



Fountain Valley School District

BOARD OF TRUSTEES
REGULAR MEETING

A G E N D A

Board Room
10055 Slater Avenue
Fountain Valley, CA

March 9, 2017

- CALL TO ORDER: 5:30PM
- ROLL CALL
- APPROVAL OF AGENDA

M ____
2nd ____
V ____

BOARD WORKSHOP

1. NEXT STEPS IN THE ISSUANCE OF GENERAL OBLIGATION BONDS

Assistant Superintendent of Business Services, Christine Fullerton, will be joined by Lori Raineri and Keith Weaver, from Government Financial Strategies Inc., to review and discuss the next steps in moving forward with the issuance of the District's General Obligation Bonds.

- PUBLIC COMMENTS

Speakers may address the Board of Trustees on Closed Session Items. Please comply with procedures listed on the goldenrod form "For Persons Wishing to Address the Board of Trustees" and give the form to the Executive Assistant.

- CLOSED SESSION

The Board of Trustees will retire into Closed Session to address the following:

- Personnel Matters: *Government Code 54957 and 54957.1*
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.

- Pupil Personnel: *Education Code 35146*

- Negotiations: *Government Code 54957.6*
Update and review of negotiations with the FVEA and CSEA Bargaining Units

Our mission is to promote a foundation for academic excellence, mastery of basic skills, responsible citizenship, and a desire by students to achieve their highest potential through a partnership with home and community.

with the Board's designated representative, Cathie Abdel.

- Public Employee Performance Evaluation: *Government Code Section 54957 & 54957.1*
The Board will meet in closed session to discuss the annual performance evaluation of the superintendent.
- OPEN SESSION: 7:00PM
- PLEDGE OF ALLEGIANCE will be led by Boy Scout Pack 1226.

SPECIAL PRESENTATIONS

2. RECOGNITION OF TAMURA SCHOOL PARENT VOLUNTEERS

It is an interest of the Board of Trustees to recognize outstanding parent volunteers who give generously of their time and talents to our schools. From Tamura School, the Board shall recognize and thank Christine Santana and Veronica Tran.

3. RECOGNITION OF OKA SCHOOL PARENT VOLUNTEERS

It is an interest of the Board of Trustees to recognize outstanding parent volunteers who give generously of their time and talents to our schools. From Oka School, the Board shall recognize and thank Diana Vanovereem and Alexis DeVries.

4. RECOGNITION OF TAMURA SCHOOL STUDENTS

It is an interest of the Board of Trustees to recognize students who display high achievement, improvement or extraordinary effort. The Board will recognize six outstanding students from Tamura School.

5. RECOGNITION OF OKA SCHOOL STUDENTS

It is an interest of the Board of Trustees to recognize students who display high achievement, improvement or extraordinary effort. The Board will recognize six outstanding students from Oka School.

- RECESS

6. PRESENTATION OF REPORT AND RECOMMENDATION OF SURPLUS PROPERTY "7-11" COMMITTEE REGARDING CROSSROADS PROPERTY

Members of the Surplus Property "7-11" Committee will present to the Board of Trustees their report and recommendation regarding the Crossroads Property.

STAFF REPORTS AND PRESENTATIONS**7. SECOND INTERIM REPORT PRESENTATION (WRITTEN AND ORAL)**

Assistant Superintendent, Business, Chris Fullerton and Director, Fiscal Services, Isidro Guerra will present and review with the Board of Trustees the Second Interim Report for the Fountain Valley School District.

BOARD REPORTS AND COMMUNICATIONS

Board Members will make the following reports and communicate information to fellow Board Members and staff.

PUBLIC COMMENTS

Members of the community and staff are welcome to address the Board of Trustees on any item listed on the Agenda of Business or any other item of specific concern. Speakers are requested to limit their presentation to four minutes unless the time is waived by a majority of the Board Members present. If a member of the audience requests a response to their comments, the Board of Trustees may ask the Superintendent/Staff to respond to them personally or in writing after the meeting, or direct that additional information be provided to the Board on a future agenda.

*** BOARD MEMBERS WHO WISH TO DISCUSS WITH STAFF ANY ITEMS LISTED UNDER LEGISLATIVE SESSION SHOULD INFORM THE BOARD PRESIDENT AT THIS TIME.

LEGISLATIVE SESSION**8. BOARD POLICY 3470 DEBT ISSUANCE AND MANAGEMENT (FIRST READING)**

M ____
2nd ____
V ____

Board Policy 3470 is a new policy, the need of which originated through the amendment of Government Code 8855.

Superintendent's Recommendation: It is recommended that the Board of Trustees approves new Board Policy 3470 Debt Issuance and Management for first reading, with necessary changes as indicated by the Board of Trustees.

9. NEW BOARD POLICY 5116.2 INVOLUNTARY STUDENT TRANSFERS (FIRST READING)

M ____
2nd ____
V ____

Senate Bill 1343 authorizes districts to involuntarily transfer a student who has been convicted of a violent felony as defined in Penal Code 667.5(c) or a misdemeanor associated with possession of a firearm as specified in Penal Code 29805, whenever the student is enrolled at the same school as a student who was a

victim of the crime. This policy is new, and is intended to outline the process the District will take in the process of involuntary transferring students through our School Attendance Review Board process.

Superintendent's Recommendation: It is recommended that the Board of Trustees approves new Board Policy 5116.2 Involuntary Student Transfers for first reading, with necessary changes as indicated by the Board of Trustees.

**10. BOARD POLICY 4030 NON DISCRIMINATION IN EMPLOYMENT
(FIRST READING)**

M ____
2nd ____
V ____

The revisions noted in Board Policy 4030 reflect changes in regulations and laws related to the responsibility of the employer to provide a work environment free of discrimination.

Superintendent's Recommendation: It is recommended that the Board of Trustees approves the revisions to Board Policy 4030 Nondiscrimination in Employment for first reading, with necessary changes as indicated by the Board of Trustees.

**11. APPROVAL OF ADDENDUM TO EMPLOYMENT CONTRACT FOR
ASSISTANT SUPERINTENDENT, PERSONNEL**

M ____
2nd ____
V ____

Superintendent's Recommendation: It is recommended that the Board of Trustees approves the addendum to the employment contract for the position of Assistant Superintendent, Personnel with Cathie Abdel.

**12. APPROVAL OF ADDENDUM TO EMPLOYMENT CONTRACT FOR
ASSISTANT SUPERINTENDENT, BUSINESS SERVICES**

M ____
2nd ____
V ____

Superintendent's Recommendation: It is recommended that the Board of Trustees approves the addendum to the employment contract for the position of Assistant Superintendent, Business Services with Christine Fullerton.

**13. APPROVAL FOR EMPLOYMENT CONTRACT FOR ASSISTANT
SUPERINTENDENT, EDUCATIONAL SERVICES**

M ____
2nd ____
V ____

Superintendent's Recommendation: It is recommended that the Board of Trustees approves the employment contract for the position of Assistant Superintendent, Educational Services with Steve McLaughlin, Ed.D.

**14. APPOINT MEMBERS OF CITIZEN'S BOND OVERSIGHT
COMMITTEE (CBOC)**

M ____
2nd ____
V ____

Superintendent's Recommendation: It is recommended that the Board of Trustees appoints the members of the Citizens' Bond Oversight Committee as presented at the meeting.

15. **NEW BOARD POLICY 5141.33 HEAD LICE (SECOND READING AND ADOPTION)** M ____
2nd ____
V ____
- Superintendent's Recommendation: It is recommended that new Board Policy 5141.33 Head Lice be approved for second reading and adoption, with necessary changes as indicated by the Board of Trustees.
16. **BOARD POLICY 5030 STUDENT WELLNESS (SECOND READING AND ADOPTION)** M ____
2nd ____
V ____
- Superintendent's Recommendation: It is recommended that the Board of Trustees approves the revisions to Board Policy 5030 Student Wellness for second reading and adoption, with necessary changes as indicated by the Board of Trustees.
17. **BOARD POLICY 6164.6 IDENTIFICATION AND EDUCATION UNDER SECTION 504 (SECOND READING AND ADOPTION)** M ____
2nd ____
V ____
- Superintendent's Recommendation: It is recommended that the Board of Trustees approves the revisions to Board Policy 6164.6 Identification and Education Under Section 504 for second reading and adoption, with necessary changes as indicated by the Board of Trustees.
18. **RESOLUTION 2017-15: ACCEPTANCE OF SURPLUS PROPERTY ADVISORY COMMITTEE FINAL REPORT AND RECOMMENDATION** M ____
2nd ____
V ____
- Superintendent's Recommendation: It is recommended that the Board of Trustees adopts Resolution 2017-15 Accepting Surplus Property Advisory Committee Final Report and Recommendation.
19. **APPROVAL OF 2016-17 SECOND INTERIM REPORT** M ____
2nd ____
V ____
- School districts are required to complete two interim financial reports during a fiscal year, the first as of October 31 and second as of January 31. The Interim Reports are filed with the County Department of Education and the State Controller's Office. School districts must conduct a review of their interim reports in accordance with state-adopted Criteria and Standards.
- Superintendent's Recommendation: It is recommended that the Board of Trustees approves the 2016-17 Second Interim Report.
20. **CONSENT CALENDAR/ROUTINE ITEMS OF BUSINESS** M ____
2nd ____
V ____
- All items listed under the Consent Calendar and Routine Items of Business are considered by the Board of Trustees to be routine and will be enacted by the Board in one action. There will be no discussion of these items prior to the time

the Board votes on the motion unless members of the Board, staff, or public request specific items to be discussed and/or removed from the Consent Calendar.

Superintendent's Recommendation: The Board of Trustees approves all items listed under the Consent Calendar and Routine Items of Business in one action.

Routine Items of Business

- 20-A.** Board Meeting Minutes from January 26 special meeting
- 20-B.** Board Meeting Minutes from February 4 special meeting
- 20-C.** Board Meeting Minutes from February 6 special meeting
- 20-D.** Board Meeting Minutes from February 16 regular meeting
- 20-E.** Personnel Items (Employment Functions, Workshops/Conferences, and Consultants)
- 20-F.** Donations
- 20-G.** Warrants
- 20-H.** Purchase Order Listing
- 20-I.** Budget Adjustments

Consent Items**20-J. SINGLE PLANS FOR STUDENT ACHIEVEMENT**

Superintendent's Comments: It is recommended that the Board of Trustees approves the School Plans for Student Achievement for Newland, Oka, Plavan, Talbert and Tamura Schools.

20-K. PURCHASE OF CHROMEBOOKS DISTRICTWIDE

Superintendent's Comments: It is recommended that the Board of Trustees awards the contract to HP, Inc. for the purchase of Chromebooks pursuant to Master Agreement No. MNNVP-133 awarded by the State of Minnesota in association with NASPO/WSCA and approved for usage in California pursuant to California Participating Addendum No. 7-15-70-34-001 utilizing approved HP, Inc. fulfillment partner, Sehi Computer Products, Inc.

20-L. APPROVAL OF CONTRACT WITH EDUCATIONAL MANAGEMENT SOLUTIONS

Superintendent's Comments: It is recommended that the Board of Trustees approves the contract with Educational Management Solutions for completion of a classification study in the Fountain Valley School District in the amount of \$48,995.

20-M. APPROVAL OF 2017 SPECIAL EDUCATION EXTENDED SCHOOL YEAR PROGRAM (ESY) AND AUGUST PROGRAM

Superintendent's Comments: It is recommended that the Board of Trustees approves the Extended School Year Program at Plavan Elementary School and August Program at Newland Elementary School.

SUPERINTENDENT'S COMMENTS/NEW ITEMS OF BUSINESS

The Board President will receive any announcements concerning new items of business from board members or the superintendent.

- CLOSED SESSION
- APPROVAL TO ADJOURN

The next regular meeting of the Fountain Valley School District Board of Trustees is on Thursday, April 13, 2017 at 7:00pm.

A copy of the Board Meeting agenda is posted on the District's web site (www.fvssd.us). Materials related to this agenda submitted to the Board of Trustees less than 72 hours prior to the meeting are available for public inspection by contacting the Superintendent's Office at 10055 Slater Avenue, Fountain Valley, CA 92708 or call 714.843.3255 during normal business hours.

Regular Board meeting proceedings are tape recorded.

Reasonable Accommodation for any Individual with a Disability: Any individual with a disability who requires reasonable accommodation to participate in a board meeting may request assistance by contacting the Superintendent's office: 10055 Slater Avenue, Fountain Valley, CA 92708 or call (714) 843-3255 or FAX (714) 841-0356.

Board meeting of March 9, 2017



Fountain Valley School District
Business Services Division

MEMORANDUM

TO: Board of Trustees
FROM: Christine Fullerton, Assistant Superintendent, Business Services
SUBJECT: **NEXT STEPS IN THE ISSUANCE OF GENERAL OBLIGATION BONDS**
DATE: March 6, 2017

Background:

Assistant Superintendent of Business Services, Christine Fullerton, will be joined by Lori Raineri and Keith Weaver, from Government Financial Strategies Inc., to review and discuss the next steps in moving forward with the issuance of the District's General Obligation Bonds.



SO 16-17/B17-38
Fountain Valley School District
Superintendent's Office

M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Ed.D., Superintendent
SUBJECT: **RECOGNITION OF PARENT VOLUNTEERS: TAMURA SCHOOL**
DATE: March 6, 2017

Background:

It is an interest of the Board of Trustees to acknowledge parent volunteers from all our school sites. At this board meeting, parent volunteers from Tamura School will be recognized.

Volunteers are selected by the principal and/or Parent Teacher unit at the school and are honored for their diligent and loyal commitment to students and staff. Any of the following criteria may be considered when a school selects its volunteers for recognition by the Board of Trustees:

- The person selected has shown a consistent commitment to the school.
- The person selected is dependable.
- The person selected has performed acts of service which genuinely aid school staff such as: serving as room parent; performing bookkeeping or tallying for fund raising activities; serving as a volunteer for music, art or theater presentations; assisting in a classroom, the library or student store; or serving as a chaperone for school activities.
- The person selected can be counted on to see a project through to its conclusion.
- The person selected has regularly performed a service that provides special mentoring, support or motivation to one or more students.

I am proud to name the outstanding and deserving volunteers being recognized from Tamura School:

Tamura School

♥ Christine Santana
♥ Veronica Tran



SO 16-17/B17-39
Fountain Valley School District
Superintendent's Office

M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Ed.D., Superintendent
SUBJECT: **RECOGNITION OF PARENT VOLUNTEERS: OKA SCHOOL**
DATE: March 6, 2017

Background:

It is an interest of the Board of Trustees to acknowledge parent volunteers from all our school sites. At this board meeting, parent volunteers from Oka School will be recognized.

Volunteers are selected by the principal and/or Parent Teacher unit at the school and are honored for their diligent and loyal commitment to students and staff. Any of the following criteria may be considered when a school selects its volunteers for recognition by the Board of Trustees:

- The person selected has shown a consistent commitment to the school.
- The person selected is dependable.
- The person selected has performed acts of service which genuinely aid school staff such as: serving as room parent; performing bookkeeping or tallying for fund raising activities; serving as a volunteer for music, art or theater presentations; assisting in a classroom, the library or student store; or serving as a chaperone for school activities.
- The person selected can be counted on to see a project through to its conclusion.
- The person selected has regularly performed a service that provides special mentoring, support or motivation to one or more students.

