and the community.

A. Policy Development and Adoption Process

The Board and/or Superintendent or designee shall identify the need for a new policy or bylaw or revision of an existing policy or bylaw. The need may arise from a change in law, a new District vision or goal, educational research or trends, and/or upon request of the Board. The need may also occur as a result of an incident that has arisen in the District or a recommendation or request from staff or other interested persons.

In developing and revising policies and bylaws, the Board and Superintendent shall consider the values, culture, and practices of the District as well as applicable laws.

Policy or bylaw proposals shall be referred to the Superintendent or designee for detailed study prior to being placed for information and action on the Board agenda. At the Board's discretion, it may direct that one or more study sessions be held to provide the Board the opportunity to study and discuss certain policy or policies.

Bylaws and policies may be adopted, amended, or repealed at any Board meeting, provided that the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting. The Board may take action on the policy during the action portion of the second meeting or request an additional meeting for further review if necessary.

Notwithstanding the above, the Board may adopt, amend, or repeal policies or bylaws at any meeting of the Board, without first presenting the policies or bylaws for information at a prior meeting to the Board, provided that they:

1. ~~a~~Are mandated by law;
2. ~~a~~Are perfunctory in nature;
3. ~~a~~Are recommended as a result of employee negotiations; or;

**CLOVIS UNIFIED
SCHOOL DISTRICT**

4. ~~a~~Address an emergency situation. (An emergency shall include any situation or set of circumstances which the Board has reason to believe will jeopardize the safety and welfare of students or employees, ~~or may~~ require the closing of schools, ~~or result in damages or loss to District property.~~)

Policies and bylaws shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption. The formal adoption of policies or bylaws shall be recorded in the minutes of the Board. Only those written statements so adopted and so recorded shall be regarded as official ~~B~~board policy or bylaws.

The Board will normally not reconsider a policy or bylaw until it has been in effect for a period of not less than one school year.

B. Staff/Legal Counsel Involvement

The intent and spirit of this provision is to gain the most complete and reliable information on which to base policies and bylaws, and to provide for the maximum practical interaction by way of regular administrative channels. Therefore, in the development and revision of policies and bylaws, the Board seeks the judgment and counsel of appropriate staff and legal counsel if necessary.

~~C. Executive Action~~

~~The Superintendent is delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the meeting next following such action. This action shall be subject to review by the Board at which time it may duly consider the need for one or more policies to cover future situations of a similar nature.~~

~~D.C.~~ Student Involvement

The Board views student participation in policy development as part of the educational process. Within the general framework established by the Board, students are encouraged to participate through planning programs and procedures in the government of their schools of attendance. Student requests for Board consideration of proposed policy will be considered only when submitted through regular administrative channels. Students should be cognizant of the fact that the Board is legally responsible for the development of all policies affecting the employees, students, and the educational program. The Board cannot delegate this responsibility and reserves the right in all policy development to accept or reject, in whole or in part, any proposed policy.

~~E.D.~~ Implementing Regulations

The Superintendent may issue regulations, including any exhibits thereto, which are consistent with such statutes, rules, and policies, and which shall be binding on the employees of this District and the students in the schools of the District and govern as to the subject matters covered therein.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Administrative regulations may describe specific actions to be taken, roles and responsibilities of staff, timelines, and/or other necessary provisions. The Superintendent or designee also may develop procedures manuals, handbooks, or other guides to carry out the intent of ~~B~~board policy.

When Board policies are amended, the Superintendent or designee shall review corresponding regulations to ensure that they conform to the intent of the revised policy. In case of conflict between the administrative regulation and ~~B~~board policy, ~~the~~ policy shall prevail.

Administrative regulations do not require adoption by the Board; however, the Board may review and/or approve regulations for the purpose of ensuring conformity with the intent of ~~B~~board policy when revisions are necessary to an existing ~~B~~board policy or in the case of a proposed new Board policy.

F-E. Dissemination

The Superintendent shall establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the administrative rules and regulations needed to put same into effect.

As necessary, the Superintendent or designee shall notify staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised. The appropriate communications strategy shall be determined depending on the issue.

Accessibility is to extend to all employees and citizens of the District. All policies, administrative regulations and exhibits ~~are posted have been incorporated into the Clovis Unified~~

~~School District's websiteInternet Web Page, <http://www.eusd.com>, under the section titled Board.~~
~~In order to~~ To ensure access to the public, a public access computer is available in the main lobby of the East and West buildings of the District Office located at 1450 Herndon Avenue, Clovis.

G-F. Review and Revision

The Superintendent shall establish and maintain procedures to assure timely review and revision of policies and bylaws. The Superintendent shall be responsible for ensuring that policy and bylaw revisions are adopted by the Board and filed on the ~~District's websiteInternet Web Page~~ in a timely manner.

The Board shall review certain policies annually, as required by Education Code section 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies or bylaws shall be monitored and reviewed as specified in the policy or bylaw itself or as needed to reflect changes in law or circumstances of the District.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

As required by Government Code sections 87302 and 87303, the Board shall review its conflict of interest code, **Board Bylaw No. 9270**, in even-numbered years by October 1 as directed by the code reviewing body (Fresno County Board of Supervisors). The review shall be reflected in the Board minutes and reported to the code reviewing body. Any amendments made to the **bylawpolicy** are not official until approved by the code reviewing body.

HG. Suspension of Policies, Bylaws, and Administrative Regulations

No ~~B~~board policy, bylaws, or administrative regulation shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy, bylaw, or administrative regulation is found to be invalid, that invalidity shall not affect other provisions of the policy, bylaw, or administration regulation.

Adopted: 10/08/1991

Reviewed: 04/23/2007, 07/29/2009

Amended: 10/14/1992, 05/27/1998, 03/09/2005, 02/25/2009, 06/12/2019, / / (BP 1102
renumbered as BB 9310)

~~Education Code sections 35010, 35160, 35160.5, 35163, 35164~~

~~Government Code sections 87302-87303~~

EDUCATION CODE

35010 Control of district; prescription and enforcement of rules

35160 Authority of governing boards

35160.5 Annual review of school district policies

35163 Official actions, minutes and journal

35164 Vote requirements

Doc# 41112-4 (06/2020, 07/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

BOARD BYLAWS~~DISTRICT ORGANIZATION AND GOALS~~

BOARD MEETINGS AND NOTICES~~BOARD BYLAWS~~

PURPOSE: To set forth provisions regarding meetings of the Board and notices related thereto~~publish the Bylaws governing the creation, organization and operation of the Governing Board of Clovis Unified School District.~~

TABLE OF CONTENTS

Article I	
— Official Name, District Creation and District Classification.....	2
Article II	
— Authority.....	2
Article III	
— Membership.....	2
Article IV	
— Duties and Limitations of Individual Board Members.....	4
Article V	
— Board Duties and Responsibilities.....	5
Article VI	
— Organizational Meeting.....	6
Article VII	
— Offices and Memberships.....	6
Article VIII	
— Duties of Officers.....	7
Article IX	
— Board Subcommittees, Special Advisory Committees, and	
— Board Consultants.....	8
Article X	
— Meetings.....	10

**CLOVIS UNIFIED
SCHOOL DISTRICT****Article I****OFFICIAL NAME, DISTRICT CREATION AND DISTRICT CLASSIFICATION****Section 1—Official Name**

~~The Board shall be known officially as “The Board of Clovis Unified School District,” in the County of Fresno.~~

Section 2—District Creation

~~The Clovis Unified School District comprises all of the districts formerly known as Clovis Elementary, Dry Creek Elementary, Fort Washington Lincoln Elementary, Jefferson Elementary, Pinedale Elementary, Temperance Kutner Elementary, and Clovis Union High School Districts. Such District was created by the Fresno County Committee on School District Organization, July 1, 1960, with said boundaries being officially set forth in the records of the County Superintendent of Schools of Fresno County.~~

Section 3—Classification

~~The Clovis Unified School District shall be defined as a unified school district formed for the purpose of providing a program of education in grades kindergarten (K) through twelfth (12th), pre-school, adult education and community service programs.~~

Article II**AUTHORITY****Section 1—Authority**

~~The Board is established by and derives its authority from the Constitution and the statutes of the State of California; the Education Code; the Government Code; the Motor Vehicle Code; the Business and Professions Code; the Civil Code; the Elections Code; the Insurance Code; the Military and Veterans Code; the Penal Code; the Health and Safety Code; the California Administrative Code; Title 5; Rules & Regulations of the Board of Education of Fresno County; Federal laws and regulations; and opinions of courts of jurisdiction.~~

Article III**MEMBERSHIP****Section 1—Number**

~~The Clovis Unified School District Board shall consist of seven members and one student representative. Members of the Board must reside within the area which they represent.~~

Section 2—Area Designation

~~Each Trustee election area is outlined in Exhibit 1101.~~ **Section 3—Student Representative**

~~The Board believes it is important to seek out and consider students’ ideas, viewpoints and reactions to the educational program. In order to facilitate student input and involvement, the Board shall include a Student Board Member Representative who shall have the right to attend all Board meetings except Closed Session.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~The Board shall appoint one student member who shall be selected in the following manner:~~

- ~~a. The Interscholastic Council ("ISC") shall recommend one of its members who is a graduating senior for ratification by the Area high school principals;~~
- ~~b. Upon ratification by the Area high school principals, the senior student member will be seated at the first regular meeting of the Board after the beginning of the school year and shall serve until June 30 of that same academic school year;~~
- ~~c. In the event the student is unable to complete the term of office, a new member will be selected using the procedure described in "a" and "b" above.~~

~~The term of office for the Student Board Member shall be one calendar year commencing July 1 of each year.~~

~~The Student Board Member Representative shall be seated with the members of Board and recognized as full members of the Board, which includes receiving all open meeting materials presented to Board members, being invited to staff briefings of board members or being provided a staff briefing within the same time frame, and participating in Board questioning and discussions except those matters related to Closed Sessions.~~