I am proud to name the outstanding and deserving volunteers being recognized from Oka School:

Oka School

♥ Diana Vanovereem
♥ Alexis DeVries



Fountain Valley School District
Educational Services

M E M O R A N D U M

TO: Board of Trustees
FROM: Steve McLaughlin, Ed.D., Assistant Superintendent, Educational Services
SUBJECT: **STUDENT RECOGNITION PROGRAM**
DATE: February 24, 2017

Background:

One of the interests of the Board of Trustees is to broaden their recognition program to include students demonstrating improvement in a variety of areas and levels. Each elementary school will recognize one student per grade level and each middle school two students per grade level. Students will be selected by their principal and teachers based on the following criteria:

- extraordinary effort
- achievement
- improvement

At the Board Meeting on March 9, 2017, the following six students from **Tamura** will be recognized:

Kindergarten
First Grade
Second Grade
Third Grade
Fourth Grade
Fifth Grade

Mackenzie James-Wong
Rubygrace Fauscette
James Hatcher
Suri Le
Kelly Zebarth
Amberlyn Stone



Fountain Valley School District
Educational Services

M E M O R A N D U M

TO: Board of Trustees
FROM: Steve McLaughlin, Ed.D., Assistant Superintendent, Educational Services
SUBJECT: **STUDENT RECOGNITION PROGRAM**
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Background:

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- extraordinary effort
- achievement
- improvement

At the Board Meeting on March 9, 2017, the following six students from **Oka will be recognized:**

Kindergarten
First Grade
Second Grade
Third Grade
Fourth Grade
Fifth Grade

Jesus Rojas
Ethan Hayes
Avery Williams
Shalimar Aaron
Ilona Vivanco
Hieu Nguyen

Board meeting of March 9, 2017



SO 16-17/B17-39
Fountain Valley School District
Superintendent's Office

M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Ed.D., Superintendent
SUBJECT: **PRESENTATION OF REPORT AND RECOMMENDATION OF
SURPLUS PROPERTY "7-11" COMMITTEE REGARDING
CROSSROADS PROPERTY**
DATE: March 6, 2017

Background:

Members of the Surplus Property "7-11" Committee will present to the Board of Trustees their report and recommendation regarding the Crossroads Property.

Board meeting of March 9, 2017



SO 16-17/B17-39
Fountain Valley School District
Superintendent's Office

M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Ed.D., Superintendent
SUBJECT: **SECOND INTERIM REPORT PRESENTATION (WRITTEN AND ORAL)**
DATE: March 6, 2017

Background:

Assistant Superintendent, Business, Chris Fullerton and Director, Fiscal Services, Isidro Guerra will present and review with the Board of Trustees the Second Interim Report for the Fountain Valley School District.



Fountain Valley School District
Business Services Division

M E M O R A N D U M

TO: Board of Trustees
FROM: **Christine Fullerton, Assistant Superintendent Business Services**
SUBJECT: **BOARD POLICY 3470 DEBT ISSUANCE AND MANAGEMENT
(FIRST READING)**
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts. Board Policy 3470 is a new policy, the need of which originated through the amendment of Government Code 8855.

Government Code 8855, as amended by SB 1029, mandates that the Governing Board adopt a debt management policy prior to issuing any debt, such as general obligation bonds, tax and revenue anticipation notes (TRANs), and certificates of participation. The policy must include (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district's capital improvement program or budget, if applicable; (4) policy goals related to the district's planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

Fiscal Impact:

There is no fiscal impact associated with the revision of Board Policy 3470 Debt Issuance and Management.

Recommendation:

It is recommended that the Board of Trustees approves the revisions to Board Policy 3470 Debt Issuance and Management for first reading, with necessary changes as indicated by the Board of Trustees.

DEBT ISSUANCE AND MANAGEMENT

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

(cf. 3000 - Concepts and Roles)

(cf. 3460 - Financial Reports and Accountability)

(cf. 7110 - Facilities Master Plan)

(cf. 7210 - Facilities Financing)

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 9270 - Conflict of Interest)

DEBT ISSUANCE AND MANAGEMENT (continued)

Goals

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt
10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

(cf. 0000 - Vision)

(cf. 0200 - Goals for the School District)

(cf. 7000 - Concepts and Roles)

DEBT ISSUANCE AND MANAGEMENT (continued)

Authorized Purposes for the Issuance of Debt

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
 - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
 - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)

DEBT ISSUANCE AND MANAGEMENT (continued)

- c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
 - 2. Long-Term Debt
 - a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)
- (cf. 7214 - General Obligation Bonds)*
- 3. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
 - b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
 - 4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
 - 5. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

DEBT ISSUANCE AND MANAGEMENT (continued)

Relationship of Debt to District Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

Structure of Debt Issues

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

DEBT ISSUANCE AND MANAGEMENT (continued)

Method of Sale

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates
3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

(cf. 3430 - Investing)

Investment of Proceeds

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

DEBT ISSUANCE AND MANAGEMENT (continued)

Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

(cf. 3314 - Payments for Goods and Services)

(cf. 3400 - Management of District Assets/Accounts)

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

DEBT ISSUANCE AND MANAGEMENT (continued)

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.



Fountain Valley School District
Support Services Department

M E M O R A N D U M

TO: Board of Trustees
From: Cara Robinson, Director Support Services
SUBJECT: NEW BOARD POLICY 5116.2 INVOLUNTARY STUDENT TRANSFERS (FIRST READING)
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts.

Senate Bill 1343 authorizes districts to involuntarily transfer a student who has been convicted of a violent felony as defined in Penal Code 667.5(c) (including, but not limited to, attempted murder, rape, assault, kidnapping, and robbery) or a misdemeanor associated with possession of a firearm as specified in Penal Code 29805, whenever the student is enrolled at the same school as a student who was a victim of the crime.

This policy is new, and is intended to outline the process the District will take in the process of involuntary transferring students through our School Attendance Review Board process.

Fiscal Impact:

There is no fiscal impact associated with the revision of Board Policy 5116.2 Involuntary Student Transfers.

Recommendation:

It is recommended that the Board of Trustees approves new Board Policy 5116.2 Involuntary Student Transfers for first reading, with necessary changes as indicated by the Board of Trustees.

INVOLUNTARY STUDENT TRANSFERS

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5116.1 - Intradistrict Open Enrollment)

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

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

(cf. 6173.3 - Education for Juvenile Court School Students)

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

Students Convicted of Violent Felony or Misdemeanor

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 6164.2 - Guidance and Counseling Services)

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

(cf. 9321 - Closed Session Purposes and Agendas)

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Other Involuntary Transfers

Students may be involuntarily transferred under either of the following circumstances:

If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (Education Code 48662)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6185 - Community Day School)



Fountain Valley School District
Personnel Department

M E M O R A N D U M

TO: Board of Trustees
FROM: Cathie Abdel, Assistant Superintendent, Personnel
SUBJECT: **Board Policy 4030 NON DISCRIMINTAION IN EMPLOYMENT
(FIRST READING)**
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts.

The revisions noted in Board Policy 4030 reflect changes in regulations and laws related to the responsibility of the employer to provide a work environment free of discrimination.

Fiscal Impact:

There is no fiscal impact associated with the revision of Board Policy 4030 Nondiscrimination in Employment.

Recommendation:

It is recommended that the Board of Trustees approves the revisions to Board Policy 4030 Nondiscrimination in Employment for first reading, with necessary changes as indicated by the Board of Trustees.

NONDISCRIMINATION IN EMPLOYMENT

The Board of Trustees desires to provide **district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.** ~~a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation.~~

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

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

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

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

(cf. 5145.7 - Sexual Harassment)

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

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

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

NONDISCRIMINATION IN EMPLOYMENT (continued)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment

2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training

(cf. 4151/4251/4351 - Employee Compensation)

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

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status

(cf. 4033 - Lactation Accommodation)

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

b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease) **d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith,**

NONDISCRIMINATION IN EMPLOYMENT (continued)

interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

(cf. 4032 - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

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

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

NONDISCRIMINATION IN EMPLOYMENT (continued)

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

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

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

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

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

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

Assistant Superintendent, Personnel
10055 Slater Avenue
Fountain Valley, CA 92708
(714) 843-3231

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

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)

NONDISCRIMINATION IN EMPLOYMENT (continued)

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

Training and Notifications

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

~~(cf. 4131 Staff Development)~~

~~(cf. 4231 Staff Development)~~

~~(cf. 4331 Staff Development)~~



Fountain Valley School District
Superintendent's Office
M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Superintendent
SUBJECT: **APPROVAL OF ADDENDUM TO EMPLOYMENT CONTRACT
FOR ASSISTANT SUPERINTENDENT, PERSONNEL**
DATE: March 6, 2017

Background:

The Board of Trustees approved a 2% salary increase, retroactive to July 1, 2016, and a one-time 1% off schedule payment for Management. The addendum to the contract for employment of Assistant Superintendent, Personnel, Cathie Abdel, reflects the 2016-17 salary increase and is extended through June 30, 2020. The addendum is presented to the Board of Trustees for approval.

Recommendation:

It is recommended that the Board of Trustees approves the addendum to the employment contract for the position of Assistant Superintendent, Personnel with Cathie Abdel.

FOUNTAIN VALLEY SCHOOL DISTRICT
ADDENDUM TO
AGREEMENT OF EMPLOYMENT
OF ASSISTANT SUPERINTENDENT, PERSONNEL
CATHIE ABDEL

WHEREAS, the Fountain Valley School District and its Assistant Superintendent, Personnel, Cathie Abdel, are parties to an Agreement of Employment dated June 16, 2016, which describes the Assistant Superintendent's term of employment and annual base salary, among other terms and conditions of employment; and

WHEREAS, the Governing Board of the District hereby (1) extends the term of the contract and (2) approves a salary increase for the Assistant Superintendent.

NOW THEREFORE:

The Fountain Valley School District and Assistant Superintendent Cathie Abdel agree to the following addendum to the Agreement of Employment dated June 16, 2016.

The Agreement of Employment is incorporated into this Addendum by this reference.

Except as stated herein, all current terms of employment remain in full force and effect, as amended by this Addendum.

1. The term of the Assistant Superintendent's employment is extended to June 30, 2020 upon action of the Board of Trustees on March 9, 2017.
2. Assistant Superintendent's annual salary is increased by 2% to \$178,959 annually, retroactive to July 1, 2016, for 245 duty days per year, payable in 12 equal monthly payments. Where only a portion of a year is served, compensation shall be prorated.

Additionally, for the 2016-2017 school year only, Assistant Superintendent shall receive a 1% increase of \$1,754.50. Total compensation for the 2016-2017 school year shall be \$180,713.50.

IN WITNESS WHEREOF, the parties hereto have duly approved and executed this Addendum on this ____ day of March, 2017.

ACCEPTED:

Cathie Abdel

Date: _____

**MEMBERS OF THE GOVERNING BOARD OF
THE FOUNTAIN VALLEY SCHOOL DISTRICT**

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

Date of Board of Trustees approval in open session: _____



Fountain Valley School District
Superintendent's Office
M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Superintendent
SUBJECT: **APPROVAL OF ADDENDUM TO EMPLOYMENT CONTRACT
FOR ASSISTANT SUPERINTENDENT, BUSINESS**
DATE: March 6, 2017

Background:

The Board of Trustees approved a 2% salary increase, retroactive to July 1, 2016, and a one-time 1% off schedule payment for Management. The addendum to the contract for employment of Assistant Superintendent, Business, Christine Fullerton, reflects the 2016-17 salary increase and is extended through June 30, 2020. The addendum is presented to the Board of Trustees for approval.

Recommendation:

It is recommended that the Board of Trustees approves the addendum to the employment contract for the position of Assistant Superintendent, Business with Christine Fullerton.

FOUNTAIN VALLEY SCHOOL DISTRICT
ADDENDUM TO
AGREEMENT OF EMPLOYMENT
OF ASSISTANT SUPERINTENDENT, BUSINESS SERVICES
CHRISTINE FULLERTON

WHEREAS, the Fountain Valley School District and its Assistant Superintendent, Business Services, Christine Fullerton, are parties to an Agreement of Employment dated June, 2016, which describes the Assistant Superintendent's term of employment and annual base salary, among other terms and conditions of employment; and

WHEREAS, the Governing Board of the District hereby (1) extends the term of the contract and (2) approves a salary increase for the Assistant Superintendent.

NOW THEREFORE:

The Fountain Valley School District and Assistant Superintendent Christine Fullerton agree to the following addendum to the Agreement of Employment dated June 16, 2016.

The Agreement of Employment is incorporated into this Addendum by this reference.

Except as stated herein, all current terms of employment remain in full force and effect, as amended by this Addendum.

1. The term of the Assistant Superintendent's employment is extended to June 30, 2020 upon action of the Board of Trustees on March 9, 2017.
2. Assistant Superintendent's annual salary is increased by 2% to \$192,747 annually, retroactive to July 1, 2016, for 245 duty days per year, payable in 12 equal monthly payments. Where only a portion of a year is served, compensation shall be prorated.

Additionally, for the 2016-2017 school year only, Assistant Superintendent shall receive a 1% increase of \$1,889.68. Total compensation for the 2016-2017 school year shall be \$194,636.68.

IN WITNESS WHEREOF, the parties hereto have duly approved and executed this Addendum on this ____ day of March, 2017.

ACCEPTED:

Christine Fullerton

Date: _____

**MEMBERS OF THE GOVERNING BOARD OF
THE FOUNTAIN VALLEY SCHOOL DISTRICT**

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

DATE:_____

By:_____

Date of Board of Trustees approval in open session: _____



Fountain Valley School District
Superintendent's Office
M E M O R A N D U M

TO: Board of Trustees
FROM: Mark Johnson, Superintendent
SUBJECT: **APPROVAL OF EMPLOYMENT CONTRACT FOR ASSISTANT
SUPERINTENDENT, EDUCATIONAL SERVICES**
DATE: March 6, 2017

Background:

The Board of Trustees approved a 2% salary increase, retroactive to July 1, 2016, and a one-time 1% off schedule payment for Management. The new contract for employment of Assistant Superintendent, Educational Services, Steve McLaughlin, Ed.D., reflects the 2016-17 salary increase and is extended through June 30, 2020. The contract is presented to the Board of Trustees for approval.

Recommendation:

It is recommended that the Board of Trustees approves the employment contract for the position of Assistant Superintendent, Educational Services with Steve McLaughlin, Ed.D.

AGREEMENT OF EMPLOYMENT OF ASSISTANT SUPERINTENDENT,
EDUCATIONAL SERVICES

This agreement is made by and between FOUNTAIN VALLEY SCHOOL DISTRICT, located in the County of Orange, State of California ("District"), acting through its Board of Trustees ("Board") and Steve McLaughlin, Ed.D. ("Assistant Superintendent"), and is made with reference to the following facts:

A. Pursuant to Education Code section 35031, Board desires to employ an individual who is credentialed and qualified to serve as Assistant Superintendent, Educational Services, for the District.

B. Assistant Superintendent possesses the credentials and qualifications necessary to provide such services.

C. This Agreement is subject to all applicable laws of the United States and the State of California, the rules and regulations of the California State Board of Education, and the rules and regulations of the District. Said laws, rules, and regulations are hereby made a part of the terms and conditions of this Agreement as though herein set forth.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the parties as follows:

1. Assistant Superintendent shall be employed pursuant to this Agreement for a term commencing on July 1, 2016 and continuing to June 30, 2020 upon action of the Board of Trustees on March 9, 2017.

2. Assistant Superintendent hereby agrees to devote his time, skills, labor and attention to said employment as directed by the Superintendent during the term of this Agreement, provided, however, that Assistant Superintendent may undertake outside activities consisting of consulting work, speaking engagements, lecturing and other similar professional activities for consideration, consistent with Board policy, as long as those activities do not interfere with Assistant Superintendent's performance of his duties for the District.

3. Retroactive to July 1, 2016, Board shall pay to Assistant Superintendent an annual salary of \$175,893 for 245 duty days per year, payable in 12 equal monthly payments. Where only a portion of a year is served, compensation shall be prorated. Additionally, for the 2016-2017 school year only, Assistant Superintendent shall receive a 1% increase of \$1,724.44. Upon receipt of an overall satisfactory annual performance evaluation for the 2016-2017 school year pursuant to paragraph 7 of this Agreement, Assistant Superintendent's base salary shall be increased by \$7,500

effective July 1, 2017. Assistant Superintendent shall receive a doctoral stipend of \$3,000 annually, on the same terms as other members of the District's management team.

4. Board will annually review and discuss the salary, including benefits, of Assistant Superintendent during the term of this Agreement in order to provide a competitive and attractive salary to Assistant Superintendent and to reflect the quality of services rendered by Assistant Superintendent. Board retains the right to increase the salary of Assistant Superintendent at any time during the term of this Agreement, any said adjustment to be effective upon the date as established by Board consistent with Education Code section 45022. If the compensation of other members of the District management team is reduced by a specified percentage for a given school year, the Assistant Superintendent's salary shall likewise be decreased to the same extent as of the same date the reduction takes effect for other members of the management team. Any adjustment in salary shall be made in open session of a regular Board meeting. Any amendment to the salary provisions of this Agreement shall not be deemed a new contract with Assistant Superintendent, and shall not extend the termination date of this Agreement.

5. During the term of this Agreement, Assistant Superintendent shall be entitled to such health and other fringe benefits provided to the certificated bargaining unit employees of the District. Assistant Superintendent shall receive 24 working days of vacation annually, exclusive of holidays and weekends, and shall be entitled to 1.00 days of sick leave per month (12 days annually).

Beginning July 1, 2017 and thereafter, Assistant Superintendent may accumulate a maximum of 48 vacation days, and in the event this maximum is accumulated, Assistant Superintendent shall cease to accrue vacation days until the number of days is reduced below the maximum. Beginning with the 2018-2019 school year, a maximum of 24 days of accrued and unused vacation may be carried over into a subsequent school year, except with the express approval of the Superintendent.

In the event of termination of this Agreement, Assistant Superintendent shall be entitled to compensation for unused vacation up to a maximum of 48 days at the salary rate on the effective date of termination. Earned sick leave shall be accumulated as provided by state law and Board policy.

6. Assistant Superintendent, during the term of this Agreement, shall perform those duties provided by law, any established job description, or as directed by Superintendent. Assistant Superintendent shall perform such duties and responsibilities in a manner satisfactory to

Superintendent. Moreover, Assistant Superintendent shall not engage in any conduct described in Education Code section 44932.

7. Superintendent shall review Assistant Superintendent's performance at least annually by means of a written evaluation. By July 31 of each year during the term of this Agreement, Superintendent and Assistant Superintendent shall meet to establish goals and objectives for job performance, and a timeline for the evaluation process. The written evaluation shall be prepared by the Superintendent, on or before June 15 each year, and shall be based upon but not limited to the Assistant Superintendent's performance of duties and responsibilities contained in any job description as well as written goals and objectives established for Assistant Superintendent by Superintendent, after a meeting with Assistant Superintendent. The format of the written evaluation shall be devised by Superintendent, with input from Assistant Superintendent. The written evaluation shall be discussed with Assistant Superintendent, and a subsequent written summary of that discussion shall be provided to Assistant Superintendent. The lack of an evaluation or adherence to the timelines in this paragraph in any year shall not preclude the Board from renewing, extending, or terminating this Agreement, or from adjusting the Assistant Superintendent's compensation as provided in this Agreement.

8. On or before June 30, 2019, the Superintendent will recommend to the Board, and the Board will duly discuss and consider, whether this Agreement should be extended for one or more additional years. Any amendment extending the term of this Agreement must be approved by the Board.

9. Subject to prior approval of the District's governing board or in accordance with Board policy, Assistant Superintendent shall attend meetings at the local, state and national levels, and, with the advance written approval of the Superintendent, may join such other professional and service organizations and associations which will benefit the District.

10. The District and Assistant Superintendent may, by mutual agreement expressed in writing, terminate this Agreement at any time. The party initiating termination by mutual agreement shall provide to the other party written notice of the request to terminate the Agreement at least 30 days before the proposed termination date.

The Board may, unilaterally and without cause, terminate this Agreement and the Assistant Superintendent's employment. In consideration of the Board's right to terminate this Agreement without cause, the Board shall pay the Assistant Superintendent's then current salary for the remainder of the Agreement or 12 months, whichever is less, consistent with Government Code

sections 53260 and 53261. This provision shall not operate to divest the Assistant Superintendent or preclude him from receipt of any vested benefits he may otherwise be entitled to as a result of his tenure with the District. Upon termination of this Agreement pursuant to this paragraph, the Assistant Superintendent shall continue to receive the health benefits to which he was previously entitled, but not to exceed the above 12-month period, or until the Assistant Superintendent finds other employment, whichever occurs first in accordance with Government Code section 53261.

The Board may terminate the Assistant Superintendent for material breach of this Agreement or for cause based on any of the grounds set forth in Education Code sections 44932 and 44939. In such event, and notwithstanding the procedural provisions of Education Code sections 44932 et seq., the Assistant Superintendent shall receive a statement of charges setting forth the basis for this termination and be provided an opportunity to respond to the Board in closed session. The Assistant Superintendent shall have the right, at his own expense, to have a representative of his choice at the conference with the Board. The conference with the Board shall be the Assistant Superintendent's exclusive right to any hearing otherwise required by law.

Notwithstanding any other provision of this Agreement or the policies and regulations of the Board, the Board may elect not to renew this Agreement and/or not to reemploy the Assistant Superintendent upon expiration of this Agreement pursuant to Education Code section 35031. In such event, the Board shall provide the Assistant Superintendent with 45 days' written notice in advance of the expiration of his term of employment. If such written notice is not provided, the Assistant Superintendent is deemed reemployed for an additional one-year term under the same terms and conditions as set forth in this Agreement. Assistant Superintendent shall provide the Board with written notice of the provisions of this Paragraph at least 90 calendar days in advance of the expiration of this Agreement. Assistant Superintendent's failure to provide such written notice shall constitute a material breach of this Agreement.

11. Board agrees that it shall defend, hold harmless and indemnify Assistant Superintendent from any and all demands, claims, suits, actions, and legal proceedings brought against Assistant Superintendent in his individual capacity, for any acts arising out of his employment, or in his official capacity as agent and employee of the District, except for civil, criminal or administrative actions initiated by the Board itself, provided that the incident arose while Assistant Superintendent was acting within the scope of his employment, and did not act or fail to act because of actual fraud, corruption or malice. Nothing herein shall be construed to prohibit the District from accepting the defense of any matter under reservation of rights as

permitted by Government Code section 825. Assistant Superintendent agrees to reasonably cooperate in good faith in the defense of any claim or action. This paragraph shall not be construed to provide for the expenditure of funds for the criminal defense of Assistant Superintendent.

12. Regardless of the term of this Agreement, if the Agreement is terminated, any cash settlement that Assistant Superintendent may receive shall be fully reimbursed to the District if Assistant Superintendent is convicted of a crime involving an abuse of his office or position.

13. If any provision(s) of this Agreement is/are held to be contrary to law by a court of competent jurisdiction, such provision(s) shall not be deemed valid and subsisting except to the extent permitted by law, but all other provision(s) of this Agreement shall continue in full force and effect.

14. This Agreement shall supersede and replace all prior agreements between the parties.

IN WITNESS WHEREOF, the parties have entered into this Agreement this 9th day of March, 2017.

FOUNTAIN VALLEY SCHOOL DISTRICT
BOARD OF TRUSTEES

Mark Johnson
Superintendent
Secretary, Board of Trustees

Dr. Steve McLaughlin
Assistant Superintendent, Educational Services



Fountain Valley School District
Business Service Division

MEMORANDUM

TO: Board of Trustees
FROM: Christine Fullerton, Assistant Superintendent Business Services
SUBJECT: **APPOINT MEMBERS OF CITIZENS' BOND OVERSIGHT
COMMITTEE**
DATE: March 6, 2017

Background:

Both the California Constitution and Education Code mandate that the expenditure of proceeds from a bond measure conducted in accordance with a 55% election be overseen by an independent Citizens' Bond Oversight Committee. The law requires the Committee to have a minimum of 7 members, 5 of which fulfill certain categories of membership. The law does not impose a maximum number of members, however, and it is the District's desire to recruit and accept as many interested members of the public as are willing to serve on this important Committee. If the District recruits more than seven individuals to serve on the Committee, then seven of the members will be designated "members for quorum purposes" and those individuals will reflect the required membership categories.

The District has been seeking interested members of the public to serve on the Committee. On March 6, 2017, an information meeting was held to confirm interested volunteers. A list of volunteers will be presented to the Board at the meeting for appointment. Thereafter, the District will assist the Committee in setting up a meeting schedule, structure, and operating parameters.

Fiscal Impact:

The District must provide administrative support to assist the Committee in fulfilling its duties to the public. Such costs may not be paid from the bond proceeds but are anticipated to be minor.

Recommendation:

It is recommended that the Board of Trustees appoints the members of the Citizens' Bond Oversight Committee as presented at the meeting.



Fountain Valley School District
Support Services Department

M E M O R A N D U M

TO: Board of Trustees
FROM: **CARA ROBINSON, DIRECTOR SUPPORT SERVICES**
SUBJECT: **BOARD POLICY 5141.33 HEAD LICE (SECOND READING AND ADOPTION)**
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts. BP 5141.33 Head Lice was presented to and approved by the Board for first reading at the February 16th meeting.

Based on the current research and guidance from the Guidelines on Head Lice Prevention and Control for School Districts and Child Care Facilities by the California Department of Public Health (CDPH) in March 2012, many districts have lessened the restrictions of lice in schools. Although lice are a nuisance, they are not associated with the spread of disease and are not highly transferrable in the school setting (CDPH). This policy takes into consideration the most recent medical research and practice, while maximizing student attendance to clarify our practices.

This will be a new policy.

Fiscal Impact:

There is no fiscal impact associated with the addition of **BOARD POLICY #5141.33 HEAD LICE**.

Recommendation:

It is recommended that the Board of Trustees approves **BOARD POLICY #5141.33 HEAD LICE** for second reading and adoption, with necessary changes as indicated by the Board of Trustees.

HEAD LICE

The Governing Board recognizes that head lice infestations among students require treatment but are not known to spread disease. The Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.

The Superintendent or designee may distribute information to parents/guardians of preschool and elementary students regarding routine screening, symptoms, accurate diagnosis, and proper treatment of head lice infestations. The Superintendent or designee also may provide related information to school staff.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible.

If a student is found with active, adult head lice, the student shall be referred to the school nurse or designee as soon as possible. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school the next day and allowed to remain in school if no active head lice are detected and evidence of treatment has been presented by the parent to school nurse or designee.

Upon the student's return to school, the school nurse or designee shall check the student for active head lice. If it is determined that the student remains infected with head lice, or if evidence of treatment has not been provided, the school nurse or designee shall contact the student's parent/guardian to discuss treatment. As needed, he/she may provide additional resources and/or referral to the local health department, health care providers, or other agencies.

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - School Health Services)

If a student is found consistently infested with head lice, he/she may be referred to the School Attendance Review Board, which may consist of the school nurse, representatives from the local health department and social services, and other appropriate individuals, to determine the best approach for identifying and resolving problems contributing to the student's head lice infestations.

(cf. 1020 - Youth Services)

(cf. 5113 - Absences and Excuses)

(cf. 5113.1 - Chronic Absence and Truancy)

HEAD LICE

When it is determined that one or more students in a class are infested with head lice, the principal or designee may, at his/her discretion, notify parents/guardians of students in that class and provide them with information about the detection and treatment of head lice.

Staff shall maintain the privacy of students identified as having head lice.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)



Fountain Valley School District
Food Service Department

M E M O R A N D U M

TO: Board of Trustees
FROM: Diane Sharpe, Food Service Director
SUBJECT: **BOARD POLICY 5030 STUDENT WELLNESS (SECOND
READING AND ADOPTION)**
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts. BP 5030 Student Wellness was presented to and approved by the Board for first reading at their meeting on February 16, 2017.

Updates to BP 5030 include added /deleted language from CSBA to help with clarification. In addition, the policy is being updated to reflect new Federal Regulations (81 Fed. Reg. 50151) which address the content of the wellness policy, assurance of stakeholder participation in the development and updates of the policy, and periodic assessment and disclosure of compliance. The revised policy also reflects new State Law (SB 1169, 2016) which no longer requires posting of district policy on nutrition and physical activity within cafeterias/eating areas, but does require annually informing the public of the content and implementation of the policy.

Fiscal Impact:

There is no fiscal impact associated with the revision of BP 5030 Student Wellness.

Recommendation:

It is recommended that the Board of Trustees approves the revisions to Board Policy 5030 Student Wellness for second reading and adoption, with necessary changes as indicated by the Board of Trustees.

STUDENT WELLNESS

The Board of Trustees recognizes the link between student health and academic success and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Fountain Valley School District (FVSD) Board is committed to providing a school environment that promotes and protects children's health and well-being. The Board supports healthy eating and increased levels of physical activity.

The Superintendent or designee shall build a coordinated school health system that supports, promotes and reinforces students' understanding of the importance of a healthy lifestyle through health education, physical education, and nutrition services.

Wellness Committee

The Superintendent or designee shall *establish* a District Health and Wellness Committee consisting of the following representatives: district administrators, school health professionals, physical education teachers, parents, community partners and others interested in school health issues.

The District Health and Wellness Committee shall assist with policy development and advise the district on health-related issues, activities, policies and programs. At the discretion of the Superintendent or designee, the council's charges may include monitoring, evaluating, planning and implementing activities to promote health within the school or community.

Health and Wellness Liaisons: Each school will identify a Health and Wellness Liaison who will work with the principal to create annual goals; implement, monitor and report each school sites activities and events that relate to the health and wellness policy guidelines and goals. Liaisons are responsible for providing school site health and wellness information to the District Health and Wellness Committee throughout the year.

Nutrition Education, Physical Education, Foods and Beverages and other Wellness Activities

The Board shall adopt goals for nutrition education, nutrition promotion, physical activity, and other school-based activities.

Nutrition Education

Pursuant to the requirements of the Education Code, nutrition education shall be provided as part of the instructional program in grades K-8, as suitable, integrated into core academic subjects and offered through, before- and after - school programs.

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

The district aims to teach, encourage, and support healthy eating by students and others while on the school site. Schools will provide nutrition education and engage in nutrition promotion that may include, but is not limited to, the following:

1. Offering each grade level a sequential, comprehensive, standards-based program designed to provide students with the knowledge and skills necessary to promote and protect their health
2. As appropriate, integration into other classroom subject area instruction such as Language Arts, Math, Physical Education, Science and Social Sciences
3. Developmentally-appropriate, culturally relevant, participatory activities such as taste testing, working in school gardens, field trips to farms, community gardens, and or other community locations promoting healthy lifestyles
4. Linking educational and promotional activities with the Food Service Program and nutrition-related organizations and community services
5. Promoting consumption of water, fruits, vegetables, whole-grain products, and low fat or fat-free dairy products, and health food preparation methods emphasizing calorie balance between food intake and energy expenditure through physical activity and exercise

Nutrition Promotion

The district shall encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications.

Staff, School Organizations and Community

The Superintendent or designee shall encourage staff to serve as positive role models. Staff professional development may include instructional strategies that assess health knowledge and skills and promote healthy behaviors. Health education assignments shall encourage student interaction with family and community.

Food Marketing in Schools

The Board prohibits the marketing and advertising of non-nutritious foods and beverages. School-based marketing will be consistent with nutrition education and health promotion. As such, schools will limit food and beverage marketing to the promotion of those consistent with the California Nutrition Standards and Guidelines set forth by the district.

Physical Education and Physical Activity

The FVSD will provide all students with the opportunity to be physically active within developmentally appropriate physical education as a part of the academic curriculum. The district will meet minimum requirements for physical education as specified in the California Education Code: all elementary grade levels must provide 200 minutes of physical education every 10 days (California Education Code 51222) and all secondary grade levels must provide 400 minutes of physical education every 10 days (California Education Code 51223)

The district shall provide:

1. Standards-based instructional content and delivery supported by physical education framework for California public schools
2. Developmentally appropriate sequencing of curriculum consistent with California State Standards
3. Multiple opportunities for students to demonstrate learning of content
4. Authentic assessment and documentation of meeting state adopted standards
5. Providing students with adequate amounts of moderate to vigorous physical activity (i.e., minimum 50 percent of allotted class time)
6. Physical education teachers in the FVSD shall be credentialed teachers
7. For physical education classes, the district shall staff those classes to provide for student safety and maximize student participation
8. Opportunities throughout the year for teachers to professional development in the area of physical education, health education and nutrition

Joint Use Agreements

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside of the school day and/or to use the community facilities to expand student' access to opportunity for physical activity.

Professional Development

Professional Development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

The Board recognizes that a safe, positive school environment is also conducive to student's physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health conditions

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

Staff

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

Nutrition Guidelines for ALL Foods Available at School

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

Drinking Water

The Superintendent or designee shall provide access to free, potable drinking water during meal times in the food service area in accordance with Education Code 38086 and 42USC 1758 and shall encourage student's consumption of water by educating them about the health benefits of water.