~~The Student Board Member Representative shall have preferential voting rights to formally express an opinion that is recorded in the minutes and cast before the official vote of the Governing Board, but which will not serve in determining the final numerical outcome of a vote. No preferential vote shall be solicited on matters subject to closed session discussion.~~

~~The Student Representative shall be entitled to the mileage allowance to the same extent as regular members, but is not entitled to the compensation prescribed by Education Code section 35120. Student Board Member Representative shall receive \$25 per meeting attended to offset expenses.~~

Section 4—Election

~~Members of the Board shall be elected in a manner specified by law.~~

Section 5—Filling a Vacancy

~~Vacancies on the Board occasioned by resignation, recall, expulsion, failure to elect, or death shall be filled in accordance with the Education and Government Codes of the State of California.~~

Section 6—Removal

~~A Board member may be removed by death, resignation, recall, termination of District residency, or corrupt misconduct or failure to discharge the duties of the office for a period of three consecutive months.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****Section 7—Term**

~~The entire Board was elected at the time of unification (July 1, 1960) and it was determined by lot that trustee areas 1, 3 and 6 would serve for an initial two-year period and trustee areas 2, 4, 5 and 7 would serve for an initial four-year period. Subsequent to this determination, Board members are elected for a four-year term. Unexpired terms are filled in accordance with the Education Code of the State of California.~~

Section 8—Compensation

~~Board members are reimbursed upon presentation of a voucher for expenses incurred in the performance of their duties. Approval of the warrant at a regular Board meeting shall constitute authorization for reimbursement to the individual member on the part of the Board. Board members who so elect may receive such health and welfare benefits as are now extended to District management employees.~~

~~Compensation for voting members shall be the maximum rate established by California Education Code Section 35120.~~

Article IV**DUTIES AND LIMITATIONS OF INDIVIDUAL BOARD MEMBERS****Section 1—Duties**

~~The major duties of an individual Board member are as follows:~~

- ~~1. To be familiar with the State school laws, regulations of the State Department of Education, and Clovis Unified School District policies.~~
- ~~2. To develop a general understanding of the priorities, goals and objectives of the Clovis Unified School District.~~
- ~~3. To attend regular and special Board meetings, prepared to act upon agenda items.~~
- ~~4. To vote and act in the Board meetings ethically and legally.~~
- ~~5. To vote and act in the Board meetings impartially, ethically, and in compliance with the law in the best interest of the District.~~
- ~~6. To accept the will of the majority Board vote.~~
- ~~7. To refer inquiry or concern to the proper District personnel.~~
- ~~8. To follow established rules of order in the conduct of meetings.~~
- ~~9. To participate in Board development activities by attending conferences and workshops designed to enhance ability to perform Board duties as needed.~~
- ~~10. To visit schools.~~
- ~~11. To adhere to the Code of Ethics of the California School Boards Association as adopted by the Board.~~

Section 2—Limits of Board Members Authority

~~As publicly elected officials, Board members may choose to be accessible and responsive to their constituents, to meet with their constituents, and to express their individual opinions and concerns. However, the Board, as a whole, is the unit of authority over the District and an individual Board member has no individual authority to act on behalf of the District, unless directed to do so by the~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Board. The Board shall not be bound in any way by any statement or action on the part of an individual member except when such statement or action is pursuant to specific instruction by the Board. Individual Board members shall represent the Board at official functions, such as public hearings, only by official appointment or direction from a majority of the Board in Public Session.~~

~~Article V~~~~BOARD DUTIES AND RESPONSIBILITIES~~~~Section 1 – Corporate Body~~

~~The Board constitutes a corporate body which possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued; purchase, hold and sell personal and real property; and, enter into such obligations as authorized by law.~~

~~Section 2 – Duties~~

~~The Board shall:~~

- ~~1. Establish District policy and Board bylaws, and shall implement procedures for policy and bylaw adoption, revision and review.~~
- ~~2. Oversee District operations to assure policy implementation and maintenance.~~
- ~~3. Employ and evaluate the District superintendent.~~
- ~~4. Adopt an annual budget, authorize District expenditures, establish salary schedules and approve capital investments.~~
- ~~5. Serve as the final appeal for formal complaints from the public, staff or students.~~
- ~~6. Delegate such duties as may be appropriate to the Superintendent.~~
- ~~7. Define the mission for the District and establish priorities for District programs, services and activities.~~
- ~~8. Establish other duties consistent with existing law as may be appropriate.~~

~~Section 3 – Policy Making Responsibility~~

~~The Board shall exercise its policy-making responsibility by adopting bylaws and policies not inconsistent with the law and/or opinions of courts of competent authority, for its own government and for the organization and operation of the District.~~

~~The formulation and adoption of written bylaws and policies shall constitute the basic method by which the Board shall exercise its leadership.~~

~~Article VI~~~~ORGANIZATIONAL MEETING~~~~Section 1 – Organizational Meeting~~

~~The Board shall organize annually at an Organizational Meeting in December. The organizational meeting shall be held within a 15-day period that commences with the date upon which Board Members elected that year take office or within a 15-day period of the second Friday in December if no Board Members are elected that year. (Education Code 5107, 35143)~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Article VII
OFFICES AND MEMBERSHIPS

Section 1—Officers

~~The Board shall organize by the election of a President, Vice President, and a Clerk from among its members. Election may be by secret ballot. The Superintendent shall serve as Secretary of the Board and the Board will appoint an Assistant Secretary.~~

Section 2—Memberships

- ~~1. The Board shall, at its annual Organizational Meeting, elect a representative to the Fresno County Committee on School District Organization.~~
- ~~2. The Board may wish to appoint from its membership persons to represent the Board in organizations such as the Fresno County School Trustees Association, the California School Boards Association, and the like.~~

Article VIII
DUTIES OF OFFICERS

Section 1—President

~~The President shall preside at all meetings of the Board and shall perform all duties imposed by statutes and/or prescribed by the Board. The President shall preserve order and decorum at the meetings. The President shall declare all votes and if any member requests a roll call vote, the Assistant Secretary shall call the roll and the President shall declare the ayes and noes. The President shall have the same right as other members to discuss questions and to vote thereon.~~

~~The President shall participate in District activities that include but are not limited to:~~

- ~~1. Attending all Board Agenda Review meetings;~~
- ~~2. Serving as an active member of the Foundation for Clovis Schools;~~
- ~~3. Speaking on behalf of the Board at the following events: annual General Session, National and State school recognition ceremonies, Groundbreaking ceremonies, Employee Recognition ceremonies, Retirement ceremonies, Districtwide Student Recognition ceremonies, and other Districtwide events as necessary; and~~
- ~~4. Serving as the voice of the Board for media inquiries regarding significant District-related issues.~~

~~In collaboration with the Superintendent's Executive Cabinet, an out going President may participate in an Orientation Session for the newly appointed Board President.~~

Section 2—Vice President

~~The Vice President shall preside when the President is absent or upon request of the President.~~

Section 3—Clerk

~~The Clerk shall perform duties of the President in the absence of the President and Vice President and shall execute all documents on behalf of the Board, except as otherwise provided by law.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**~~Section 4 – Secretary~~

~~The Superintendent shall serve as Secretary of the Board. The Secretary shall send out notices of all meetings. The Secretary shall keep a proper and complete record of the proceedings of the meetings of the Governing Board. The Secretary shall prepare the minutes, distribute and file same, or designate such action. The Secretary shall post all legal notices, prepare and sign all legal documents and reports that require signature. The Secretary shall perform such other duties as may be prescribed by the Board or by state statutes. The Secretary shall also serve as Parliamentarian for the Board.~~

~~Article IX~~

~~BOARD SUBCOMMITTEES, SPECIAL ADVISORY COMMITTEES,
AND BOARD CONSULTANTS~~

~~Section 1 – Committees of the School Board~~~~1. Types of Committees~~

~~— The Board shall establish the following standing Board committees:~~

- ~~• Clovis City Council/Governing Board Joint Subcommittee~~
- ~~• Fresno City Council/Governing Board Joint Subcommittee~~

~~2. Terms~~

~~— The two standing subcommittees' membership terms of office shall be one year from the annual Organizational Meeting to the next subsequent Organizational Meeting of the Board.~~

~~3. Membership~~

~~— Membership of Board subcommittees shall be no more than three Board members. Members shall be selected by consensus of the Board. The Superintendent, or designee, shall serve as an ex-officio member of each Board committee.~~

~~4. Authority~~

~~— All Board subcommittees shall be advisory to the full Board. Board subcommittees may make recommendations to the full Board, but no decisions made in a Board subcommittee meeting shall be binding on the full Board.~~

~~Section 2 – Special Advisory Committees~~

~~The Board declares its intent to appoint special Advisory Committees. These committees shall be charged by the Board specifically to conduct studies, make recommendations to the Board, and act in an advisory capacity, but they shall at no time take action on behalf of the Board. Such committees shall be created by a majority vote of the Board. A motion creating a special Advisory~~

~~Committee shall state the following:~~

- ~~1. the purpose,~~
- ~~2. the number of members,~~
- ~~3. the date the committee will be activated,~~
- ~~4. the powers, including specific instruction and/or prohibitions, and~~
- ~~5. report date~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~The majority of the members of the special Advisory Committee shall be bona fide residents of the District during the entire period of their service on the committee. Any District resident who terminates residency during the term of service shall immediately submit a resignation to the Board. District staff shall be assigned to support special Advisory Committee work. Committee members shall be appointed by the Board in the following manner:~~

- ~~1. Each member of the Board shall nominate one or more persons depending upon the size of the committee.~~
- ~~2. Nominations shall be made at the first meeting following the creation of the committee.~~
- ~~3. Prior to the submission of names of potential committee members, each Board member may communicate with nominees to determine whether the nomination will be accepted, and those who decline shall not be placed in nomination.~~
- ~~4. If any vacancy occurs during the life of the committee, replacement nomination shall be named by the Board member who nominated the committee member whose departure created the vacancy.~~

~~Special Advisory Committees will receive full logistical support from the resources of the District. This support may include clerical assistance, postage, local transportation for the purpose of investigation, and the assistance of District employees as experts on particular subjects. Advisory Committees are not authorized to obligate the District for the payment of any other funds in connection with their work. If the committee determines that the expenditure of public funds is required by the assigned task, it shall so report to the Board which will take action according to the circumstances and the law relating to such matters.~~

~~At the first meeting of the Advisory Committee a representative of the Board and/or the Superintendent, or designee, shall be present to explain to the Advisory Committee the reason for being called into existence, and the task the Board wishes the committee to accomplish. All meetings of the committee shall be open to the public, but the public shall not interfere with, nor disturb, the meetings.~~

~~The special Advisory Committee shall be dissolved upon its final recommendation to the Board unless the Board determines otherwise. The committee may be terminated by a majority vote of the Board any time.~~

~~Written notices of all meetings shall be prepared and provided to all committee members. Membership may be withdrawn if a member fails to attend three successive meetings. Special Advisory Committees shall advise and report upon only those programs which relate to the purposes of the committee.~~

Section 3—Consultants

~~The Board encourages the use of professional consultants from the State Department of Education, colleges, universities and other resource persons, when such services will be helpful in the improvement of the District. All consultants to the Board shall be approved by the Board.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~prior to the invitation and arrangement for visitation by such person or persons to the District.
Article X~~

MEETINGS**Section 1—Parliamentary Authority**

~~Robert's Rules of Order, Newly Revised, shall govern the Board in its deliberations in all cases in which it is not inconsistent with statutes, the California Code of Regulations or these bylaws, except that the rules may be amended at any regular meeting by an affirmative vote of not less than four members of the Board, provided the amendment has been reduced to writing and proposed at a previous meeting.~~

Section 2—Minutes

~~Minutes shall be kept of all public meetings of the Board and shall be maintained in a suitable journal of proceedings. Such minutes shall record every official act of the Board and be kept in sufficient detail to show compliance with the law. The minutes shall be part of the public record of this Board and shall be available for public inspection.~~

Meetings of the Board are conducted for the purpose of accomplishing District business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws and policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or District. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or District official may engage in separate conversations with Board members to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or District official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

To help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

**CLOVIS UNIFIED
SCHOOL DISTRICT****A. ~~Section 3~~—Regular Meetings**

The Board normally meets twice monthly on the second and fourth Wednesday of each month, **public session commencing** at 6:30 p.m. Unless specified elsewhere, the meeting place shall be the Boardroom of the Clovis Unified School District, located at 1680 David E. Cook Way, Clovis, California.

The agenda and notice of a regular meeting shall be prepared and disseminated in accordance with Board Bylaw 9322 – Board Agenda/Meeting Materials.

~~The Secretary shall, at least 72 hours before a regular Board meeting, post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items that are to be discussed in Closed Session. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the regular public and on the homepage of the District's internet website, consistent with the requirements in Government Code section 54954.2(a)(2). The Secretary shall also provide the agenda and agenda booklets of all regular meetings at least seventy-two (72) hours before the meeting to all members of the Board.~~

B. ~~Section 4~~—Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, Deputy Superintendent, Associate Superintendent, Assistant Superintendent, or other management employees as described in Government Code **section 3511.1. (Government Code 54956)**

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. -The notice also shall be posted on the District's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. **(Education Code 35144; Government Code 54956)**

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the ~~C~~lerk or ~~S~~ecretary of the Board or by being present at the meeting at the time it convenes. **(Government Code 54956)**

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. **(Government Code 54954.3)**

**CLOVIS UNIFIED
SCHOOL DISTRICT****Section 5 – Closed Session Meetings**

~~The Governing Board is committed to complying with state open meeting laws and modeling transparency in its conduct of district business. The Board shall hold Closed Sessions only for purposes authorized by law, which includes the following: personnel matters to consider the appointment, employment, evaluation of performance, discipline, or dismissal of an employee, in accordance with Government Code 54957; to hear complaints or charges brought against an employee by another person or employee, unless the employee requests an Open Session in accordance with Government Code 54957; session to discuss a District employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan in accordance with Government Code 54957.10; to review the Board's position and/or instruct its designated representative regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, in accordance with Government Code 54957.6; Closed Sessions may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees in accordance with Government Code 54957.6; to meet with a state conciliator or mediator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6; to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in Open Session. Regardless of whether the expulsion hearing is conducted in Open or Closed Session, the Board may meet in Closed Session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918); to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for Open Session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. (Education Code 35146, 48912, 49070); discuss matters of school security with law enforcement agents or agencies in accordance with Government Code 54957; to meet in Closed Session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the District in order to grant its negotiator authority regarding the price and terms of payment for the property in accordance with Government Code 54956.8; to confer with or receive advice from its legal counsel regarding a pending/anticipated litigation in accordance with Government Code 54956.9; to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the District is a member in accordance with Government Code 54956.95; upon receipt of a confidential final draft audit report from the California State Auditor's Office, the Board may meet in Closed Session to discuss its response to that report in accordance with Government Code 54956.75; and to review the contents of any student assessment instrument approved or adopted for the statewide testing system. However, before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617).~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~A Closed Session may be held during a regular, special, or emergency meeting in accordance with law and each agenda shall contain a general description of each Closed Session item to be discussed at the meeting, as required by law. (Government Code 54954.2)~~

~~The Board shall disclose in Open Session the items to be discussed in Closed Session. In the Closed Session, the Board may consider only those matters placed on the Closed Session agenda. After the Closed Session, the Board shall reconvene in Open Session before adjourning the meeting, and when applicable, shall disclose any action taken in the Closed Session, in the manner prescribed by Government Code 54957.1. The Board shall not disclose any information that is protected by state or federal law.~~

~~A Board member shall not disclose confidential information received in a Closed Session unless the Board authorizes the disclosure of that information. (Government Code 54963)~~

C. Section 6—Adjourned/Continued Meetings

A majority vote by the Board may adjourn/continue any regular or special meeting to a later time and place that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

D. Section 7—Emergency Meetings

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code ~~section~~ 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An emergency situation is as defined in ~~means either of the following:~~ (Government Code section 54956.5.)

- ~~1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board~~
- ~~2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one hour notice before holding an emergency meeting may~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~endanger the public health and/or safety as determined by a majority of the members of the Board~~

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

~~Section 8—Exception to the Brown Act related to Negotiations~~

~~Unless otherwise agreed upon by the parties involved, the following shall not be subject to the Brown Act: (Government Code 3549.1)~~

- ~~1. Any meeting and negotiating discussion between the District and a recognized or certified employee organization~~
- ~~2. Any meeting of a mediator with either party or both parties to the meeting and negotiating process~~
- ~~3. Any hearing, meeting, or investigation conducted by a factfinder or arbitrator~~
- ~~4. Any executive (closed) session of the District or between the District and its designated representative for the purpose of discussing its position regarding any matter within the scope of representation and instructing its designated representatives.~~

E. Section 9—Order of Business at Regular and Adjourned Meetings

An invocation may be held prior to the start of the Board meeting. Attendance during and participation in the invocation are optional and voluntary. No students, parents, members of the public, Board members, student board member, or employees are required to attend or participate in the invocation.

The President, upon taking the chair, shall call the members to order on the appearance of a quorum of four. The order of business may include the following in such order as set forth in each agenda adopted by the Board:

**CLOVIS UNIFIED
SCHOOL DISTRICT**

1. Call to Order
2. Roll Call
3. Closed Session
4. Reconvene for Public Session
5. Pledge of Allegiance to Flag
6. Adoption of Agenda
7. Approval ~~Adoption~~ of Minutes
- ~~6. Superintendent's Report~~
- ~~7.8.~~Recognition of Visitors
- ~~8. Closed Session Motions~~
- ~~9.~~
- ~~9. Approval of Minutes~~
- ~~10. Adoption of Agenda~~
10. Superintendent's Report
- ~~10.11.~~ Student ~~Board Member~~ Report
- ~~11.12.~~ Special Presentations/Awards
- ~~12.13.~~ Public Presentations
- ~~13.14.~~ Public Hearings
- ~~14.15.~~ Staff Reports
- ~~15.16.~~ Consent Agenda

The Superintendent shall prepare the agenda and recommend to the Board those items which the Superintendent believes require only perfunctory action. This portion of the agenda will be entitled "Consent Agenda."

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board President shall request adoption of the Consent Agenda and, unless a Board member objects, the adoption of the Consent Agenda will be made by a single motion.

17. Action

Items typically appear for vote by the Board after first being seen at an earlier meeting under the Information portion of an agenda in order to provide the Board additional opportunity for questions and/or discussion.

18. Information

No vote is taken on items appearing under Information.