The Board believes that all foods and beverages sold to students at district schools,

including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

Guidelines for Classroom Birthday Parties, Fundraisers, Student Organizations and School Events

School staff, parents/guardians, or other volunteers shall support the district's wellness policy requirements when conducting class birthday parties, fundraisers, student organization sales and school celebrations/events.

Classroom Birthday Parties

No food or beverages may be a component of classroom birthday parties in order to support the FVSD's goal to have every student maintain good nutrition and achieve a healthy weight and lifestyle.

Student Organizations/Fundraising

Fundraising Activities

During the school day- from midnight to one half hour after the school day Fundraising Activities must meet allowable food, beverage and snack items, be commercially prepared, and occur after the school lunch service and not be a potentially hazardous food item.

Food or beverages sold by student organizations for fundraising on campus from midnight to one half hour after the school day must meet the allowable food, beverage and snack items, occur after lunch service, be commercially prepared and not be a potentially hazardous food item. See E 5030 (2) (Reference Guide) for further guidelines regarding these sales.

Food or beverages sold by student organizations for fundraising 30 minutes after the school day until midnight *do not* have to meet the nutritional standards.

"Potentially Hazardous Food Item" is a food item that has to be cooked, refrigerated, washed, frozen, mixed or prepared before serving.

School Events

School Events occurring during the school day must use commercially prepared food, occur after lunch service, and follow E 5030 (1) (Guidelines for Safe Food Handling Procedures).

Food or beverages provided at school events that do not meet the policy's nutritional standards may be sold if the sale takes place at least 30 minutes after the end of the school day until midnight.

After-School Programs Including the Child Care Program

Schools are encouraged to offer fresh fruits and vegetables, whole-grain snacks and low-fat or non-fat milk as part of an after school snack program.

The after school child care program and after school enrichment programs shall provide and encourage daily periods of moderate to vigorous physical activity for all participants.

Program Implementation and Evaluation

The Superintendent or designee shall establish a plan for measuring implementation of the policy. The Superintendent shall designate the Assistant Superintendent, Educational Services and the District Food Services Director to ensure that the school sites implement the district's wellness policy.

The Superintendent or designee shall recommend for Board approval specific quality indicators that will be used to measure the implementation of the policy district wide and at each district school. These measures will include tracking Nutrition Promotions, School Site Goals, Communication, Nutrition Education, and Physical Education.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis.

The Superintendent or designee shall report to the Board at least every three years on the implementation of this policy and any other Board policies related to nutrition and physical activity.

Records

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

Students

E(1) 5030

STUDENT WELLNESS

PLEASE SEE DISTRICT MATERIAL IN THE
DISTRICT OFFICE FOR EXHIBIT (1)
"NUTRITION SERVICES"

STUDENT WELLNESS**FOUNTAIN VALLEY SCHOOL DISTRICT****Guidelines for Safe Food Handling
School Events/Celebrations**

Whenever food is prepared, caution must be taken to avoid food borne illness. In order to protect students and staff from food borne illness, please use the following guidelines:

1. The number one cause of food borne illness is due to improper hand washing. Make sure that anyone who is serving food has washed their hands prior to handling any food. Plastic gloves should be utilized.
2. Must buy commercially prepared foods such as those purchased in a grocery store, bakery or restaurant are monitored by the Orange County Department of Environmental Health and can be expected to provide safe food if it has been stored appropriately after purchase.
3. Foods that are most likely to contain harmful bacteria (potentially hazardous foods) are foods containing protein such as meats, poultry, fish and dairy products.
4. Bacteria that causes food borne illness grows best in the Danger Zone when temperatures are between 41 degrees fahrenheit - 135 degrees fahrenheit. Potentially hazardous foods should be kept outside of this temperature range.
5. Hot foods must be kept at an internal temperature of 135 degrees fahrenheit or higher in order to keep it safe while waiting to be served. Cold foods must be kept at or below 41 degrees fahrenheit prior to serving. This is also while food is being transported or held for any period of time.
6. If anyone cuts themselves while serving the food, any food in the area should be thrown away if there was any possibility it came in contact with the blood. All utensils should be sanitized with bleach solution before using again.
7. Include ingredients with the foods that are brought in to assist with identification of allergies.
8. Any person serving food to students is required to read and sign these guidelines. Parents should submit this form to the teacher and teachers retain their own forms.

Name: _____ Signature: _____ Date: _____

Exhibit

version: January 12, 2017

FOUNTAIN VALLEY SCHOOL DISTRICT

Fountain Valley, California



Fountain Valley School District
Support Services Department

M E M O R A N D U M

TO: Board of Trustees
FROM: Cara Robinson, Director Support Services
SUBJECT: **BOARD POLICY 6164.6 IDENTIFICATION AND EDUCATION
UNDER SECTION 504 (SECOND READING AND ADOPTION)**
DATE: March 6, 2017

Background:

In the continued effort to maintain a set of current board policies, it is necessary to bring policies to the Board of Trustees for revision due to changes in Education Code or statute. The California School Boards Association or the Orange County Department of Education informs the District of mandated changes through alerts. BP 6164.6 was brought to the Board and approved for first reading at the February 16th meeting.

CSBA recommended updates to this revised policy include mostly changes to terms and definitions. Of note beyond terminology, this updated policy includes the LCAP's development and review to include students with disabilities.

Fiscal Impact:

There is no fiscal impact associated with the revision of Board Policy 6164.6 Identification and Education Under Section 504.

Recommendation:

It is recommended that the Board of Trustees approves the revisions to Board Policy 6164.6 Identification and Education Under Section 504 for second reading and adoption, with necessary changes as indicated by the Board of Trustees.

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Board of Trustees believes that all children, including children with disabilities, should have an opportunity to learn in a safe and nurturing environment. The Superintendent or designee shall work to identify children with disabilities who reside within the jurisdiction of the district in order to ensure that they receive educational and related services required by law.

The Superintendent or designee shall provide qualified students with disabilities with a free appropriate public education, as defined under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of students without disabilities are met. (34 CFR 104.33)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Asthma Management)
(cf. 5141.24 - Specialized Health Care Services)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

In addition, qualified students with disabilities shall be provided an equal opportunity to participate in programs and activities that are integral components of the district's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (34 CFR 104.37)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6145.5 - Student Organizations and Equal Access)

The district's local control and accountability plan shall include goals and actions to improve student achievement and other outcomes of students with disabilities. At least annually, the Superintendent or designee shall assess the district's progress in attaining the goals established for students with disabilities and shall report these results to the Board. (Education Code 52052, 52060)

In providing services to students with disabilities under Section 504, the Superintendent or designee shall ensure district compliance with law, including providing the students and their parents/guardians with applicable procedural safeguards and required notifications. Any dispute as to the identification, evaluation, or placement of any student with a disability shall be resolved in accordance with the processes specified in the "Procedural Safeguards" section of the accompanying administrative regulation.

IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the federal Rehabilitation Act of 1973: (34 CFR 104.7)

Director of Support Services
10055 Slater Avenue
Fountain Valley, CA 92708
(714) 843-3281

Definitions

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of ~~imp~~ students without disabilities are met, without cost to the student or his/her parent/guardian, except when a fee is specifically authorized by law for all students students. (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (34 CFR 104.3)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal, special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary, immune, hemic and lymphatic, skin, and endocrine. (34 CFR 104.3)

Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (34 CFR 104.3)

Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. *Major life activities* also includes major bodily functions such as functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic,

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

musculoskeletal and reproductive functions. The determination of whether an impairment substantially limits a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

(cf. 6164.5 - Student Success Teams)

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If it is determined that the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multi-disciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a disabled person under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)
5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5125 - Student Records)

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, he/she may request a Section 504 due process hearing.

Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
 - a. The specific nature of the decision with which he/she disagrees
 - b. The specific relief he/she seeks
 - c. Any other information he/she believes is pertinent to resolving the disagreement
2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

IDENTIFICATION AND EDUCATION UNDER SECTION 504 (continued)

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
 - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
 - b. Present written and oral evidence
 - c. Question and cross-examine witnesses
 - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

Notifications

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

Resolution 2017-15

**RESOLUTION OF THE BOARD OF EDUCATION
OF THE FOUNTAIN VALLEY SCHOOL DISTRICT
ACCEPTING SURPLUS PROPERTY ADVISORY
COMMITTEE FINAL REPORT AND RECOMMENDATION**

(Crossroads Office Park Property)

WHEREAS, the Board of Education (the “Board”) of the Fountain Valley School District is responsible for ensuring appropriate asset management of the District’s real property and facilities; and

WHEREAS, the District owns real property located at 265 S. Anita Drive, Orange, California, known generally as the Crossroads Office Park; and

WHEREAS, pursuant to the California Education Code and Government Code there are certain procedural requirements that the District must follow prior to declaring any real property surplus and offering such property for sale or lease; and

WHEREAS, prior to disposing of excess real properties, the District’s governing board is required to form an advisory committee pursuant to Education Code section 17388 *et seq.*, to advise the District’s governing board in the development of district-wide policies and procedures governing the use or disposition of property which is not needed for school purposes; and

WHEREAS, Education Code section 17389 states that an advisory committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located; and

WHEREAS, pursuant to Education Code section 17390, an advisory committee must undertake the following duties: (a) review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property; (b) establish a priority list of use of surplus space and real property that will be acceptable to the community; (c) cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings for community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Education Code section 17458; (d) make a final determination

of limits of tolerance of use of space and real property; and (e) forward to the District's governing board a report recommending uses of surplus space and real property; and

WHEREAS, on August 11, 2016, the District appointed a Surplus Property ("7/11") Advisory Committee pursuant to Education Code Section 17388, et seq. to advise the District's governing board in the development of district-wide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes ("Advisory Committee"); and

WHEREAS, said Advisory Committee held a public meeting on November 15, 2016, another public meeting on January 3, 2017, and a final public meeting and noticed Public Hearing related to the Property on February 7, 2017; and

WHEREAS, said Advisory Committee has prepared a "Final Report and Recommendation" dated February 7, 2017, a copy of which is attached as Exhibit "A" hereto, wherein the Advisory Committee recommends: "Sale of the Property pursuant to California law at the Property's highest and best use value," as well as other findings and recommendations.

NOW, THEREFORE, THE BOARD DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That all of the recitals contained herein are true and correct.

Section 2. That the Board hereby accepts the Advisory Committee's Final Report and Recommendation.

Section 3. That the Board may take other action to declare the Property surplus and/or authorize the sale or other disposition of the Property in the future by way of separate Board action.

Section 4. That this Resolution shall take effect upon adoption.

ADOPTED, SIGNED AND APPROVED this ____ day of _____ 2017.

President of the Governing Board for
the Fountain Valley School District

I, _____, Clerk of the Board of Fountain Valley School District, do hereby certify that the foregoing Resolution was adopted by the Board of said District at a meeting of said Board held on the _____ day of _____ 2017, and that it was so adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk of the Governing Board of
Fountain Valley School District

Exhibit A

Final Report and Recommendation

FOUNTAIN VALLEY SCHOOL DISTRICT
SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE
FINAL REPORT AND RECOMMENDATION

Submitted by, Advisory Committee Members

Tom Antal
Steve Brown
David Pate
Ed Eldridge
Chris Christensen (Chairperson)
Tiffany Covington
Judy Edwards
Susan Galvan
Joy Moyers
Cheryl Norton
David Truong (Co-Chairperson)

Administration

Mark Johnson, Ed.D., Superintendent
Christine Fullerton, Assistant Superintendent, Business Services

District Consultants

Andreas C. Chialtas, Atkinson, Andelson, Loya, Ruud & Romo
Marshal Vogt, Lee & Associates
Erik Thompson, Lee & Associates

February 7, 2017

Background & Process

The Fountain Valley School District owns land located at 265 S. Anita Drive, Orange, California, known generally as the Crossroads Office Park (the “Property”).

Prior to disposing of excess real property, the District’s Governing Board is required to form an Advisory Committee pursuant to Education Code Section 17388, et seq., to advise the District’s Governing Board in the development of district-wide policies and procedures governing the use or disposition of school buildings or space in school buildings, which is not needed for school purposes.

The Advisory Committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located.

The Advisory Committee must undertake the following duties: (a) review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property; (b) establish a priority list of use of surplus space and real property that will be acceptable to the community; (c) cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings for community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Education Code Section 17458; (d) make a final determination of limits of tolerance of use of space and real property; and (e) forward to the District’s Governing Board a report recommending uses of surplus space and real property.

On August 11, 2016, the Governing Board took action and approved the appointment of an Advisory Committee to advise the Governing Board in the development of District-wide policies and procedures governing the use or disposition of school buildings or space in school buildings, which is not needed for school purposes.

Public Meetings

The Advisory Committee held a public meeting on November 15, 2016, another public meeting on January 3, 2017, and a final public meeting and noticed Public Hearing related to the Property on February 7, 2017 to, collectively, discuss the possible disposition of Property and corresponding priority uses.

November 15, 2016 Meeting

At the initial public meeting on November 15, 2016, District legal counsel, Andreas Chialtas of Atkinson, Andelson, Loya, Ruud & Romo, reviewed the surplus property process for public school district real property under the California Education Code and Government Code, and in particular, described the work and duties of the Advisory Committee. It was noted that, the Advisory Committee is to review documents and pertinent information, “make a final determination of limits of tolerance of use of space and real property,” and, as an advisory body to the Board of Education, the Advisory Committee is then charged to “forward to the Board of Education a report recommending uses of surplus space and real property.”

Legal counsel summarized the methods available to public school districts with regard to disposition of property (i.e., sale, lease, ground lease, exchange, waiver of surplus property processes, etc.). Furthermore, written and verbal summaries related to public meetings and requirements under the Brown Act, as well as applicable conflicts of interest law, were provided to the Advisory Committee members. This meeting also included written and verbal summaries provided by District administration of student demographic data and enrollment projections, as well as pertinent information regarding the Property.

Finally, Advisory Committee members discussed and made inquiries about the Property, disposition options, its maintenance and repair history and requirements, possible fair market value, location, other District property, and the general state of the real estate market. Such questions were answered that evening, or otherwise included in a list to be addressed and answered at the second meeting scheduled for January 3, 2017.

See Exhibit “A” for a copy of the November 15, 2016 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were later approved by the Advisory Committee.

January 3, 2017 Meeting

At the second public meeting held January 3, 2017, a summary of the discussion had at the initial meeting was provided. Then, information was provided to answer Advisory Committee member inquiries made at the initial meeting regarding the Property, its maintenance and repair history and requirements, possible fair market value, location, other District property, and the general state of the property market.

Next, Marshal Vogt and Erik Thompson of Lee & Associates led a comprehensive discussion regarding current trends in local building property rates, current market conditions in general, and the history of the maintenance and repair requirements and options, and valuation of the Property. A robust discussion regarding retention of the Property for continued lease revenue versus the potential sale of the Property occurred.

This second meeting concluded with the Advisory Committee voting 9-0 to approve a Priority Use List which was used to notify the public of a February 7, 2017 public hearing and third Advisory Committee meeting called to discuss the Advisory Committee’s only stated priority:

“Sale of the Property pursuant to California law at the Property’s highest and best use value.” The Advisory Committee also discussed the scheduled February 7, 2017 meeting, and options and possible direction regarding this Final Report and Recommendation.

See Exhibit “B” for a copy of the January 3, 2017 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were later approved by the Advisory Committee.

February 7, 2017 Meeting

The third, and final, Advisory Committee meeting included a summary of the discussions had at the prior two meetings. Then, the Advisory Committee held a public hearing regarding its only stated priority: “Sale of the Property pursuant to California law at the Property’s highest and best use value.” There were no persons from the community present to speak regarding this matter.

Following the public hearing, the Advisory Committee discussed, and ultimately approved by a vote of 10-0, this Final Report and Recommendation. A delegation of authority was also provided to the Superintendent to make certain minor revisions to this Final Report and Recommendation and to prepare the minutes of the third, and final, Advisory Committee meeting, which, upon approval of the Final Report and Recommendation and minutes by Advisory Committee Chairperson Chris Christensen and Co-Chairperson David Truong, would be provided to the Board of Education without any further action by the Advisory Committee.

See Exhibit “C” for a copy of the February 7, 2017 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were approved through delegation of authority as noted above.

Final Determination & Recommendation

The Advisory Committee has the following recommendation for the Property:

Sale of the Property pursuant to California law at the Property’s highest and best use value.

With respect to this recommendation, a few factual matters should be noted for inclusion in this Final Report and Recommendation:

1. The Advisory Committee finds that the District has no educational, administrative, or operational need for the Property.
2. The Advisory Committee finds that sale of the Property, and not the retention and continued lease of the Property, is in the District’s best financial interests.

3. The Advisory Committee recommends that the Board of Education should use its best efforts to ensure all of the revenue from the sale of the Property be included in the District's investment portion of Fund 40.

4. The Advisory Committee recommends sale of the Property through the surplus property bid/auction process. However, should an auction fail to provide a suitable offer, or should the Board of Education otherwise choose to follow a process by which a waiver of any and all applicable surplus property statutes is obtained from the State Board of Education, the Advisory Committee hereby unanimously agrees and consents to such waiver process, and agrees it does not need to re-convene in the future to make any other determinations related to such waiver process.

Attachments

- Exhibit A: November 15, 2016 Meeting Agenda, meeting materials, and approved minutes.
- Exhibit B: January 3, 2017 Meeting Agenda, meeting materials, and approved minutes.
- Exhibit C: February 7, 2017 Meeting Agenda, meeting materials, and approved (through Advisory Committee delegation) minutes.

AGENDA

Meeting No. 1

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

November 15, 2016, 6:30 P.M.

1. PRELIMINARY

- a. Call to Order _____ p.m.
- b. Roll Call (Establishment of a Quorum)

- 1. Tom Antal
- 2. Steve Brown
- 3. Christine Carrasco
- 4. Ed Eldridge
- 5. Chris Christensen
- 6. Tiffany Covington
- 7. Judy Edwards
- 8. Susan Galvan
- 9. Joy Moyers
- 10. Cheryl Norton
- 11. David Truong

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

- a. 7-11 Committee Members, District Staff and Consultants, if any

4. SELECTION OF CHAIR AND CO-CHAIR / ACTION

- a. Motion By _____ Seconded by _____ Vote _____

5. COMMENTS FROM THE FLOOR

Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than three (3) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

6. OVERVIEW OF SURPLUS PROPERTY COMMITTEE PURPOSE AND DUTIES

- a. Reference Tab 1 - Summary of Surplus Property Advisory Committee Duties

- b. Reference Tab 2 - Open Public Meeting Requirements Under The Brown Act and California Education Code
 - c. Reference Tab 3 - Conflict of Interest Law
 - d. Reference Tab 4 - Summary of Surplus Property Procedures
- 7. OVERVIEW OF CROSSROADS PROPERTY
 - a. Reference Tab 5 – Crossroads Property / Reference Documents
- 8. REVIEW ENROLLMENT PROJECTIONS
- 9. DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING AND TIMELINE / ACTION
 - a. Motion By _____ Seconded by _____ Vote _____
- 10. COMMENTS FROM COMMITTEE MEMBERS
- 11. ADJOURNMENT _____

MEMORANDUM

TO: Surplus Property (“7-11”) Advisory Committee
FOUNTAIN VALLEY SCHOOL DISTRICT

FROM: Andreas Chialtas, District Legal Counsel

DATE: November 15, 2016

RE: Summary of Real Property Advisory Committee Information

This memorandum addresses both the formation and duties of an Advisory Committee to be convened for the purpose of making recommendations concerning the future use or disposition of property.

Summary of Advisory Committee

Education Code section 17388 requires that prior to the sale, lease, or rental in excess of thirty (30) days of any excess real property, a governing board of a school district must appoint an Advisory Committee to advise the governing board in the development of District-wide policies and procedures governing the use or disposition of school buildings or space in school buildings which is not needed for school purposes.¹

We recommend that the District comply with the following requirements for the convening of an Advisory Committee prior to selling or otherwise disposing of the property:

1. Formation of Advisory Committee

Education Code section 17389 states that an Advisory Committee **must consist of not less than seven (7) and not more than eleven (11) members**, and must be represented by each of the following:

- (a) The ethnic, age group, and socioeconomic composition of the District.
 - (b) The business community, such as store owners, managers, or supervisors.
 - (c) Landowners or renters, with preference to be given to representatives of neighborhood associations.
-

¹ While Education Code section 17388 references “school buildings or space in school buildings,” other sections refer generally to “real property.” Accordingly, it is our opinion that school districts should comply with the “advisory committee” provisions for vacant property as well as school buildings.

- (d) Teachers.
- (e) Administrators.
- (f) Parents of students.
- (g) Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities or cities and counties in which the surplus space and real property is located.

2. Duties of an Advisory Committee

Pursuant to Education Code section 17390, an Advisory Committee must do all of the following:

- (a) Review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property.
- (b) Establish a priority list of use of surplus space and real property that will be acceptable to the community.
- (c) Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings for community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Education Code section 17458.
- (d) Make a final determination of limits of tolerance of use of space and real property.
- (e) Forward to the District’s governing board a report recommending uses of surplus space and real property.

Please note that the provisions for an Advisory Committee do not set forth a minimum time period in which these duties must be completed.

Furthermore, as an extension of a legislative body (the District Governing Board), please note that the Advisory Committee must follow all Brown Act requirements.

OPEN PUBLIC MEETING REQUIREMENTS UNDER THE BROWN ACT AND CALIFORNIA EDUCATION CODE

I. INTENT

- A. Government Code Section 54950 clearly states the legislative intent underlying the Brown Act:

Public agencies in this state exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and their deliberations be conducted openly.

The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

It is in light of this legislative policy that the Brown Act has been liberally interpreted.

- B. The courts have interpreted this statement of legislative intent in the following manner.

The purpose of the Brown Act is to facilitate public participation in local government and to curb misuse of democratic process by secret legislation by public bodies. [Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109, 1116.]

1. Under the Brown Act -“interested persons” entitled to sue to enforce its provisions are not confined to residents within the jurisdiction of the legislative body involved, nor to taxpayers therein. [McKee v. Orange Unified School Dist. (2003) 110 Cal.App.4th 1310, 1316.]

- C. At the November 2, 2004 election, the voters of California adopted Proposition 59, which adds Subdivision (b) to Section 3 of Article I of the California Constitution. Proposition 59 does the following:

1. Adds to the state Constitution the requirement that meetings of public bodies and writings of public officials and agencies be open to the public.

2. Provides that statutes and rules furthering public access be broadly construed, or narrowly construed, if they limit public access.
3. Requires that new statutes and rules limiting access contain findings justifying the necessity of the limitation.
4. Preserves the constitutional rights of privacy, due process, and equal protection; and expressly preserves existing constitutional and statutory limitations restricting access to certain meetings and records of government bodies.

II. THE “RULE” - GOVERNMENT CODE SECTION 54953

- A. All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter. If a given entity fits within any definition of a legislative body, then it is subject to the various requirements of the Brown Act.
- B. Government Code Section 54952 defines a “legislative body” to include the following:
 1. The governing board of a school or community college district, ROP or JPA, etc. [Government Code Section 54952(a).]
 2. Commissions, committees, boards, or other bodies of a local agency, whether permanent or temporary, decision-making or advisory, created by resolution or some other formal action of a legislative body. [Government Code Section 54952(b).]
 - a. E.g., personnel commissions.
 - b. E.g., academic senates. [66 Ops.Atty.Gen. 252 (1983).]
 - c. E.g., Community college student body associations. Such organizations are advisory to district boards and are therefore a legislative body and subject to the Brown Act. [75 Ops.Atty.Gen. 145 (1992).]
 3. “Legislative body” does not include advisory committees composed solely of the members of the legislative body which are less than a quorum of the legislative body. [Government Code Section 54952(b).]
 - a. Not all less-than-a-quorum committees are excluded from the definition of a “legislative body.” To be excluded, the committee must:
 - 1) be “advisory” only;

- 2) not be “decision-making”; and
- 3) not be a standing committee.

E.g., an ad hoc committee comprised solely of less than a quorum of the board created for the purpose of advising the full board on the qualifications of candidates for appointment to a vacant position is not a legislative body. [Henderson v. Board of Education (1978) 78 Cal.App.3d 875.]

- b. If the ad hoc committee includes members who are not members of the board, the Act will apply.
- c. Committees appointed by the superintendent, without any formal action by the board, are not covered by the Act. However, the board must not in any way “instigate” the formation of the committee; the concept of “formal action” is broadly construed. [Joiner v. City of Sebastopol (1981) 125 Cal.App.3d 799, 805; and Frazer v. Dixon Unified School District (1993) 18 Cal.App.4th 781, 792-793.]
- d. Where a school district’s board of trustees has formed a committee, known as the district liaison council, consisting of eight representatives from the community, seven employees of the district, and one student, to interview candidates for the position of district superintendent, the committee is subject to requirements of the Brown Act (e.g., the notice, agenda and public participation requirements). However, where appropriate, the committee may also rely on the personnel exception in Section 54957 and meet in closed session when it is interviewing candidates, reviewing resumes, discussing qualifications, and arriving at a decision prior to the actual appointment. [80 Ops.Atty.Gen. 308 (1997).]
- e. Meetings between unions representing a community college district’s employees and the district’s joint labor/management benefits committee (JLMBC) were within the Educational Employment Relations Act (EERA) “meeting and negotiating discussion between a public school employer and a recognized or certified employee organization” exemption from Ralph M. Brown Act open meeting requirements, since the JLMBC was a designated representative of the district. [Cal.Gov.Code §§ 3543.3, 3549.1(a), and Californians Aware v. Joint Labor/Management Benefits Com., (2011) 200 Cal.App.4th 972.]

- 1) The Joint Labor Management Benefits Committee (“JLMBC”) of the Los Angeles Community College District was created by the District’s collective bargaining agreements, and not by the Board’s policy on the same subject.
 - 2) The Court of Appeal and the Attorney General distinguished the District’s JLMBC, created through the collective bargaining process, from the textbook review committee created by board policy in Frazer, supra. [92 Ops.Atty.Gen. 102, 107 (2009).]
- f. The Act applies to any “other body” a local agency creates unless the other body consists of (1) less than a quorum of the local agency’s members, and (2) is only advisory. [Taxpayers for Livable Communities v. City of Malibu (2005) 126 Cal.App.4th 1123.]
- g. Councils and schoolsite advisory committees established pursuant to Sections 52012 (repealed), 52065 (repealed), 52176 (district-wide advisory committees on bilingual education), and 52852 (school site councils), subdivision (b) of Section 54425 (school advisory committee on compensatory education), Sections 54444.2 (migrant education parent advisory council), 54724 (repealed), and 62002.5 (parent advisory committee and school site councils), and committees formed pursuant to Section 11503 (parent involvement programs under Chapter 1 of the ESEA), or Section 2604 of Title 25 of the United States Code (repealed), are subject to some aspects of the Brown Act. [Education Code Section 35147(b).] Section 35147(c) provides the following modified rules for councils and committee described above:
- 1) Any meeting held by a council or committee specified in above shall be open to the public and any member of the public shall be able to address the council or committee during the meeting on any item within the subject matter jurisdiction of the council or committee.
 - 2) Notice of the meeting shall be posted at the schoolsite, or other appropriate place accessible to the public, at least 72 hours before the time set for the meeting. The notice shall specify the date, time, and location of the meeting and contain an agenda describing each item of business to be discussed or acted upon.
 - 3) The council or committee may not take any action on any item of business unless that item appeared on the posted

agenda or unless the council or committee members present, by unanimous vote, find that there is a need to take immediate action and that the need for action came to the attention of the council or committee subsequent to the posting of the agenda.

- 4) Questions or brief statements made at a meeting by members of the council, committee, or public that do not have a significant effect on pupils or employees in the school or school district or that can be resolved solely by the provision of information need not be described on an agenda as items of business.
 - 5) If a council or committee violates the procedural meeting requirements of this section and upon demand of any person, the council or committee shall reconsider the item at its next meeting, after allowing for public input on the item.
 - 6) Any materials provided to a schoolsite council shall be made available to any member of the public who requests the materials pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1). [Education Code Section 35147(d).]
4. Standing committees of a legislative body, irrespective of their composition, which have a continuing subject matter jurisdiction, or a meeting schedule fixed by resolution or other formal action of a legislative body, are legislative bodies for purposes of the Brown Act.
 5. A board, commission, committee, or other multi-member body that governs a private corporation, limited liability company, or entity is a “legislative body” if it:
 - a. Is created by the elected legislative body in order to exercise authority that may lawfully be delegated by the elected body to a private entity [Government Code Section 54952(c)(1).];
 - or
 - b. Receives funds from a local agency and the membership of the governing body includes a member of the legislative body of the local agency appointed by the legislative body of the local agency. [Government Code Section 54952(c)(2).]
 6. Even though a nonprofit corporation, which administered subsidized childcare and education services pursuant to a contract with a board of education, was not a legislative body within the meaning of the Brown

Act, provisions in the nonprofit corporation's contracts with the board requiring the corporation to comply with the Brown Act "to the extent of the publicly funded program(s)" it administered, were enforceable by members of the public in a breach of contract action for declaratory and injunctive relief, since the intended third-party beneficiary of the contractual provisions was the general public. [Service Employees Inter. Union, Local 99 v. Options--A Child Care and Human Service Agency, (2011) 200 Cal.App.4th 869, 879.]

7. The governing board of a jointly-administered trust fund, whose members are appointed equally by a city and a labor union representing city employees and whose purpose is to address labor-management issues relating to the health, safety, and training of city employees, is not required to hold its meetings open to the public. [87 Ops.Cal.Atty.Gen. 19 (2004).]
8. Other provisions of law may subject certain organizations to the Brown Act, e.g., community college district auxiliary organizations. [Education Code Section 72674.]

- C. "Member of a legislative body of a local agency" is defined to include any person elected to serve as a member of a legislative body who has not yet assumed the duties of office. Such persons must conform their conduct to the requirements of the Act, and will be treated, for purposes of enforcing the Act, as if they had already assumed office. [Government Code Section 54952.1.]

A legislative body may require that each member be given a copy of the Act. Similarly, someone who has been elected to serve on the body, but has not yet assumed office, may be given a copy of the Act.

III. WHAT IS A MEETING?

- A. The 1993 Amendments to the Act added a specific definition of a meeting. This definition codified prior interpretations of the Act by the Attorney General and the state appellate courts.
1. A meeting is a gathering of a quorum of the legislative body, no matter how informal, where business is discussed or transacted. [Sacramento Newspaper Guild v. Sacramento County Board of Supervisors (1978) 263 Cal.App.2d 41; and 61 Ops.Atty.Gen. 220 (1978).] (Luncheon meetings where public business is discussed are subject to the Brown Act.)
 - a. Deliberation in this context connotes not only collective decision-making, but also the collective acquisition and exchange of facts preliminary to the ultimate decision. [Frazer, 18 Cal.App.4th at 794.]

2. Meeting includes “study,” “discussion,” “informational,” “fact-finding,” or “pre-meeting” gatherings of a quorum of the members of a board. Whether action is or is not taken is irrelevant. [42 Ops.Atty.Gen. 61 (1963).]
3. The passive receipt by individual board members of their mail does not constitute a meeting. [*Roberts v. City of Palmdale*, (1993) 5 Cal.4th 363, 376.]

B. “Old” definition of a meeting and prohibited communications:

1. Any congregation of a majority of the members of the legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body. [Former Government Code Section 54952.2(a).]
2. Except as authorized by Section 54953, any use of direct communication, personal intermediaries, or technological devices that is employed by a majority of the members of the legislative body **to develop a collective concurrence as to action to be taken** on an item by the members of the legislative body is **prohibited**. [Emphasis added.] [Former Government Code Section 54952.2(b).]
3. See, *Wolfe v. City of Fremont* (2006) 144 Cal.App.3d 533, which held that a “collective concurrence” was an element of a violation of former Section 54952.2(b), and that a “collective concurrence” required not only that a majority of the council members share the same view, or “concur,” but also that the members have reached that shared view after interaction between or among themselves, whether directly or through an intermediary.” The Legislature overruled *Wolfe*, at least in part by its 2009 amendments to Government Code Section 54952(a) and (b).