19. Board Member Reports**20. Adjournment****Section 10 – Agendas**

~~Agenda materials shall be furnished to members of the Board and may include privileged information. As part of the agenda, the Superintendent shall submit to the individual members of the Board recommendations and reports for action. All supplemental information shall be delivered 48 hours prior to Board meetings, with the exception of litigation or emergency personnel issues. Based on current costs, the Superintendent may establish a nominal fee to be charged for agenda materials. Privileged information is to be withheld from booklets requested by the public. Public agenda materials are available online within the timeframe required by California's Public Meeting Act.~~

~~A copy of the agenda shall be posted in a location that is freely accessible to members of the regular public and on the homepage of the District's internet website, consistent with the requirements in Government Code section 54954.2(a)(2) and shall be provided at the time of posting, if previously requested, to all newspapers of general circulation, radio and television stations. Copies will be available to the public at the meeting place and online.~~

Section 11 – Voting Method

~~The ayes and noes, and any abstentions, upon votes by individual Board members taken shall be entered on the record, unless it is indicated in the record that the vote is unanimous. Every member shall have the privilege of having the vote and reasons therefore recorded on any and every question if requested, while the vote is being taken or immediately after the result of the vote has been announced by the President, and before the statement of a new question.~~

Section 12 – Public Participation in Board Meetings

~~All meetings of the Board shall be open to the public. All actions of the Board shall be taken openly. The public is invited to attend Board meetings and will be given opportunity to voice opinions. However, the law requires the Board to respect employees' privacy. Members of the~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~public may feel free to use this time to criticize either the Board or the District as a whole. However, if there is a complaint about an individual employee which could result in disciplinary action, the Board will request that the member of the public refrain from naming the public employee and refer the member of the public to the appropriate District administrator to address the member of the public's complaint.~~

~~The Board, as the representative body of the District, wishes to provide an avenue for any citizen to express interest in, and concern for, the District. Accordingly, the Board hereby adopts the following rules concerning public participation at meetings of the Board:~~

- ~~1. Members of the public have the right to place matters "directly related to school business" on the formal agenda of Board meetings:
 - ~~a. So that the Board and District administrative personnel can adequately discharge their responsibilities, citizens who wish to have items placed upon the formal agenda for consideration at an upcoming Board meeting must make a request to the Clovis Unified School District Office located at 1450 Herndon Avenue, Clovis, no later than one week prior to the date of the scheduled Board meeting.~~
 - ~~b. In connection with matters included on the formal agenda by members of the public, the Board reserves the right to:
 - ~~(1) Determine the order of business as to the discussion and consideration of such items.~~
 - ~~(2) Determine the appropriate meeting at which to consider the item if a reasonable justification for doing so exists.~~~~~~
- ~~2. In addition, members of the public also have the right to comment upon all matters included on the formal agenda whether placed there by members of the public or otherwise. In connection therewith, the President of the Board reserves the right to:
 - ~~a. Limit the discussion of a particular issue~~
 - ~~b. Postpone the discussion of a particular item until a later time or later meeting provided that reasonable justification exists.~~
 - ~~c. Public comments shall be heard only from individuals physically present at the meeting.~~~~
- ~~3. Finally, the Board shall take testimony on matters not included on the agenda of a regularly scheduled meeting which members of the public wish to bring to the attention of the Board. This discussion shall occur during the "Public Presentation" portion of the agenda and must be delivered by an individual physically present at the meeting. Individuals wishing to make a presentation must so advise the Board President by completing a "sign-in" sheet prior to the meeting. Individual presentations shall be limited to a maximum of three (3) minutes. Each individual wishing to address the Board is allocated 3 minutes and may NOT give their 3 minutes to another individual. This time limit may be adjusted by the Board President if reasonable justification exists to do so. The Board will take no action on such matters at the same meeting at which such testimony is taken. Nothing herein shall limit further discussion on such subject matter at a subsequent meeting of the Board.~~

**CLOVIS UNIFIED
SCHOOL DISTRICT****F. Section 13 – News Coverage**

Notification of regular, adjourned, special and cancelled regular meetings shall be sent, if requested, to each local newspaper of general circulation and radio or television station by mail at least ~~twenty-four~~ (24) hours before the specified date and time of meeting.

G. Study Sessions, Retreats, Public Forums, and Discussion Meetings

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within District boundaries. Action items shall not be included on the agenda for these meetings.

H. Other Gatherings

Attendance by a majority of Board members at any of the events set forth in Government Code section 54952.2 is not subject to the Brown Act provided that a majority of the Board members do not discuss specific District business among themselves other than as part of the scheduled program. (Government Code 54952.2)

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

I. Location of Meetings

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code section 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

Meetings shall be held within District boundaries, except as provided in Government Code section 54954.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a place designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

**CLOVIS UNIFIED
SCHOOL DISTRICT****J. Teleconferencing**

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within District boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.

Section 14 – Tape Recordings

~~Taping of the meetings of the Board is permissible both by the news media and private citizens so long as the process does not materially interfere with the proceedings of the Board.~~

Section 15 – Public Records

~~The Superintendent, as Secretary of the Board, shall retain all official Board records. Said records are available for inspection by the public including members of the press, at the office of the Superintendent during regular hours of the school day, when a proper request is made according to established procedures, unless confidentiality of such records is prohibited by law. A nominal fee may be charged to cover costs of copies of such records.~~

Adopted: 07/23/1975

Reviewed: 01/12/2006, 04/23/2007

Amended: 11/10/1976, 06/28/1978, 12/12/1979, 07/26/1989, 11/19/1990, 01/09/1991, 02/27/1991, 10/09/1991, 05/13/1992, 08/12/1992, 09/14/1995, 11/25/1996, 11/15/2000, 07/11/2001, 11/19/2003, 01/25/2012, 01/29/2014, 09/24/2014, 06/17/2015, 02/08/2017, 01/17/2018, 10/10/2018, 07/17/2019, __/__/____ (BP 1101 renumbered as BB 9320)

**CLOVIS UNIFIED
SCHOOL DISTRICT****EDUCATION CODE**

35140 Time and place of meetings
35143 Annual organizational meeting, date, and notice
35144 Special meeting
35145 Public meetings
35145.5 Agenda; public participation; regulations
35146 Closed sessions
35147 Open meeting law exceptions and applications

GOVERNMENT CODE

3511.1 Local agency executives
11135 State programs and activities, discrimination
54950-54963 The Ralph M. Brown Act, especially:
54953 Meetings to be open and public; attendance
54954 Time and place of regular meetings
54954.2 Agenda posting requirements, board actions
54956 Special meetings; call; notice
54956.5 Emergency meetings

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications
36.303 Auxiliary aids and services

COURT DECISIONS

Wolfe v. City of Fremont, (2006) 144 Cal.App. 544

ATTORNEY GENERAL OPINIONS

88 Ops.Cal.Atty.Gen. 218 (2005)
84 Ops.Cal.Atty.Gen. 181 (2001)
84 Ops.Cal.Atty.Gen. 30 (2001)
79 Ops.Cal.Atty.Gen. 69 (1996)
78 Ops.Cal.Atty.Gen. 327 (1995)

~~Education Code sections 5017, 35010, 35012, 35022, 35102, 35120, 35140, 35142, 35143,
35145, 35145.5, 35146, 35162, 35163, 49060, 35161, 35166, 35291, 48906~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~Government Code sections. 6250 et. seq., 54950 et seq.,
3540.1, 3549.1, 54961
Calif. Code Regs., Title 5 16023 (b)~~

Doc# 41111-5 (08/2020, 11/2011)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
CLOSED SESSION**

PURPOSE: To address requirements relating to closed sessions of the Board.

The ~~Governing~~ Board is committed to complying with state open meeting laws and modeling transparency in its conduct of ~~d~~District business. ~~The Board shall hold C~~losed ~~S~~essions only for purposes authorized by law, ~~which includes the following: personnel matters to consider the appointment, employment, evaluation of performance, discipline, or dismissal of an employee, in accordance with Government Code 54957; to hear complaints or charges brought against an employee by another person or employee, unless the employee requests an Open Session in accordance with Government Code 54957; session to discuss a District employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan in accordance with Government Code 54957.10; to review the Board's position and/or instruct its designated representative regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, in accordance with Government Code 54957.6; Closed Sessions may take place prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees in accordance with Government Code 54957.6; to meet with a state conciliator or mediator who has intervened in proceedings regarding any of the purposes enumerated in Government Code 54957.6; to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in Open Session. Regardless of whether the expulsion hearing is conducted in Open or Closed Session, the Board may meet in Closed Session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918); to address any student matter that may involve disclosure of confidential student information, or to consider a suspension, disciplinary action, or any other action against a student except expulsion. If a written request for Open Session is received from the parent/guardian or adult student, it will be honored to the extent that it does not violate the privacy rights of any other student. (Education Code 35146, 48912, 49070); discuss matters of school security with law enforcement agents or agencies in accordance with Government Code 54957; to meet in Closed Session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the District in order to grant its negotiator authority regarding the price and terms of payment for the property in accordance with Government Code 54956.8; to confer with or receive advice from its legal counsel regarding a pending/anticipated litigation in accordance with Government Code 54956.9; to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the District is a member in accordance with Government Code 54956.95; upon receipt of a confidential final draft audit report from the California State Auditor's Office, the Board may meet in Closed Session to discuss its response to that report in accordance with Government Code 54956.75; and to review the contents of any student assessment instrument approved or adopted for the statewide testing~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~system. However, before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617).~~

A ~~C~~losed ~~S~~session may be held during a regular, special, or emergency meeting in accordance with law. ~~and-e~~Each agenda shall contain a general description of each ~~C~~losed ~~S~~session item to be discussed at the meeting, as required by law. (Government Code 54954.2)-

In the open session preceding the closed session, the Board shall disclose the items to be discussed in closed session. In the closed session, the Board may consider only those matters covered in its statement. (Government Code 54957.7) ~~The Board shall disclose in Open Session the items to be discussed in Closed Session. In the Closed Session, the Board may consider only those matters placed on the Closed Session agenda.~~

After the ~~C~~losed ~~S~~session, the Board shall reconvene in ~~O~~open ~~S~~session before adjourning the meeting, and, when applicable, shall publicly disclose any action taken in the ~~C~~losed ~~S~~session, ~~in the manner prescribed by Government Code 54957.1. The Board shall not disclose any information that is protected by state or federal law.~~ the votes or abstentions thereon, and other disclosures specified in law that are applicable to the matter being addressed. Such reports may be made in writing or orally at the location announced in the agenda for the closed session. (Education Code 32281; Government Code 54957.1, 54957.7)

When an action taken during a closed session involves final approval or adoption of a document such as a contract or settlement agreement, the Superintendent or designee shall provide a copy of the document to any person present at the conclusion of the closed session who submitted a written request in accordance with Government Code section 54957.1.