C. Current definition of a meeting and prohibited communications.

1. By the enactment of Chapter 63, Statutes of 2008 (S.B. 1732), effective January 1, 2009, the Legislature repealed a significant portion of *Wolfe* and established a new definition for a meeting in Section 54952.2(a) and imposed new restrictions in Section 54952.2(b).
 - a. As used in this chapter, “meeting” means any congregation of a majority of the members of a legislative body at the same time and location, *including teleconference location as permitted by Section 54953*, to hear, discuss, deliberate, *or take action* on any item that is within the subject matter jurisdiction of the legislative body. (Emphasis added.)

- b. Correspondingly, the prohibitions in Section 54952.2(b) have been significantly amended to read as follows:

(b)(1) A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body. (Emphasis added.)

2. The amendments added a Section 54952.2(b)(2) which reads as follows:

Paragraph (1) shall not be construed as preventing an employee or official of a local agency, from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body. (Emphasis added.)

3. Whereas Wolfe held that a violation of the prohibition on serial meetings occurs only if a series of meetings by members of a body results in a collective concurrence, new Section 54952.2 would instead prohibit a majority of members of a legislative body of a local agency from using, outside a meeting authorized by the act, a series of communications of any kind, directly or through intermediaries, to *discuss*, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

4. The new legislation also contains the Legislature's declaration that it disapproves the holding in the Wolfe case to the extent it construes the prohibition on serial meetings to apply only where there is a collective concurrence, and would state its intention that the changes made by this bill supersede the holding in Wolfe.

- a. Section 1(a) of Chapter 63 in uncoded language provides as follows:

(a) The Legislature hereby declares that it disapproves the court's holding in Wolfe v. City of Fremont (2006) 144 Cal.App.4th 533, 545, fn. 6, to the extent that it construes the prohibition against serial meetings by a legislative body of a local agency, as contained in the Ralph M. Brown Act . . .

to require that a series of individual meetings by members of a body actually result in a collective concurrence to violate the prohibition *rather than also including the process of developing a collective concurrence as a violation of the prohibition.* (Emphasis added.)

- b. Section 1(b) makes clear that the new language in Section 54952.2(a) and (b) supersedes the holding in Wolfe.
- D. Serial, but less than a quorum meetings of a district's governing board members with a mediator in an effort to reach a settlement for the termination of the district's president, constituted the collective acquisition and exchange of facts preliminary to an ultimate decision. The court found the mediator to be an intermediary for purposes of Section 54952.2(b). [Page v. MiraCosta Community College Dist. (2009) 180 Cal.App.4th 471.]
 - 1. The meetings at issue in Page also violated the closed session exception for litigation., Section 54956.9, discussed below, since they involved the Board meeting not only meeting with the district's legal counsel, but also a mediator.
- E. In Galbiso v. Orosi Public Utility Dist. (2010) 182 Cal.App.4th 652, 668 the court held that comments made by the utility district's attorneys did not give rise to an inference that a secret meeting took place. One of the referenced comments was merely a statement in The Fresno Bee to the effect that OPUD "probably will consider" going forward with a tax sale. This comment was made in the context of the protracted litigation between the district and Ms. Galbiso.
- F. The requirements of the Brown Act do not apply to the following:
 - 1. Individual contacts or conversations between a member of a legislative body and any other person *that do not violate subdivision (b) of Section 54952.2*. [Government Code Section 54952.2(c)(1).]
 - 2. The attendance of a majority of the members of a legislative body at a conference or similar gathering open to the public that involves a discussion of issues of general concern to the public or agencies of the type represented by the legislative body, provided a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the local agency. This paragraph is not intended to allow members of the public free admission to a gathering where the organizers have required the other participants to pay a fee as a condition of attendance. [Government Code Section 54952.2(c)(2).]

3. The attendance of a majority of the members of a legislative body at an open and publicized meeting organized to address a topic of local community concern by a person or organization other than the local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled program, business of a specific nature that is within the subject matter jurisdiction of the legislative body. [Government Code Section 54952.2(c)(3).]
4. The attendance of a majority of the members at an open and noticed meeting of another body of the local agency, or at an open and noticed meeting of a legislative body of another local agency, provided that a majority of the members do not discuss among themselves, other than as part of the scheduled meeting, business of a specific nature that is within the subject matter jurisdiction of the legislative body. [Government Code Section 54952.2(c)(4).]
5. The attendance of a majority of the members at a purely social or ceremonial occasion provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body. [Government Code Section 54952.2(c)(5).]
6. The attendance of a majority of the members of a legislative body at an open and noticed meeting of a standing committee of that body, provided that the members of the legislative body who are not members of the standing committee attend only as observers. [Government Code Section 54952.2(c)(6).]
 - a. Members of the legislative body of a local public agency may not ask questions or make statements while attending a meeting of a standing committee of the legislative body "as observers." [81 Ops.Atty.Gen. 156 (1998).]
 - b. Members of the legislative body of a local public agency may not sit in special chairs on the dais while attending a meeting of a standing committee of the legislative body "as observers." *Id.*
- G. Effective January 1, 2012: When two legislative bodies of the same local agency convene meetings to take place either simultaneously or subsequently, and one body is a quorum of the other, the compensation the members will receive for the meeting must be announced. [Government Code Section 54952.3.]

IV. PUBLIC MEETING PROCEDURES

- A. Certain boards must meet at least monthly and must, by rule, fix the time and place for their regular meetings. [Education Code Sections 1011, 35140, 35144, and 72000(c)(4).] [Government Code Section 54954.]
 - 1. The governing board of any union or joint union high school district, shall hold its regular meetings either monthly or quarterly. The governing board of any other high school district, shall hold its regular meetings monthly. [Education Code Section 35141.]
- B. Location of Meetings [Government Code Sections 54954(b) and (c).]
 - 1. Regular and special meetings of school and college district boards must be held within the territory of the district, except in order to:
 - a. Comply with state or federal law or a court order, or attend a judicial or administrative proceeding to which the local agency is a party.
 - b. Inspect real or personal property which cannot conveniently be brought within the boundaries of the district provided that the topic of the meeting is limited to items directly related to the real or personal property.
 - c. Participate in meetings or discussions of multi-agency significance that are outside the jurisdictional boundaries of the district. However, the meeting must be held within the territory of one of the participating agencies and be noticed by all participating agencies as provided for in this chapter.
 - d. Meet in the closest meeting facility if the local agency has no meeting facility within the boundaries of the district, or at the principal office of the local agency if that office is located outside the territory over which the agency exercises jurisdiction.
 - e. Meet with state or federal officials, where a local meeting would be impractical, solely to discuss legislative or regulatory matters affecting the district over which the state or federal officials have jurisdiction.
 - f. Meet at or near a facility owned by the agency located outside its territory, if the meeting is limited to items directly related to that facility.
 - g. Meet at the office of the agency's attorney for a closed session on pending litigation, when to do so would reduce fees or costs.

2. Additionally, school board meetings may be held outside the district for the following purposes:
 - a. Attend a conference on non-adversarial collective bargaining techniques, e.g., CFEIR.
 - b. Interview members of the public residing in another district regarding the potential employment of an applicant for the position of the superintendent of that district.
 - c. Interview a potential employee from another district. [Government Code Section 54954(c).]
 3. Community college districts must hold their meetings within their own jurisdiction, except if certain, very limited exceptions apply:
 - a. Meeting with another local agency.
 - b. Meeting in closed session with counsel to discuss pending litigation. [Education Code Section 72000(d)(2)(A) and (B).]
 - c. It is not clear whether the language in Education Code Section 72000(d)(2) is intended to be the only authority for holding community college district board meetings outside of the district, or whether the exceptions in Government Code Section 54954(b) also provide authority for holding specified meetings outside of the District.
 4. A JPA must meet within the territory of at least one of its member agencies, unless one of (a) through (g) above applies. [Government Code Section 54954(d).]
 5. If, by reason of a fire, flood, earthquake, or other emergency, it is unsafe to meet in the usual place, the meetings shall be held for the duration of the emergency at the place designated by the presiding officer or his designee, in a notice to the local media that have requested notice, by the most rapid means available at the time. [Government Code Section 54954(e).]
- C. All meetings of a legislative body of a local agency that are open and public shall meet the protections and prohibitions contained in the Americans with Disabilities Act of 1990 (“ADA”). [Government Code Section 54953.2, citing 42 USC Section 12132.]
- D. Mailed Notice of Meetings.
1. Any person may request that a copy of the agenda or the documents constituting the agenda packet be mailed to that person. If requested, the agenda and documents in the agenda packet shall be made available in

appropriate alternative formats to person with a disability as required by the ADA, 42 USC Section 12132, and the federal rules and regulations adopted in implementation thereof. Upon receipt of the written request, the legislative body, or its designee, shall cause the requested materials to be mailed at the time the agenda is posted, or upon distribution to all, or a majority of all, of the members of a legislative body, whichever occurs first. [Government Code Section 54954.1.]

2. The agenda shall include information regarding how, to whom, and when, a request for disability-related modification or accommodation, including auxiliary aids or services, may be made. [Government Code Section 54954.2(a)(1).]
3. Any request to receive agenda materials shall be valid for the calendar year in which the request is filed, and must be renewed following January 1 of each year. The legislative body may establish a fee for mailing the agenda or agenda packet, which fee shall not exceed the cost of providing the service.
4. Failure of the requesting person to receive the agenda or agenda packet pursuant to this section shall not constitute grounds for invalidation of the actions of the legislative body taken at the meeting for which the agenda or agenda packet was not received.

E. Special Meetings - 24-Hour Notice [Government Code Section 54956.]

1. The board may only consider business specified in the notice. [Government Code Section 54956.]
2. The board may hold a closed session as part of a special meeting.
3. Notice of the special meeting must be mailed or delivered to the media and posted 24 hours in advance of the meeting. The notice must also be posted on the district's website. (Effective January 1, 2012.)
4. A special meeting may be called by either the president of the board or a majority of the board.
5. A special meeting may not be called regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined in subdivision (d) of Section 3511.1. However, this subdivision does not apply to a local agency calling a special meeting to discuss the local agency's budget. (Effective January 1, 2012.)

- F. Emergency Meetings in Emergency Situations [Government Code Section 54956.5, as amended in 2002.]
1. Where an emergency involves the potential for disruption, or threatened disruption, of public facilities, a board may hold an emergency meeting without providing normally-required notice and/or posting.
 2. An “emergency situation” is defined as either:
 - a. An “emergency,” defined as:
 - 1) Work stoppage;
 - 2) Crippling activity; or
 - 3) Other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the Governing Board.
 - b. A “dire emergency,” defined as:
 - 1) Crippling disaster;
 - 2) Mass destruction;
 - 3) Terrorist act; or
 - 4) Threatened terrorist activity that poses peril so immediate and significant that requiring the board to provide one-hour notice may endanger public health, safety, or both, as determined by a majority of the board.
 3. At least one-hour notice to media (those who previously requested notice of special meetings) is required. However, in a “dire emergency,” notice need only be made at or near the time the presiding officer or designee notifies other board members. Notice must be made by telephone, unless telephone service is not functioning. In such case, notice shall be made of the meeting and any actions taken as soon as possible thereafter.
 4. Board may meet in closed session following a 2/3 vote of the board or unanimous if less than 2/3 of members are present.
 5. Special meeting requirements of Section 54956 are applicable except 24-hour notice.

G. Agendas

1. 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 public.
2. An agenda must be conspicuously posted at least 72 hours prior to the time of regular meetings and on the district's web site. The web site requirement is new as of January 1, 2012. [Government Code Section 54954.2(a).]
3. The location where the agenda is posted must be publicly accessible at all times during the required 72-hour period. For example, the agenda cannot be posted inside a building that is locked and inaccessible to the public during evening hours. [78 Ops.Atty.Gen. 327 (1995).]
 - a. The agenda of a meeting may be posted on a touch-screen electronic kiosk accessible without charge to the public 24 hours a day, 7 days a week, in lieu of posting a paper copy of the agenda on a bulletin board. [88 Ops.Atty.Gen. 218 (2005).]
4. A board may not change its posted agenda within the 72-hour period preceding a regular meeting unless one of the following exceptions applies:
 - a. A majority determines that an emergency exists pursuant to Government Code Section 54956.5;
 - b. A two-thirds vote of the board members present determines that there is a need to act immediately and the need to take action came to the district's attention after the posting of the agenda;
 - c. The item was previously posted for a meeting occurring not more than five days prior to the meeting when the action is taken, and at the prior meeting the item was continued to the meeting where action was taken. [Government Code Section 54954.2(b).]

If no exception applies, the board must either postpone consideration of the item for at least 72 hours or call and notice a special meeting.
5. The agenda must reasonably apprise the public of the matters to be considered in sufficient detail to allow the public to determine whether to participate at the meeting. [Carlson v. Paradise Unified School District (1971) 18 Cal.App.3d 196.] (Action taken pursuant to a defective agenda may be void.)

6. The Act requires that the agenda contain a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A “brief general description” of an item generally need not exceed 20 words.
7. In Moreno v. City of King (2005) 127 Cal.App.4th 17, the agenda for a special meeting stated that the city council would only consider, in closed session, the employment contract of a public employee. Six days later, the city manager gave the employee a memorandum that contained the details of five alleged incidents of misconduct that had led the city manager to terminate his employment. The court held that the trial court’s finding that the special meeting agenda violated Section 54954.2 was equivalent to a finding that it violated Section 54956 because the two statutes contained equivalent requirements. The trial court did not err in finding that the agenda was inadequate because its description provided no clue that the dismissal of a public employee would be discussed at the meeting.
 - a. The city did not cure its failure to agendize the issue of the employee’s dismissal when the only action reported after a later meeting was the denial of the employee’s tort claim.
 - b. The employee was deprived of the opportunity to respond to specific accusations, in violation of Cal. Government Code Section 54957, because the city failed to give him advance notice that it would be hearing the city manager’s accusations at its closed meeting.
8. The Act imposes limitations on board members’ responses to public comments. [Government Code Section 54954.2(a).] In response to public comments, board members and staff may only:
 - a. Briefly respond to statements made or questions posed by persons making public comments;
 - b. Ask questions for clarification or make a brief announcement;
 - c. Provide a reference to staff or other resources for factual information;
 - d. Request staff to report back to the body at a later meeting; or
 - e. Direct staff to place the matter on a future agenda.
9. Agendas of public meetings and any other writings, when distributed to all, or a majority of all, of the members of a legislative body of a local agency by any person in connection with a matter subject to discussion or consideration at an open meeting of the body, are disclosable public records under the California Public Records Act, Government Code

Section 6250 et seq., and shall be made available upon request without delay.

10. This requirement does not apply to certain records made exempt from public disclosure by the Public Records Act. [Government Code Section 54957.5(a).]
 11. If a writing that is a public record under subdivision (a) of Section 54957.5, and that relates to an agenda item for an open session of a regular meeting of the legislative body of a local agency, is distributed less than 72 hours prior to that meeting, the writing shall be made available for public inspection pursuant to Section 54957.5(b)(2) at the time the writing is distributed to all, or a majority of all, of the members of the body. [Government Code Section 54957.5(b)(1).]
 - a. A local agency shall make any writing described in Section 54957.5(b)(1) available for public inspection at a public office or location that the agency shall designate for this purpose.
 - b. Each local agency shall list the address of this office or location on the agendas for all meetings of the legislative body of that agency. The local agency also may post the writing on the local agency's Internet Web site in a position and manner that makes it clear that the writing relates to an agenda item for an upcoming meeting.
 - c. Documents prepared by the district must be made available for public inspection at the meeting; documents prepared by any other person must be made available after the meeting. [Government Code Section 54957.5(c).]
 - d. Nothing in the Act prevents the district from charging a fee or deposit for a copy of a public record as authorized by the Public Records Act. [Government Code Sections 54957.5(d) and 6253.]
 - e. No additional charge may be imposed on persons with disabilities in order to make these documents available in appropriate alternative formats. [Government Code Sections 54957.5(b)(2) and (d).]
- H. Public Participation [Government Code Section 54954.3, and Education Code Sections 35145.5, and 72121.5.]
1. Members of the public must be allowed to place matters directly related to district business on the agenda.
 2. Members of the public must be able to address the board regarding items on the agenda before or during the governing board's consideration of the item. [Education Code Section 35145.5, and Government Code Section

54954.3.] However, Education Code Section 72121.5, relating to community college districts, provides that members of the public must be able to address the board regarding items on the agenda as such items are taken up.