A. Confidentiality

A Board member shall not disclose confidential information received in a ~~C~~losed ~~S~~session unless the Board authorizes the disclosure of that information. (Government Code 54963)-

The Board shall not disclose any information that is protected by state or federal law. In addition, no victim or alleged victim of tortious sexual conduct or child abuse shall be identified in any Board agenda, notice, announcement, or report required by the Brown Act, unless the identity of the person has previously been publicly disclosed. (Government Code 54957.7, 54961)

B. Personnel Matters

The Board may hold a closed session under the "personnel exception" to consider the appointment, employment, performance evaluation, discipline, or dismissal of an employee. Such a closed session shall not include discussion or action on proposed compensation except for a reduction of compensation that results from the imposition of discipline. (Government Code 54957)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board may also hold a closed session to hear complaints or charges brought against an employee by another person or employee, unless the employee who is the subject of the complaint requests an open session. Before the Board holds a closed session on specific complaints or charges brought against an employee, the employee shall receive written notice of the right to have the complaints or charges heard in open session if desired. This notice shall be delivered personally or by mail at least 24 hours before the time of the session. (Government Code 54957)

The Board may hold a closed session to discuss an employee's application for early withdrawal of funds in a deferred compensation plan when the application is based on financial hardship arising from an unforeseeable emergency due to illness, accident, casualty, or other extraordinary event, as specified in the deferred compensation plan. (Government Code 54957.10)

Agenda items related to District employee appointments and employment, performance evaluations and employee discipline, dismissal, or release shall comply with Government Code 54954.5.

After the closed session, the Board shall report any action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a District employee in accordance with Government Code section 54957.1.

C. Negotiations/Collective Bargaining

Unless otherwise agreed upon by the parties involved, the matters set forth in Government Code section 3549.1 shall not be subject to the open meeting requirements of Brown Act. (Government Code 3549.1)

The Board may meet in closed session, prior to and during consultations and discussions with representatives of employee organizations and unrepresented employees, to review the Board's position and/or instruct its designated representative(s) regarding salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and, for represented employees, any other matter within the statutorily provided scope of representation. Prior to the closed session, the Board shall identify its designated representative in open session. Final action on the proposed compensation of one or more unrepresented employees shall not be taken in closed session. (Government Code 54957.6)

The Board also may meet in closed session with a state conciliator who has intervened in proceedings regarding any of the purposes enumerated in Government Code section 54957.6.

Agenda items related to negotiations shall comply with Government Code section 54954.5.

Approval of an agreement regarding labor negotiations with represented employees pursuant to Government Code section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. This report shall identify the item approved and the other

**CLOVIS UNIFIED
SCHOOL DISTRICT**

party or parties to the negotiation. (Government Code 54957.1)

D. Matters Related to Students

If a public hearing would lead to the disclosure of confidential student information, the Board shall meet in closed session to consider a suspension, disciplinary action, any other action against a student except expulsion, or a challenge to a student record. If a written request for open session is received from the parent/guardian or adult student, the meeting shall be public, except that any discussion at that meeting which may be in conflict with the right to privacy of any student other than the student requesting the public meeting shall be in closed session. (Education Code 35146, 48912, 49070)

The Board shall meet in closed session to consider the expulsion of a student, unless the student submits a written request at least five days before the date of the hearing that the hearing be held in open session. Regardless of whether the expulsion hearing is conducted in open or closed session, the Board may meet in closed session for the purpose of deliberating and determining whether the student should be expelled. (Education Code 48918)

Final action on a student matter deliberated in closed session shall be taken in open session and shall be a matter of public record. (Education Code 35146, 48918)

However, in taking final action, the Board shall not release any information in violation of student privacy rights provided in 20 USC 1232g or other applicable laws. In an expulsion or other disciplinary action, the cause for the disciplinary action shall be disclosed in open session, but the Board shall refer to the student number or other identifier and shall not disclose the student's name.

E. Security Matters

The Board may meet in closed session with the Governor, Attorney General, district attorney, District legal counsel, sheriff or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings; to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service; or to the public's right of access to public services or public facilities. Such discussions may be held in closed session during an emergency meeting called pursuant to Government Code section 54956.5 if agreed to by a two-thirds vote of the Board members present, or, if less than two-thirds of the members are present, by a unanimous vote of the members present. (Government Code 54956.5, 54957)

Agenda items related to these security matters shall comply with Government Code section 54954.5.

The Board may meet in closed session to consult with law enforcement officials on the development of a plan for tactical responses to criminal incidents and to approve the plan. Following the closed session, the Board shall report any action taken to approve the plan but need

**CLOVIS UNIFIED
SCHOOL DISTRICT**

not disclose the District's plan for tactical responses. (Education Code 32281)

F. Real Property Negotiations

The Board may meet in closed session with its real property negotiator prior to the purchase, sale, exchange, or lease of real property by or for the District in order to grant its negotiator authority regarding the price and terms of payment for the property. (Government Code 54956.8)

Before holding the closed session, the Board shall hold an open and public session to identify its negotiator(s), the property under negotiation, and the person(s) with whom the negotiator may negotiate. For purposes of real property transactions, negotiators may include members of the Board. (Government Code 54956.8)

Agenda items related to real property negotiations shall comply with Government Code section 54954.5.

Board approval of a final agreement concluding real estate negotiations pursuant to Government Code section 54956.8 shall be publicly reported in accordance with Government Code 54957.1.

G. Pending Litigation

Based on the advice of its legal counsel, the Board may hold a closed session to confer with or receive advice from its legal counsel regarding pending litigation when discussion of the matter in open session would prejudice the District's position in the litigation. (Government Code 54956.9)

Following the closed session, the Board shall publicly report, as required by Government Code section 54957.1.

H. Joint Powers Agency Issues

The Board may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by a joint powers agency (JPA) formed for the purpose of insurance pooling or self-insurance authority of which the District is a member. (Government Code 54956.95)

Closed session agenda items related to liability claims shall comply with Government Code section 54954.5.

Following the closed session, the Board shall publicly report in accordance with Government Code section 54957.1.

When the board of the JPA has so authorized and upon advice of District legal counsel, the Board may also meet in closed session in order to receive, discuss, and take action concerning information obtained in a closed session of the JPA that has direct financial or liability implications for the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

District. During the Board's closed session, a Board member serving on the JPA board may disclose confidential information acquired during a closed session of the JPA to fellow Board members. (Government Code 54956.96)

Closed session agenda items related to conferences involving a JPA shall comply with Government Code section 54954.5.

I. Review of Audit Report from California State Auditor's Office

Upon receipt of a confidential final draft audit report from the California State Auditor's Office, the Board may meet in closed session to discuss its response to that report. After public release of the report from the California State Auditor's Office, any Board meeting to discuss the report must be conducted in open session, unless exempted from that requirement by some other provision of law. (Government Code 54956.75)

Closed session agenda items related to an audit by the California State Auditor's Office shall comply with Government Code section 54954.5.

J. Review of Assessment Instruments

The Board may meet in closed session to review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review. (Education Code 60617)

Adopted: __/__/__

EDUCATION CODE

32281 School safety plans

35145 Public meetings

35146 Closed session for student suspension or disciplinary action

44929.21 Districts with ADA of 250 or more

48912 Governing board suspension of student

48918 Rules governing expulsion procedures; hearings and notice

49070 Challenging content of student records

49073-49079 Privacy of student records

60617 Closed session (re review of contents of statewide assessment)

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

6252-6270 California Public Records Act

54950-54963 The Ralph M. Brown Act

CALIFORNIA CONSTITUTION

**CLOVIS UNIFIED
SCHOOL DISTRICT**

Article 1, Section 3 Public right to access information

UNITED STATES CODE, TITLE 20
1232g Family Educational Rights and Privacy Act

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.8 Family Educational Rights and Privacy

COURT DECISIONS

Moreno v. City of King (2005) 127 Cal.App.4th 17
Morrison v. Housing Authority of the City of Los Angeles Board of Commissioners (2003) 107 Cal.App.4th 860
Rim of the World Unified School District v. San Bernardino County Superior Court (2002) 104 Cal.App.4th 1393
Bell v. Vista Unified School District (2000) 82 Cal.App. 4th 672
Fischer v. Los Angeles Unified School District (1999) 70 Cal.App. 4th 87
Kleitman v. Superior Court of Santa Clara County (1999) 87 Cal Rptr. 2d
Furtado v. Sierra Community College District (1998) 68 Cal.App. 4th 876
Roberts v. City of Palmdale (1993) 5 Cal. 4th 363
San Diego Union v. City Council (1983) 146 Cal.App.3d 947
Sacramento Newspaper Guild v. Sacramento County Board of Supervisors (1968) 263 Cal.App. 2d 41

ATTORNEY GENERAL OPINIONS

94 Ops.Cal.Atty.Gen. 82 (2011)
89 Ops.Cal.Atty.Gen. 110 (2006)
86 Ops.Cal.Atty.Gen. 210 (2003)
78 Ops.Cal.Atty.Gen. 218 (1995)
59 Ops.Cal.Atty.Gen. 532 (1976)
57 Ops.Cal.Atty.Gen. 209 (1974)

Doc# 41405-3 (06/2020, 07/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD AGENDA/MEETING MATERIALS**

PURPOSE: To describe the process for preparation and dissemination of Board meeting agendas and materials.

A. Agenda Content

Board meeting agendas shall reflect the District's vision and goals and the Board's focus on student learning.

Each agenda shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2) The agenda shall also contain other information required by law. (Government Code 54957.5, 54954.2)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item and matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

B. Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting.

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or Board president with supporting documents and information, if any.

- a. ~~So that the Board and District administrative personnel can adequately discharge their responsibilities, citizens~~ Members of the public who wish to have items placed upon the ~~formal~~ Board agenda for consideration at an upcoming Board meeting must ~~submit~~ make a request to the Superintendent at Clovis Unified School District Office located at 1450 Herndon Avenue, Clovis, ~~no later than one week prior to the date of the scheduled Board meeting.~~
- b. In connection with matters included on the ~~formal~~ Board agenda by members of the public, the Board reserves the right to:
 - (1) Determine the order of business as to the discussion and consideration of such items.
 - (2) Determine the appropriate meeting at which to consider the item if a reasonable justification for doing so exists.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Board president and Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the Board and may be placed on the agenda of a regular Board meeting. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. Requests for information or items that are covered by an existing policy or administrative regulation may be handled by the Superintendent or designee as appropriate.

To promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items include items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

C. Agenda Dissemination to Board Members

Agenda materials shall be furnished to Board members ~~of the Board~~ and may include privileged information. As part of the agenda, the Superintendent shall submit to ~~each the individual Board members of the Board~~ recommendations and reports for action. All supplemental information shall be delivered to Board members ~~48 hours~~ prior to or at the Board meetings, with the exception of litigation or emergency personnel issues that may be delivered at the Board meetings.

When special meetings are called, Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

D. Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. Only those documents which are disclosable public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

A copy of the agenda shall be posted in ~~a one or more locations that are~~ freely accessible to members of the ~~regular public, and on the homepage of the District's internet website, consistent with the requirements in Government Code section 54954.2(a)(2) and shall be provided at the time of posting, if previously requested, to all newspapers of general circulation, radio and television stations. Copies will be available to the public at the meeting place and online.~~ (Government Code 54954.2)

In addition, the Superintendent or designee shall post the agenda on the homepage of the District's web site in accordance with Government Code section 54954.2.

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Based on current costs, the Superintendent or designee may establish a ~~nominal~~ fee to be charged to members of the public for agenda materials. Privileged information is to be withheld from booklets requested by the public. Public agenda materials are available online on the District's website ~~within the timeframe required by California's Public Meeting Act.~~

Any document prepared by the District or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Adopted: / /

EDUCATION CODE
35144 Special meetings

CLOVIS UNIFIED SCHOOL DISTRICT

35145 Public meetings

35145.5 Right of public to place matters on agenda

GOVERNMENT CODE

6250-6270 Public Records Act

53635.7 Separate item of business

54954.1 Mailed agenda of meeting

54954.2 Agenda posting requirements; board actions

54954.3 Opportunity for public to address legislative body

54954.5 Closed session item descriptions

54956.5 Emergency meetings

54957.5 Availability of public records

54960.2 Challenging board actions; cease and desist

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.160 Effective communications

36.303 Auxiliary aids and services

COURT DECISIONS

Mooney v. Garcia, (2012) 207 Cal.App.4th 229

Caldwell v. Roseville Joint Union High School District, 2007 U.S. Dist. LEXIS 66318

ATTORNEY GENERAL OPINIONS

99 Ops. Cal. Atty. Gen. 11 (2016)

78 Ops.Cal.Atty.Gen. 327 (1995)

Doc# 41406-4 (08/2020, 12/2018)

CLOVIS UNIFIED SCHOOL DISTRICT

BOARD BYLAWS BOARD MEETING CONDUCT

PURPOSE: To describe the procedures for conducting meetings of the Board.

A. Meeting Procedures

All Board meetings shall begin on time and shall be guided by an agenda prepared in accordance with Board bylaws and posted and distributed in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws.

The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority. Robert's Rules of Order, Newly Revised, shall govern the Board in its deliberations in all cases in which it is ~~not inconsistent with California law~~ ~~statutes, the California Code of Regulations and/or these Board bylaws, except that the rules may be amended at any regular meeting by an affirmative vote of not less than four members of the Board, provided the amendment has been reduced to writing and proposed at a previous meeting.~~ By a majority vote, the Board may use other procedures to consider any item during a Board meeting.

B. Quorum and Abstentions

The Board shall act by majority vote of all of the membership constituting the Board. (Education Code 35164)

Provided the Board typically has seven members and there are no more than two vacancies on the Board, the vacant position(s) shall not be counted for purposes of determining how many members of the Board constitute a majority. In addition, whenever any provisions of the Education Code require unanimous action of all or a specific number of the members, the vacant position(s) shall not be counted for purposes of determining the total membership constituting the Board. (Education Code 35165)

C. Public Participation

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. Persons attending Board meetings shall not be required to sign in, complete a questionnaire, or otherwise provide their name or other information as a condition of attending any Board meetings.

Except as authorized by law, ~~A~~all meetings of the Board shall be open to the public. All actions of the Board shall be taken openly unless otherwise provided in law. The public is invited to attend Board meetings and will be given an opportunity to provide public comments ~~voice opinions.~~ ~~However, the law requires the Board to respect employees' privacy. Members of the public may feel free to use this time to criticize either the Board or the District as a whole. However, if there~~

**CLOVIS UNIFIED
SCHOOL DISTRICT**

~~is a complaint about an individual employee which could result in disciplinary action, the Board will request that the member of the public refrain from naming the public employee and refer the member of the public to the appropriate District administrator to address the member of the public's complaint.~~

To conduct District business in an orderly and efficient manner, the Board requires that public presentations to the Board comply with the following procedures:

1. The Board shall give members of the public an opportunity to address the Board on any item of interest to the public that is within the subject matter jurisdiction of the Board, either before or during the Board's consideration of the item. (Education Code 35145.5; Government Code 54954.3)
2. During the Public Presentation portion of the Board agenda, members of the public may bring before the Board matters that are not listed on the agenda. The Board shall take no action or discussion on any item not appearing on the posted agenda, except as authorized by law. (Education Code 35145.5; Government Code 54954.2) Nothing herein shall limit discussion or action on such subject matter at a subsequent Board meeting.
3. Without taking action, Board members or District staff members may briefly respond to statements made or questions posed by the public about items not appearing on the agenda. Additionally, on their own initiative or in response to questions posed by the public, Board members or staff members may ask a question for clarification, make a brief announcement, or make a brief report on their own activities. (Government Code 54954.2) Furthermore, the Board or a Board member may provide a reference to staff or other resources for factual information, ask staff to report back to the Board at a subsequent meeting concerning any matter, or take action directing staff to place a matter of business on a future agenda. (Government Code 54954.2)
4. The Board need not allow the public to speak on any item that has already been considered by a committee composed exclusively of Board members at a public meeting where the public had the opportunity to address the committee on that item. However, if the Board determines that the item has been substantially changed since the committee heard the item, the Board shall provide an opportunity for the public to speak. (Government Code 54954.3)
5. A person wishing to be heard by the Board shall first be recognized by the president and shall then proceed to comment as briefly as the subject permits. Except as allowed by law, members of the public must be physically present at the Board meeting to address the Board.

In general, individual speakers will be allowed up to three minutes to address the Board on each agenda or non-agenda item, and the Board president may limit the total time for public input. However, when necessary to ensure full opportunity for public input, the Board president may adjust the amount of time allowed for public input and/or the time allotted

**CLOVIS UNIFIED
SCHOOL DISTRICT**

for each speaker. The president may ask members of the public with the same viewpoint to select a one or more individuals to address the Board on behalf of that viewpoint.

To ensure that non-English speakers receive the same opportunity to directly address the Board, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Board, unless simultaneous translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
 - a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
 - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
 - c. The Board shall not prohibit public criticism of District employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure or direct the individual to the Superintendent or other appropriate District employees.
7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee may contact local law enforcement as necessary.

D. Recording by the Public

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may

**CLOVIS UNIFIED
SCHOOL DISTRICT**

designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

Adopted: / /

EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

CODE OF CIVIL PROCEDURE

- 527.8 Workplace Violence Safety Act

GOVERNMENT CODE

- 54953.3 Prohibition against conditions for attending a board meeting
- 54953.5 Audio or video recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

PENAL CODE

- 403 Disruption of assembly or meeting

COURT DECISIONS

- City of San Jose v. Garbett (2010) 190 Cal.App.4th 526
- Norse v. City of Santa Cruz (9th Cir. 2010) 629 F3d 966
- McMahon v. Albany Unified School District (2002) 104 Cal.App.4th 1275
- Rubin v. City of Burbank (2002) 101 Cal.App.4th 1194
- Baca v. Moreno Valley Unified School District (1996) 936 F.Supp. 719

ATTORNEY GENERAL OPINIONS

- 90 Ops.Cal.Atty.Gen. 47 (2007)
- 76 Ops.Cal.Atty.Gen. 281 (1993)
- 66 Ops.Cal.Atty.Gen. 336 (1983)

CLOVIS UNIFIED SCHOOL DISTRICT

63 Ops.Cal.Atty.Gen. 215 (1980)
61 Ops.Cal.Atty.Gen. 243, 253 (1978)
59 Ops.Cal.Atty.Gen. 532 (1976)
55 Ops.Cal.Atty.Gen. 26 (1972)

Doc# 41407-3 (08/2020, 10/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
ACTIONS BY THE BOARD**

PURPOSE: To address actions by the Board.

The Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164) An "action" by the Board shall have the meaning in Government Code section 54952.6.

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

A. Action on Non-Agenda Items

After publicly identifying the item, the Board may take action on a subject not appearing on the posted meeting agenda under any of the conditions in Government Code section 54954.2.

B. Challenging Board Actions

The district attorney's office or any interested person may file an action in court for the purpose stated in Government Code section 54960 or 54960.2.

The district attorney or any interested person may file an action in court to nullify a Board action which is alleged to be in violation of law in accordance with Government Code section 54960.1.

Prior to bringing any action to nullify a Board action, the district attorney or other interested person shall present a demand to "cure and correct" the alleged violation in accordance with Government Code section 54960.1.

Within 30 days of the Board's receipt of receiving the demand, the Board shall act in accordance with Government Code section 54960.1.

Adopted: __/__/__

EDUCATION CODE

15266 School construction bonds

17466 Declaration of intent to sell or lease real property

17481 Lease of property with residence for nondistrict purposes

17510-17512 Leasing for production of gas, resolution requiring unanimous vote

17546 Private sale of personal property

17556-17561 Dedication of real property

**CLOVIS UNIFIED
SCHOOL DISTRICT**

35140-35149 Meetings

35160-35178.4 Powers and duties

48660-48661 Community day schools, establishment and restrictions

CODE OF CIVIL PROCEDURE

425.16 Special motion to strike in connection with a public issue

1245.240 Eminent domain vote requirements

1245.245 Eminent domain, resolution adopting different use

GOVERNMENT CODE

53090-53097.5 Regulation of local agencies by counties and cities

53724 Parcel tax resolution requirements

53790-53792 Exceeding the budget

53820-53833 Temporary borrowing

53850-53858 Temporary borrowing

54950-54963 The Ralph M. Brown Act, especially:

54952.6 Action taken, definition

54953 Meetings to be open and public; attendance; prohibition against secret ballots

54960-54960.5 Actions to prevent violations

65352.2 Coordination with planning agency

PUBLIC CONTRACT CODE

3400 Bid specifications

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20113 Emergencies, award of contracts without bids

20114 Repairs, maintenance, and improvements to district facilities by day labor or force account

22034 Uniform Public Construction Cost Accounting Act informal bidding ordinance

22035 Repair or replacement of facilities in case of emergency

22050 Emergency contracting procedures

COURT DECISIONS

Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003)

112 Cal.App.4th 1313

McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310

Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672

Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

**CLOVIS UNIFIED
SCHOOL DISTRICT****BOARD BYLAWS
BOARD MINUTES AND RECORDINGS**

PURPOSE: To address recordings of Board meetings and describe procedures for retention of minutes of Board meetings.