3. In Lindelli v. Town of San Anselmo (2003) 111 Cal.App.4th 1099, 1109, the court held that while Government Code Section 54954.3 permits members of the public to provide input, it does not mandate that they do so. Nothing in the plain language of Government Code Section 54954.3 supported the city's proposed construction--that members of the public must raise a given legal concern about a potential action before any course of action has been adopted, or be forever barred from raising that concern in court.
4. Every regular meeting agenda shall provide an opportunity for members of the public to address the board on any item of interest to the public, within the subject matter jurisdiction of the board.
 - a. No action shall be taken until the matter is properly noticed on an agenda or an exception to the 72-hour rule is established.
 - b. Every notice of a special meeting shall provide an opportunity for members of the public to directly address the legislative body concerning any item appearing on that agenda before or during consideration of that item. [Government Code Section 54954.3(a).] However, with respect to community college districts, public comment with respect to agenda items must be allowed at the time the item is taken up by the Board. Education Code Section 72121.5 does not distinguish between speakers at a regular meeting or at a special meeting.
 - c. In Chaffee v. San Francisco Library Commission (2004) 115 Cal.App.4th 461, the Court of Appeal held that the Act contemplated only one public comment period per agenda, even when the agenda is covered at meetings occurring on different days.
 - 1) The decision also assumes that speakers wishing to address a topic on the agenda will be permitted to speak when that item is before the body, and not as a group in advance of reaching the item on the agenda.
 - 2) This statement is at odds with the practice of many bodies which require all speakers wishing to address an agenda item to speak at the beginning of meetings as a group and not at the time the agenda item is brought up. [See also, Galibiso v. Orosi Public Utility District, (2008) 167 Cal.App.4th 1063, 1079, adopting Chaffee's statement

regarding allowing speakers on agenda items to speak when the item is reached, and holding that simply because public comments relate to pending litigation, does not preclude such comments.]

5. The board may adopt reasonable rules and regulations in order to ensure the proper functioning of the meeting. [75 Ops.Atty.Gen. 89 (1992); White v. City of Norwalk 900 F.2d 1421 (9th Cir. 1990); and Kindt v. Santa Monica Rent Control Board 67 F.3d 266 (9th Cir., 1995).] (Regulations governing when the public may address the board are reasonable, content-neutral time, place, and manner restrictions.)
6. In Chaffee v. San Francisco Public Library Com. (2005) 134 Cal.App.4th 109, the Plaintiff asserted that state law and a San Francisco “sunshine” ordinance required the commission to provide each speaker with up to three minutes to make comments at a meeting of the commission. At the meeting in question, the commission's president announced that public comment on each agenda item would be limited to two minutes per speaker, instead of the three minutes normally allotted to each speaker.
 - a. The court held that defendants did not violate the Brown Act or the sunshine ordinance in shortening the time allotted to each speaker.
 - b. The president stated in his declaration that before the meeting, he anticipated four agenda items would be lengthy. Based on his judgment of the time required for the commission to consider those four items and the other items on the agenda, he concluded the commission would not be able to complete its meeting in a reasonable period unless public comment was somewhat shortened. The minutes indicated that the meeting lasted more than four hours. Chaffee presented no evidence that the president did not reasonably expect the four items he enumerated to be lengthy or that the commission did not reasonably apply its bylaws in the circumstances.
 - c. The Brown Act does not specify a three-minute time period for comments, and does not prohibit public entities from limiting the comment period in the reasonable exercise of their discretion. *Id.* at 116.
7. Dumping gallons of garbage on the floor of a schoolroom during a school board meeting was sufficient to support an arrest for disturbing a public meeting and was not speech protected by the First Amendment. [McMahon v. Albany Unified School Dist. (2002) 104 Cal.App.4th 1275.]

8. “The legislative body . . . shall not prohibit public criticism of the policies, procedures, programs, or services of the agency, or of the acts or omissions of the legislative body. Nothing in this subdivision shall confer any privilege or protection for expression beyond that otherwise provided by law.” [Government Code Section 54954.3(c).]
 - a. This provision, and the Baca case discussed below, make it clear that an action for defamation will generally not lie for statements made at a public meeting.
 - b. This provision raises concerns relating to privacy and reputation issues for public employees.
9. Under the Ralph M. Brown Act, the Superintendent of Schools of a high school district may not prohibit an administrative employee of the district from speaking during the public comment period of a public school board meeting on an agenda item concerning his demotion from assistant high school principal to a teaching position. [90 Ops.Atty.Gen. 47 (2007).]
10. In Baca v. Moreno Valley Unified School District, 936 F.Supp. 719 (C.D. Cal. 1996), the court held the board’s policy prohibiting the airing of charges or complaints against identifiable district employees to be unconstitutional.
 - a. The district’s policy was similar to many found throughout the state:

“No oral or written presentation in open session shall include charges or complaints against any employee of the District, regardless of whether or not the employee is identified by name or by any reference which tends to identify the employee All charges or complaints against employees must be submitted to the board under provisions of board policy

Any individual who violates this policy will be warned to discontinue his/her comments immediately. If the individual willfully interrupts the meeting by refusing to comply with the warning, the board President may authorize the removal of the individual pursuant to Government Code Section 54957.9.”

- b. Ms. Baca, who was active in the Mexican Political Association (MPA), accused a school principal and the district's superintendent of ignoring numerous complaints brought to them by parents and for acting in a discriminatory manner. Ms. Baca was warned and removed by Riverside County Sheriffs, who were present.
 - c. The court held that speech criticizing district employees, even if later proved to be defamatory, is protected by both the California and federal Constitutions from government censorship and prior restraint.
 - 1) The public sessions of a board meeting are designated limited public forums. As a result, government may limit speech to certain subjects but may not engage in viewpoint discrimination within a given subject matter area.
 - 2) The court found the following concerns not to be sufficiently compelling to justify limiting Ms. Baca's speech:
 - a) The employee's privacy rights;
 - b) The employee's liberty interests;
 - c) The district's interest in regulating its own meetings.
 - 3) The presence of alternate means of communication between plaintiff and the board, or between plaintiff and other members of the public, was found not to justify or validate the otherwise unconstitutional policy. Specifically, since California law establishes as privileged, statements made in board meetings, requiring persons to bring complaints against district employees outside of such meetings does not provide an adequate alternate location.
11. In Holbrook v. City of Santa Monica (2006) 144 Cal.App.4th 1242, the plaintiff city councilmember sued arguing that the fact that city council meetings frequently ran late into the night and included public comment as the final order of business, violated the constitution and the Brown Act. Plaintiffs sought to compel the city council to end its meetings by 11:00 p.m.
- a. The court concluded that, with respect to plaintiffs' constitutional claims and asserted violations of the Brown Act, the causes of action arose from protected activity. Plaintiffs failed to show that

preventing the city council from conducting legislative business after 11:00 p.m. benefited the public.

- b. The court also concluded that, when plaintiffs accepted their seats on the city council, they forfeited Brown Act standing that they would otherwise have had as California citizens to sue the city council.
 - 1) Not only did plaintiffs assert no interest that differed from that of the general public, they claimed no personal damages or consequences distinct from those of the populace that could create a beneficial interest in them.
 - 2) As no beneficial interest in the workings of the city council was conferred by serving on that entity, plaintiffs did not establish any beneficial interest sufficient to confer standing.

12. Minutes shall be taken recording all actions taken by the governing board. The minutes are public records. [Education Code Sections 35145(a) and 72121(a).]

13. No action may be taken by secret ballot. [Government Code Section 54953(c).]

I. Government Code Section 54953(b) permits teleconferencing, not just “video teleconferencing,” for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. “Teleconferencing” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through audio or video, or both.

- 1. Teleconference means a meeting of individuals in different locations, connected by electronic means, through either audio or video, or both.
- 2. Teleconference meetings must comply with all requirements of the Brown Act and all other applicable provisions of law relating to the specific type of meeting or proceeding.
- 3. All votes taken during a teleconferenced meeting shall be by roll call.
- 4. Agendas must be posted at each teleconferencing location, agendas must identify each teleconferencing location, and each location must be accessible to the public.
- 5. Teleconferenced meetings must be conducted in a “manner that protects the statutory and constitutional rights of the parties or the public.” [Government Code Section 54953(b)(3).]

6. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.
 7. The agenda shall provide an opportunity for members of the public to address the legislative body directly, pursuant to Section 54954.3, at each teleconference location.
- J. Any person attending a public meeting has the right to record the meeting by still or motion picture camera, or by video or audio tape, absent a finding by the board of persistent disruption of the proceedings. [Government Code Section 54953.5(a).]
1. A board may not prohibit or restrict the broadcast of its proceedings. [Government Code Section 54953.6.]
 2. Any tape or film recording made by or at the direction of the board shall be subject to inspection pursuant to the Public Records Act, but may be destroyed or erased 30 days after the taping or recording. Any inspection of a video or audio tape recording shall be provided without charge on a tape recorder made available by the district. [Government Code Section 54953.5(b).]

V. CLOSED SESSION

- A. Government Code Section 54957(a) authorizes a board to meet in closed session for the following purposes:

The legislative body of a local agency may hold closed session with the Attorney General, district attorney, agency 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, a threat to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or a threat to the public's right of access to public services or facilities. [Government Code Section 54957(a).]

- B. Subject to the conditions in paragraph (b)(2) of Section 54957, consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of an employee. [Government Code Section 54957(b)(1).]
1. This exception permits boards to meet in closed session to discuss and act upon the hiring, firing, intermediate discipline, and evaluation of particular employees, even though, on its face, the statute authorizes only a closed session to "consider" such personnel matters. [Lucas v. Board of Trustees (1971) 18 Cal.App.3d 988; see also, Southern California Edison Co. v. Peevey (2003) 31Cal.4th 781, 799.]

2. When the legislative body of a local agency meets in closed session to consider the proposed dismissal of a public employee but ultimately rejects that proposal and retains the employee, the legislative body is not thereafter required to publicly report its decision and the vote or abstention of each member. [89 Ops.Cal.Atty.Gen. 110 (2006).]
3. A county board of education may not meet in closed session to consider the appointment, employment, evaluation of performance, discipline, or dismissal of certificated or classified employees because the county board is not the employer. [85 Ops.Atty.Gen. 77 (2002).]
4. Discussion must relate to a particular individual.
5. In Duval v. Board of Trustees of the Coalinga-Huron Unified School District (2001) 93 Cal.App.4th 902, the Court of Appeal held that evaluation extends to all employer consideration of an employee's discharge of her job duties after appointment or employment and before dismissal. Section 54957 is not limited to the consideration of formal evaluations. "We conclude the phrase 'evaluation of performance' encompasses a review of an employee's job performance even if that review involves particular instances of job performance rather than a comprehensive review of such performance."
 - a. The court also concluded that evaluation may properly include such preliminary matters as the selection of evaluation criteria, the establishment of a fact-gathering mechanism, designation of particular areas of emphasis in the evaluation, and the setting of goals, since each might reflect the board's initial perception of the employee's performance since the last evaluation. All of these considerations must still relate to the employer's exercise of discretion with respect to the evaluation of a particular employee.
 - b. Under evaluation of performance, a governing board may take action as to its final findings with respect to evaluation of a particular employee, and may meet with the employee to give him or her input regarding performance.
 - c. Personal performance goals are an integral part of the confidential evaluation process and may be discussed in closed session. [Versaci v. Superior Court (2005) 127 Cal.App.4th 805, 822.]
6. Appointment includes the process of reviewing resumes, interviewing, discussing qualifications, and arriving at a decision prior to the actual appointment. [80 Ops.Atty.Gen. 308 (1997).]
 - a. Closed sessions held pursuant to this section shall not include discussion or action on proposed compensation except for a

reduction of compensation that results from the imposition of discipline.

- b. Nothing in this code section limits whom the Board may choose to advise it when it conducts meetings involving employment matters. In Kaye v. Board of Trustees of San Diego County Public Law Library (2009) 179 Cal.App.4th 48, 62, the court found nothing wrong with the board having legal counsel present in closed session to advise it.
7. Consideration of charges brought against a public employee by another person or employee unless such employee requests a public hearing. [Government Code Section 54957(b)(2).]
- a. As a condition to holding a closed session on specific complaints or charges brought against an employee by another person or employee, the employee must be given written notice of his or her right to have the complaints or charges heard in open session. The notice must be delivered to the employee personally or by mail 24 hours before the time for holding the session. If notice is not given, any action against the employee based on the specific complaints or charges shall be null and void.
 - b. In Furtado v. Sierra Community College District (1998) 68 Cal.App.4th 876, the Court of Appeal made clear that when a district is considering performance evaluations in connection with a decision to nonreelect a probationary faculty member, it is not considering “specific complaints or charges” within the meaning of Section 54957. The court reasoned that the Legislature’s use of the word “or” to separate the phrase “to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee” from the phrase “to hear complaints or charges brought against an employee by another person or employee unless the employee requests a public session” indicated an intent that a public employee’s right to a public hearing should apply only when a board is hearing “complaints or charges.”
 - c. In Fischer v. Los Angeles Unified School District (1999) 70 Cal.App.4th 87, the court found that the mere consideration of reasons for nonreelection did not constitute the hearing of specific complaints or charges brought against an employee by another person or employee.
 - d. In Bollinger v. San Diego Civil Service Commission (1999) 71 Cal.App.4th 568, a case admittedly involving specific complaints or charges brought by fellow officers, the court found that the 24-hour notice requirement was not violated where the Commission met in closed session only to deliberate on whether to accept the

findings and recommendation of a hearing officer. The consideration of the recommended decision did not constitute the hearing of specific complaints or charges. By analogy, this case supports the conclusion that a governing board need not provide the 24-hour notice when merely deliberating and acting upon the recommended decision of a hearing officer in a classified employee dismissal.

- e. In Morrison v. Housing Authority of the City of Los Angeles (2003) 107 Cal.App.4th 860, the Court of Appeal held that where the governing body of a public entity, in a case involving employee discipline, rejects its hearing officer's findings of fact and engages in its own fact-finding, it is conducting a "hearing" on the charges against the employee for purposes of Section 54957 and the employee must be given notice of the right to have the hearing conducted in open session.
- f. However, in Bell v. Vista Unified School District (2000) 82 Cal.App.4th 672, the Court of Appeal concluded that the governing board's consideration of the findings of a CIF commissioner constituted the hearing of specific complaints or charges brought by another person or employee when the board's consideration of the CIF's findings led to the termination of a coaching assignment for an otherwise tenured teacher.
- g. The Court of Appeal concluded in Kolter v. Commission on Professional Competence of the Los Angeles Unified School District (2009) 170 Cal.App.4th 1346 that the district need not issue a 24-hour Brown Act notice to a certificated employee before commencing dismissal proceedings. This decision is a departure from the widespread precautionary practice of providing employees with 24-hour notice, pursuant to Government Code Section 54957, when a governing board will be considering any "specific complaints or charges brought against an employee by another person or employee" in closed session, regardless of whether any actual disciplinary action will be taken as a direct result of the closed session.
 - 1) The governing board met in a closed session to initiate the process to dismiss Kolter from her employment as an elementary school teacher pursuant to Education Code Section 44934. [See Education Code Section 87672, applicable to community college districts.] LAUSD did not give Kolter any pre-meeting notice that it would be considering charges against her. However, after the closed session, the district sent Kolter notice that it would seek to

dismiss her and informed her of her right to a public hearing.

- 2) The court, in ruling that the 24-hour notice was not required, found that the governing board need only provide the 24-hour notice when “hearing” complaints or charges against the employee and not when merely “considering” whether to initiate discipline.
- h. “Although Section 54957 allows public employees to demand that a governing body air complaints about the employee in public, it does not grant the employees the right to force the conflict behind closed doors.” [Leventhal v. Vista Unified Sch. Dist. 973 F. Supp. 951, 958 (S.D. Cal., 1997); and Morrow v. Los Angeles Unified School Dist. (2007) 149 Cal.App.4th 1424, 1439.]
- i. The general rule is that closed session access is permitted only to people who have “an official or essential role to play” in the closed meeting. [83 Ops.Atty.Gen. 221, 225 (2000).]
8. The term “employee” is defined to include an officer or independent contractor who functions as an officer or an employee. Elected officers are not employees.
 - a. A contractor assigned to perform “executive officer services” for a county local agency formation commission (LAFCO) was an “officer” of LAFCO and thus an “employee” within meaning of Section 54957(b). [Hofman Ranch v. Yuba County Local Agency Formation Com'n (2009) 172 Cal.App.4th 805, 811.]
 - b. Thus, LAFCO's use of a closed session to consider renewal of his contract did not violate the Brown Act, even if contractor provided similar services to four other county LAFCOs, and even though the contract stated that contractor was not an officer or employee and was not subject to LAFCO's day-to-day direction and control, where contractor performed executive tasks including the duties described by statute as the day-to-day business of LAFCO; contractor processed LAFCO-related applications, prepared California Environmental Quality Act (CEQA) and LAFCO-related reports and documents, reviewed projects of concern and prepared responses for LAFCO, and prepared LAFCO's budget.
Id.