The Board recognizes that maintaining accurate minutes of Board meetings helps foster public trust in Board governance and provides a record of Board actions for use by District staff and the public.

The secretary of the Board shall keep ~~M~~minutes and records of all official Board actions~~shall be kept of all public meetings of the Board and shall be maintained in a suitable journal of proceedings.~~ Such minutes shall record every official act of the Board and be kept in sufficient detail to show compliance with the law. ~~The minutes shall be part of the public record of this Board and shall be available for public inspection.~~ The Board's minutes shall be public records and shall be made available to the public upon request. (Education Code 35145, 35163)

The minutes of Board meetings shall include, but not be limited to any action taken by the Board, and the vote or abstention on that action of each Board member present. (Education Code 35145; Government Code 54953)

The ayes and noes, and any abstentions, upon votes by individual Board members taken shall be entered ~~in on~~ the ~~minutes~~~~record~~, unless it is indicated in the ~~minutes~~~~record~~ that the vote is unanimous. Every Board member shall have the privilege of having the vote and ~~rational~~~~reasons~~ therefore ~~recorded on any and every item~~~~question on the agenda~~ if requested by the Board member, while the vote is being taken or immediately after the result of the vote has been announced by the Board ~~P~~resident, ~~and before the statement of a new question.~~

Upon request by a student's parent/guardian, or by the student if age 18 or older, the minutes shall not include the student's or parent/guardian's address, telephone number, date of birth, or email address, or the student's name or other directory information as defined in Education Code section 49061. The request to exclude such information shall be made in writing to the secretary or clerk of the Board. (Education Code 49073.2)

The Superintendent or designee shall distribute a copy of the "unapproved" minutes of the previous meeting(s) with the agenda for the next regular meeting. The Board shall approve the minutes as circulated or with necessary amendments.

Upon approval by the Board, the minutes shall be signed by the clerk and secretary of the Board.

Official Board minutes and recordings shall be stored in a secure location and shall be retained in accordance with law.

**CLOVIS UNIFIED
SCHOOL DISTRICT**

The Superintendent, as ~~S~~secretary of the Board, shall retain all official Board records. -Said records that are public are available for inspection in accordance with law ~~by the public including members of the press,~~ at the office of the Superintendent during regular business hours ~~of the school day,~~ when a proper request is made according to established procedures, ~~unless confidentiality of such records is prohibited by law.~~ A nominal fee may be charged to cover costs of copies of such records.

Recording or Broadcasting of Meetings

The District may tape, film, stream, or broadcast any open Board meeting. At the beginning of the meeting, the Board president shall announce that a recording or broadcasting is being made at the direction of the Board and that the recording or broadcast may capture images and sounds of those attending the meeting. As practicable, the recorder or camera shall be placed in plain view of meeting participants.

Any District recording may be erased or destroyed 30 days after the Board meeting or upon Board approval of the minutes of the meeting, whichever is later. Recordings made at the direction of the Board during a meeting are public records and, upon request, shall be made available for inspection by members of the public on District equipment without charge. (Government Code 54953.5)

Adopted: / /

EDUCATION CODE

- 35012 Number of members; terms; student board members
- 35145 Public meetings
- 35163 Official actions, minutes and journals
- 35164 Vote requirements
- 49061 Student records; definitions
- 49073.2 Privacy of student and parent/guardian personal information

GOVERNMENT CODE

- 54952.2 Meeting defined
- 54953 Meetings
 - 54953.5 Audio or video recording of proceedings
 - 54953.6 Broadcasting of proceedings
- 54957.2 Closed sessions; clerk; minute book
- 54960 Violations and remedies

PENAL CODE

- 632 Unlawful to intentionally record a confidential communication without consent

**CLOVIS UNIFIED
SCHOOL DISTRICT**

CODE OF REGULATIONS, TITLE 5
16020-16027 Classification and retention of records

Doc# 41409-4 (08/2020, 12/2018)

Title: Repeal Board Policies No. 1201, 1202, 3101, 5202, 6304, 9204, 9205 and 9401

CONTACT PERSON: Maiya Yang

FOR INFORMATION: September 9, 2020

FOR ACTION: September 23, 2020

RECOMMENDATION:

Repeal Board Policies No. 1201, 1202, 3101, 5202, 6304, 9204, 9205 and 9401.

DISCUSSION:

The Board has conducted study sessions to review and discuss the renumbering and updating of board policies in the following policy sets: (1) 0000 – Philosophy, Goals, Objectives, and Comprehensive Plans; (2) 1000 – Community Relations; (3) 2000 – Administration; and (4) 9000 – Board Bylaws. As a result of the renumbering and updating of the board policies, the above-referenced board policies are no longer necessary. This is because their contents have been moved to renumbered or new board policies as indicated on the attached table. Therefore, staff recommends that the Board repeal the above-referenced board policies. A copy of each policy that is recommended for repeal is attached.

FISCAL IMPACT/FUNDING SOURCE:

None.

ATTACHMENTS:

Description	Upload Date	Type
Table of Policies and Policies to be Repealed	8/28/2020	Backup Material

REVISIONS:

BOARD POLICIES RECOMMENDED FOR REPEAL

Staff recommends that the Board repeal the following existing policies because their contents have been moved to a new or renumbered board policies.

Tab #	Existing Board Policy (BP)	New or Renumbered Board Policy to Which Contents Have Been Moved
1	BP 1201: Organizational Charts	The first paragraph of BP 1201 has been moved to renumbered BP 2110 - Superintendent Responsibilities and Duties. The second paragraph regarding appointment of deputy superintendent in the event of the superintendent's absence or disability is addressed in renumbered BP 2120 - Superintendent Recruitment and Selection. There are no other remaining provisions in BP 1201.
2	BP 1202: Chain of Command	Renumbered BP 2110 – Superintendent Responsibilities and Duties
3	BP 3101: The Education Mission	New BP 0100 – District Philosophy
4	BP 5202: Maintenance of District Facilities and Grounds	Renumbered BP 1330 – Use of District Facilities
5	BP 6304: Health Management	New BP 0100 – District Philosophy
6	BP 9204: Public Attendance at District Events	Renumbered BP 1250 – Visitors/Public Attendance at District Events
7	BP 9205: Relations with Special Interest Groups	Renumbered BP 1321 – Solicitation of Funds From and By Students
8	BP 9401: Elections Office Relations	Renumbered BP 1330 – Use of District Facilities

CLOVIS UNIFIED SCHOOL DISTRICT

DISTRICT ORGANIZATION & GOALS

Organizational Charts & Functions

ORGANIZATIONAL CHARTS

PURPOSE: To delineate the process for developing organizational charts that specifies the lines of primary responsibility and the relationships between all District positions.

The Governing Board authorizes the Superintendent to organize the administrative and supervisory staff in a manner that best supports student achievement, the educational program, and efficient operations, subject to approval by the Governing Board.

The Superintendent or designee may adjust staff responsibilities temporarily or permanently as needed to accommodate the workload and/or individual capabilities.

Under the direction of the Superintendent, organizational charts which designate lines of primary responsibility shall be developed for each division and department of the District. Lines of responsibility shall in no way prevent staff members at all levels from collaborating, communicating, and cooperating to develop the best possible programs and provide efficient services.

The Governing Board shall approve organizational charts for the operation of the District which shall be included as exhibits to this policy.

*Adopted: 7/23/75
Amended: 2/8/84
Amended: 11/16/91
Amended: 5/25/94
Amended: 7/03
Amended: 11/19/03
Amended: 9/28/05
Reviewed: 11/15/06
Reviewed: 12/12/07
Amended: 11/5/08
Reviewed: 10/14/09
Reviewed: 7/1/10*

Education Code sections 35010, 35020, 35035 and 44662

CLOVIS UNIFIED SCHOOL DISTRICT

DISTRICT ORGANIZATION & GOALS

Organizational Charts & Functions

CHAIN OF COMMAND

PURPOSE: To specify the chain of command for district administration.

It is the policy of the Board that all matters related to the operation of the District be under the control of the Superintendent except where the law designates that responsibility to others.

In the absence or disability of the Superintendent, the Superintendent or Governing Board will appoint the Deputy Superintendent to act in his/her stead.

Adopted: 07/23/75
Revised: 02/08/84
Revised: 11/06/91
Revised: 05/25/94
Revised: 11/19/03
Reviewed: 09/08/05
Reviewed: 07/09/07
Reviewed: 08/27/08
Reviewed: 09/15/09
Revised: 08/08/12

CLOVIS UNIFIED SCHOOL DISTRICT

CURRICULUM SERVICES AND INNOVATIONS

Curriculum Management System

THE EDUCATIONAL MISSION

PURPOSE: To define the District's educational mission.

The mission of the Clovis Unified School District, in partnership with the Clovis Unified School District community, is to graduate high school students who will have the knowledge, skills, experiences, and attitudes necessary to participate in and contribute to our democratic society.

To assure that high school graduates possess the skills and knowledge to have successful experiences in higher education and the work place, a quality program of curriculum, instruction and assessment will be provided. This educational program will be based on the following philosophical assumptions:

1. A quality educational experience nurtures the growth and development of the whole student in mind, body and spirit.
2. All students are capable of learning to achieve at the proficient or advanced level of a standards-based curriculum.
3. Instructional practices will be differentiated to improve student learning.
4. Clearly defined standards and objectives will be used to guide instruction for increased student achievement.
5. Formative assessment will be used to inform and develop appropriate instructional practices.
6. Teachers will organize learning in a manner that facilitates students' mastery of course standards.

The Governing Board authorizes the Superintendent to develop, implement, and continuously improve a system of curriculum, instructional, and co-curricular management which supports the District's educational mission and assures a quality instructional program for the students of the District.

*Adopted: 6/21/95
Revised: 5/10/06
Reviewed: 8/4/08
Revised: 8/22/12*

CLOVIS UNIFIED SCHOOL DISTRICT

FACILITIES

Operations, Conservation and Maintenance

MAINTENANCE OF DISTRICT FACILITIES AND GROUNDS

PURPOSE: To require the maintenance of District facilities and grounds in good repair.

The Board recognizes that the fixed assets of the District represent a significant investment of the community, and the maintenance of these assets is a prime concern of the Board.

A. Inspection of District Facilities

The Board directs the conduct of a yearly facilities inspection system for the upkeep of all school buildings and equipment.

The primary purpose of the facilities inspection system is to ensure that the District's schools are kept in good repair, working order and condition. The term "good repair" as used here is defined in Education Code section 17002(d).

The Superintendent or designee shall develop and implement the facilities inspection system which shall include:

1. a regular review to determine whether all school facilities are in good repair as defined by Education Code section 17002(d),
2. a regular program of facilities repair and conditioning,
3. an equipment replacement program, and
4. the establishment of a system of priorities among the requests for repairs received from building principals.

B. Maintenance and Repair of Facilities and Grounds

The Superintendent or designee shall develop and disseminate to the staff such rules as may be necessary for the ongoing maintenance and good order of the physical plant and for the expeditious repair of those conditions which threaten the safety of the occupants or the integrity of the plant.

The Superintendent or designee is authorized to act on behalf of the Board to approve all landscaping plans.

In order to maintain good order and maintenance of District property, principals and/or site supervisors shall obtain the approval of the Assistant Superintendent-Facilities prior to purchasing all types of memorials, plaques, benches and/or plantings. Any such items, as well as the location for placement, must meet the specifications set forth by the Assistant Superintendent-Facilities. This includes any commemorative or memorial item requested by parent teacher clubs or community members and shall be appropriately marked. Following approval by the Assistant Superintendent-Facilities, a work order must be submitted to the Plant Operations Department for the proper installation or planting of the approved item.

If for any reason these items must be removed by the District, they will be replaced at District expense.

CLOVIS UNIFIED SCHOOL DISTRICT

C. Damage to District Facilities

Groups or persons using District facilities shall be liable for any property damages. In order to maintain the integrity of the physical plants, any major damage to painted surfaces, wood moldings, walls, backboards, ceilings, and/or other equipment caused by improper use of scotch tape, masking tape, or any other type of tape or adhesive, or by improper use of nails, tacks, thumbtacks, etc., shall be charged against the groups or persons found to be responsible for the damage or for authorizing actions that would result in damage. The Board shall charge the amount necessary to restore the damaged surface or equipment to its original condition and may deny the group or persons further use of District facilities.

D. Signs on District Property

1. The Superintendent or designee is authorized to cause suitable signs to be erected and placed in proper places in order to meet the requirements of applicable laws and codes.
2. Signs placed on District property by District personnel advertising co-curricular or other District-sponsored activities must be removed within five (5) days after the end of the event.
3. Placing signs on District property by outside organizations, groups or other members of the public without the permission of the Superintendent or designee is considered a misdemeanor as defined by the Penal Code and shall not be permitted. The Board authorizes the principal or site supervisor to remove any signs that are placed on District property without proper permission. (See Board Policy No. 3304 for the procedures for distributing advertising materials on school property.)

*Adopted: 7/23/75
Amended: 5/13/92
Amended: 12/15/04
Amended: 7/18/07
Amended: 11/5/08*

*Education Code 17002(d), 17070.75, 38134, 39292.5
5 Cal. Adm. Code 630, 630-1
Penal Code 556-556.4
Health & Safety Code 104420*

CLOVIS UNIFIED SCHOOL DISTRICT

HUMAN RESOURCES

Duties, Responsibilities & Rights of Employees

Health Management

PURPOSE: To establish a broad base for the Superintendent and staff to develop a health management program.

It is the intent of the Board that students, staff, and residents of the District enjoy optimum health.

The Board authorizes the Superintendent to develop a program of health management utilizing the resources of the District.

CLOVIS UNIFIED SCHOOL DISTRICT

SCHOOL COMMUNITY RELATIONS

Community Relations

PUBLIC ATTENDANCE AT DISTRICT EVENTS

PURPOSE: To maintain order and preserve District facilities during athletic and other public events held by the District

The Board welcomes the attendance of parents and members of the community at athletic and other public events held by the schools and District administration. To maintain order and preserve the facilities of the District during the conduct of such events, the Board has determined that all persons attending such events must treat each other and District facilities with respect and civility.

The Board declares as follows:

1. On-Site Public Events: Any person attending a public event at District facilities and hosted by a school and/or District administration shall comply with the School Visitors Policy (Board Policy No. 9202) and Civility Policy (Board Policy No. 9210). Any person who engages in conduct that violates the School Visitors Policy or Civility Policy shall be subject to the applicable procedures and actions set forth in those board policies. Further, the Superintendent or his/her designee(s) may bar any parent or member of the public who engages in conduct that violates the School Visitors Policy or the Civility Policy from attending future public events hosted by a school and/or District administration, whether they are held on or off District facilities.
2. Off-Site Public Events: Any person attending a public event hosted by a school and/or District administration at a location other than at District facilities shall comply with the Civility Policy (Board Policy No. 9210). Any person who engages in conduct that violates the Civility Policy shall be subject to the procedures and actions set forth therein. In addition to the procedures and actions set forth in the Civility Policy, the Superintendent or his/her designee(s) may take one or all of the following actions:
 - a. Direct any parent or member of the public who engages in unacceptable or disruptive behavior to promptly leave the premises where the public event is being held.
 - b. Notify and/or seek the assistance of law enforcement officials or private security personnel in resolving any incident involving a violation of the Civility Policy.
 - c. Bar any parent or member of the public who engages in unacceptable or disruptive behavior from attending future public events held by schools in the District and/or District administration, whether on or off District schools and facilities.
3. No Alcoholic Beverages and Illegal Betting: In compliance with the law, the Board directs that no alcoholic beverage be consumed at any function, event or activities, sponsored by the District, nor any illegal betting occur on District schools and premises.

CLOVIS UNIFIED SCHOOL DISTRICT

SCHOOL COMMUNITY RELATIONS

Community Relations

RELATIONS WITH SPECIAL INTEREST GROUPS

PURPOSE: To establish procedures to deal with special interest groups.

Prohibited Solicitations on School Premises

During school hours, and within one hour before the time of opening and within one hour after the time of closing of school, students of the public school shall not be solicited on school premises by teachers or others to subscribe or contribute to the funds of, to become members of, or to work for, any organization not directly under the control of the school authorities unless the organization is a nonpartisan, charitable organization:

1. Organized for charitable purposes by an act of Congress or under laws of the State;
 - a. the purpose of the solicitation is nonpartisan and charitable; and
 - b. the solicitation has been approved by the Superintendent or his/her designee.

Nothing in this section shall be construed as prohibiting the solicitation of students of the public school on school premises by students of that school for any otherwise lawful purpose.

Fund Raising Projects

No person shall solicit any other person to contribute to any fund or to purchase any item of personal property, upon the representation that the money received is to be used wholly or in part for the benefit of any public school or the student body of any public school, unless such person obtains the prior written approval of the Superintendent or his/her designee.

Activities Involving Students

In the case of community activities involving students, the Board recognizes the social and scholastic values that may be derived by students participating in various activities sponsored by community organizations, but specifies that in order to prevent unreasonable demand on the time and energies of students and staff, that requests for student participation in community sponsored activities must be made in writing to the site administrator and be approved by the Superintendent or his/her designee.

Any requests from civic institutions or special interest groups involving students in such activities as patriotic functions, contests, and exhibits must be carefully reviewed to ensure that such activities promote student interests without advancing the special interests of any particular group and that students participating do so voluntarily.

In the case of scholarships and prizes, the Board is appreciative of organizations which offer scholarships or prizes to deserving students in the District. But, in accepting the offer of such scholarships or prizes, the Board directs that the following guidelines must be observed:

CLOVIS UNIFIED SCHOOL DISTRICT

No information, either academic or personal, shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen or the parents of a student who is younger, in accordance with Board policy on student records. The type of scholarship or prize and any restrictions pertaining thereto shall be approved by the principal.

*Adopted: 7/23/75
Amended: 2/8/84
Amended: 1/8/86
Amended: 5/13/92
Amended: 12/15/04
Reviewed: 3/6/07
Reviewed: 10/1/08*

Education Code §51520 & 51521

CLOVIS UNIFIED SCHOOL DISTRICT

SCHOOL COMMUNITY RELATIONS

Governmental Agencies

ELECTIONS OFFICE RELATIONS

PURPOSE: To define the relationship of the Clovis Unified School District with the Elections Office.

If a city or county elections official specifically requests the use of a school building as a polling place, the Board shall allow its use for such purpose. The Board may authorize the use of school buildings as polling places on any election day, and may also authorize the use of school buildings, without cost, for the storage of voting machines and other vote-tabulating devices. If school will be in session, the Superintendent or designee shall identify to elections officials the specific areas of the school buildings not occupied by school activities that will be allowed for use as polling places.

When a school is used as a polling place, the Superintendent or designee shall provide the elections official a site with an adequate amount of space that will allow the precinct board to perform its duties in a manner that will not impede, interfere, or interrupt the normal process of voting and shall make a telephone line for Internet access available for use by local elections officials if so requested. He/she shall make a reasonable effort to ensure that the site is accessible to disabled persons.