C. Other Authority for Closed Sessions

1. A board may hold a closed session, based on the advice of counsel, to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would

prejudice the position of the district in the litigation. [Government Code Section 54956.9.]

- a. Litigation is pending when any of the following circumstances exist:
 - 1) Proceedings before a court, administrative body, hearing officer, or arbitrator to which the district is a party, have been formally initiated. [Government Code Section 54956.9(c) and (d)(1).]
 - 2) A point has been reached where, in the opinion of the board on the advice of legal counsel, and based on existing facts and circumstances, there is a significant exposure to litigation. [Government Code Section 54956.9(d)(2).]
 - 3) Deciding whether to litigate or whether closed session is proper based on existing facts and circumstances. [Government Code Section 54956.9(d)(3).]
 - 4) Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate litigation, or is deciding whether to initiate litigation. [Government Code Section 54956.9(d)(4).]
- b. The “significant exposure” to litigation determination must be made from the “existing facts or circumstances.” “Existing facts or circumstances” consist of only one of the following:
 - 1) Facts and circumstances that might result in litigation but which the district believes are not known to the potential plaintiff, which facts and circumstances need not be disclosed. [Government Code Section 54956.9(e)(1).]
 - 2) Facts and circumstances including, but not limited to, an accident, disaster, incident, or transactional occurrence that might result in litigation against the district and that are known to the plaintiff. These facts shall be publicly stated on the agenda or announced. [Government Code Section 54956.9(e)(2).]
 - 3) Receipt of a tort claim or other written communication threatening litigation, which claim or communication shall be made available for public inspection. [Government Code Section 54956.9(e)(3).]
 - 4) A statement made by a person in a public meeting threatening litigation on a specific matter within the

agency's area of responsibility. [Government Code Section 54956.9(e)(4).]

- 5) A statement threatening litigation outside of a public meeting on a specific matter within the responsibility of the agency so long as the official or employee of the agency receiving knowledge of the threat makes a contemporaneous or other record of the statement prior to the meeting and the record is made available for public inspection. [Government Code Section 54956.9(e)(5).]
- c. The board must either state on the agenda or publicly announce the paragraph of subdivision (d) authorizes the closed session, and, when known, the title of the case. [Government Code Section 54956.9(g).]
- d. In Southern California Edison Co. v. Peevey (2003) 31 Cal.4th 781, 801, the Supreme Court interpreted corresponding provisions of the Bagley-Keene Act not to require a state body to announce its proposed decision relating to settlement of a case in public session--*identifying the litigation involved*--and accept public comment on the proposed settlement before voting on it. In Peevey, the PUC had recessed to closed session pursuant to the counterpart to Government Code Section 54956.9(g), which does not require the identification of the case by name prior to holding the closed session, if to do so would jeopardize pending settlement negotiations.
 - 1) Although Section 54956.9 does not expressly so provide, it has been construed, generally, also to permit a local legislative body to approve settlements in closed session. [See Southern California Edison Co. v. Peevey, supra., 31 Cal.4th at 798-799 [discussing 75 Ops.Cal.Atty.Gen. 14 (1992), which so opined]; Trancas Property Owners Assn. v. City of Malibu (2006) 138 Cal.App.4th 172, 185.]
 - 2) As "emphasized" in the Attorney General's manual on the Brown Act, "the purpose of [Section 54956.9] is to permit the body to receive legal advice and make litigation decisions only; it is not to be used as a subterfuge to reach nonlitigation oriented policy decisions." [Cal. Atty. Gen. Office, The Brown Act (2003), p. 40.]
 - 3) Thus, Section 54956.9's implied allowance for adoption of settlements in closed session is subject to limits:

“And whatever else it may permit, the exemption cannot be construed to empower a city council to take or agree to

take, as part of a nonpublicly ratified litigation settlement, action that by substantive law may not be taken without a public hearing and an opportunity for the public to be heard. As a matter of legislative intention and policy, a statute that is part of a law enacted to assure public decision making, except in narrow circumstances, may not be read to authorize circumvention and indeed violation of other laws requiring that decisions be preceded by public hearings, simply because the means and object of the violation are settlement of a lawsuit.” [Trancas Property Owners Assn., *supra.*, 138 Cal.App.4th at 187.]

e. In County of Los Angeles v. Superior Court (2005) 130 Cal.App.4th 1099, the superior court had granted the county's motion to compel production of documents listed in a union's deposition subpoena directed to the district attorney, who had conducted an investigation into whether the board violated the Brown Act during two closed sessions.

- 1) The court of appeal held that the superior court erred when it granted the county's discovery motion. The documents sought by the union were not discoverable because closed session minutes were specifically exempt from disclosure under Section 54957.2. The closed sessions were properly convened under Section 54956.9 to discuss anticipated litigation related to a federal agency's decision to terminate Medicare funding to a medical center under investigation. The minutes of the closed sessions were confidential and were not subject to discovery.
- 2) Under Section 6254.5(e) of the Public Records Act, the board did not waive any privilege by disclosing the minutes to the district attorney. The letters in the district attorney's investigation file were exempt from disclosure under Sections 6254(f) and 6254.5(e).

f. Section 54956.9 does not authorize the practice of mediating disputes or discussing potential litigation with opposing parties and their counsel. [Page v. Mira Costa Community College Dist. (2009) 180 Cal.App.4th, 471; Shapiro v. Board of Directors of Centre City Development (2005) 134 Cal.App.4th 170, 182-183; and 62 Ops.Atty.Gen. 150 (1979).]

2. A board member may not publicly disclose information that has been received and discussed in closed session concerning pending litigation unless the information is authorized by law to be disclosed. [80 Ops.Atty.Gen. 231 (1997).] (NB: Much of the reasoning of this opinion is equally applicable to the improper disclosure of other closed session

discussions.) [See Government Code Section 54963. Kleitman v. Superior Court (1999) 74 Cal.App.4th 324, 334.] (“We agree with the Attorney General. Disclosure of closed session proceedings by the members of a legislative body necessarily destroys the closed session confidentiality which is inherent in the Brown Act.”)

3. In 86 Ops.Atty.Gen. 210 (2003), the Attorney General concluded that where a member of a city council or county board of supervisors is appointed to sit as that body’s representative on the board of another local agency, the appointee may not disclose to his or her appointing authority or its counsel information received in a closed session of the board.
 - a. However, Section 54956.96 was added to the Act to permit joint power agencies to adopt policies or bylaws, or include in their joint powers agreement, provisions that authorize a member of a legislative body of a member local agency to disclose information obtained in closed sessions of the JPA that has direct financial or liability implications for that local agency to legal counsel for the member local agency for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency, or to other members of the legislative body of the local agency present in a closed session of that member local agency. [Government Code Section 54956.96.]
 - b. The general rule is that closed session access is permitted only to people who have “an official or essential role to play” in the closed meeting. [83 Ops.Atty.Gen. 221, 225 (2000); see also 82 Ops.Atty.Gen. 29, 33 (1999); 46 Ops.Atty.Gen. 34, 35 (1965).]
4. Consideration of student disciplinary action, unless a public hearing is requested in writing [see the specific provisions of Education Code Sections 35146 and 72122], and challenges to a student’s records. [Education Code Sections 49070(c) and 76232(c).]
5. A board may hold closed session, pursuant to Government Code Section 54957.6, with its designated representative regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits to represented and unrepresented employees, and for represented employees, any other matter within the scope of representation. [Government Code Sections 3549.1 and 54957.6; see also, San Diego Union v. City Council (1983) 146 Cal.App.3d 947.]
 - a. The Attorney General has concluded that, since the county board is not the employer, it may not meet in closed session pursuant to the labor negotiations exception. [85 Ops.Atty.Gen. 77 (2002).]
 - b. Closed sessions with the local agency’s designated representative regarding the salaries, salary schedules, or compensation paid in

the form of fringe benefits may include discussion of an agency's available funds and funding priorities, but only insofar as these discussions relate to providing instructions to the local agency's designated representative.

- c. Closed session held pursuant to Section 54957.6 shall not include final action on the proposed compensation of one or more unrepresented employees.
 - d. Note Well: Pursuant to Government Code Section 53262(a) all contracts of employment with a superintendent, deputy superintendent, assistant superintendent, associate superintendent, community college president, community college vice president, community college deputy vice president, general manager, city manager, county administrator, "or other similar chief administrative officer or chief executive officer of a local agency" shall be **ratified** in an open session of the governing body which shall be reflected in the governing body's minutes.
 - e. Pursuant to Section 53262(b) copies of any contracts of employment, as well as copies of the settlement agreements, shall be available to the public upon request.
6. Consideration of real property transactions. This exception permits a board to meet with its negotiator prior to purchase, sale, exchange, or lease of real property to grant authority to its negotiator regarding the price and terms of the transaction. Before discussing the transaction in closed session, the board must identify the real property at issue and the person with whom its negotiator may negotiate. [Government Code Section 54956.8. See, Shapiro v. San Diego City Council (2002) 96 Cal.App.4th 904.]
- a. The real-estate-negotiations exception to the open meeting requirements of the Brown Act permits the closed-session discussion of: (1) the amount of consideration that the local agency is willing to pay or accept in exchange for the real property rights to be acquired or transferred in the particular transaction; (2) the form, manner, and timing of how that consideration will be paid; and (3) items that are essential to arriving at the authorized price and payment terms, such that their public disclosure would be tantamount to revealing the information that the exception permits to be kept confidential. [94 Ops.Cal.Atty.Gen. 82, 2011 WL 617511.]
7. Nothing contained in the Brown Act shall be construed to prevent the legislative body of a multijurisdictional law enforcement agency, or an advisory body of a multijurisdictional law enforcement agency, from holding closed sessions to discuss the case records of any ongoing

criminal investigation of the multijurisdictional law enforcement agency or of any party to the joint powers agreement, to hear testimony from persons involved in the investigation, and to discuss courses of action in particular cases. [Government Code Section 54957.8.]

- a. “Multijurisdictional law enforcement agency” means a joint powers entity formed pursuant Government Code Section 6500 that provides law enforcement services for the parties to the joint powers agreement for the purpose of investigating criminal activity involving drugs; gangs; sex crimes; firearms trafficking or felony possession of a firearm; high technology, computer, or identity theft; human trafficking; or vehicle theft. [Government Code Section 54957.8(a).]
 - b. The addition of this provision occurred after the passage of Proposition 59, and provides an example of the legislative findings now required to justify a limitation on the public’s right of access to the meetings of public bodies or the writings of public officials and agencies. [See Statutes of 2006, Chapter 427, Section 2.]
8. Districts which are members of a joint powers agency formed for the purpose of insurance pooling may meet in closed session to discuss a claim for the payment of tort liability losses, public liability losses, or workers’ compensation liability. [Government Code Section 54956.95.]
 9. Consideration of honorary degrees or gifts from a donor who wants to remain anonymous. [Education Code Section 72122.]
 10. Discussion by the legislative body of a local agency that has received a confidential final draft audit report from the Bureau of State Audits of its response to that report. [Government Code Section 54956.75.]
- D. The right to consider the above matters in closed session includes the ability to take action in closed session. [75 Ops.Atty.Gen. 14 (1992).]
- E. The Act requires a brief, general description of each item of business to be transacted, including items to be discussed in closed session. What this means with respect to closed sessions is somewhat ambiguous. However, Section 54954.5 provides a “safe harbor” provision, such that substantial compliance with its suggested language will prevent a finding of a violation of the Act’s closed session notice requirements. Examples of the suggested language include the following:
1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 - a. **Property:** (specify the street address, or if no street address, the parcel number or other unique reference to the property under negotiations.)

- b. **Agency Negotiator:** (specify the name of the negotiators attending the closed session.) (If circumstances necessitate the absence of a specified negotiator, an agent or designee may participate in place of the absent negotiator so long as the name of the agent or designee is announced at an open session held prior to the closed session.)
 - c. **Negotiating parties:** (specify name of party - not agent.)
 - d. **Under negotiation:** (specify whether the instructions to the negotiator will concern price, terms of payment, or both.)
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivisions (c) and (d)(1) of Section 54956.9)
- a. **Name of case:** (specify by reference to claimant's name, names or parties, case or claim numbers.)
- or
- b. **Case name unspecified:** (specify whether disclosure would jeopardize service of process or existing settlement negotiations.)
3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
- a. **Significant exposure to litigation pursuant to subdivision (d)(2) and (e) of Section 54956.9:** *(specify the number of potential cases.)*

(In addition to the information noticed above, the district may be required to provide additional information on the agenda or in an oral statement prior to the closed session pursuant to paragraphs (2) to (5), of subdivision (e) of Section 54956.9.) This may mean stating the existing facts and circumstances giving rise to a significant exposure to litigation against the district.) See the discussion of the content of paragraphs (2) to (5) of subdivision (e) of Section 54956.9 at pages 28-29, above.)
 - b. **Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9:** *(specify the number of potential cases.)*
4. LIABILITY CLAIMS [GOVERNMENT CODE SECTION 54956.95]
- a. **Claimant:** *(specify name unless unspecified pursuant to Section 54961.)*
 - b. **Agency claimed against:** *(Specify name.)*

5. THREAT TO PUBLIC SERVICES OR FACILITIES

- a. **Consultation with:** *(specify name of law enforcement agency and title of officer.)*

6. PUBLIC EMPLOYEE APPOINTMENT

- a. **Title:** *(specify description of position to be filled.)*

7. PUBLIC EMPLOYMENT

- a. **Title:** *(specify description of position to be filled.)*

8. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- a. **Title:** *(specify position title of employee being reviewed.)*

9. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

No additional information is required to consider discipline, dismissal, or release of a public employee. Discipline includes potential reduction of compensation.

10. CONFERENCE WITH LABOR NEGOTIATORS

- a. **Agency designated representatives:** *(specify names of designated representatives attending the closed session.) (If circumstances necessitate the absence of a specified representative, an agent or designee may participate in place of the absent representative so long as the name of the agent or designee is announced at an open session held prior to the closed session.)*
- b. **Employee organization:** *(specify name of organization representing employee or employees in question.)*

or

- c. **Unrepresented employee:** *(specify position title of unrepresented employee who is the subject of the negotiations.)*

11. CONFERENCE INVOLVING JOINT POWERS AGENCY

- a. **Discussion will concern:** *(specify closed session description used by the joint powers agency.)*
- b. **Name of local agency representative on joint powers agency board:** *(specify name)*

12. AUDIT BY BUREAU OF STATE AUDITS

- F. Prior to holding a closed session, the board must disclose, in an open meeting, the items to be discussed in closed session. The announcement can either repeat all of the information already stated on the agenda, or it may simply refer to the items as they are listed on the agenda by number or letter. [Government Code Section 54957.7.]

Nothing in Section 54957.7 shall require or authorize a disclosure of information prohibited by state or federal law.

- G. After any closed session, the board must reconvene in open session prior to adjournment and make the disclosures required by Government Code Section 54957.1. The board must report any action taken in closed session and the vote or abstention of every member present thereon as follows:

1. Approval of an agreement concluding real estate negotiations pursuant to Section 54956.8 shall be reported as follows:
 - a. If the board's approval renders the agreement final then it must report that approval and the substance of the agreement in open session at the public meeting during which the closed session is held;
 - b. If final approval rests with the other party, the board shall disclose the fact of approval and the substance of the agreement upon inquiry by any person as soon as the other party approves the agreement.
2. Approval given to legal counsel to defend, or seek or refrain from seeking appellate review or relief, or enter as amicus curiae in any form of litigation as a result of a consultation under Section 54956.9 shall be reported in open session at the public meeting during which the closed session is held. The report shall identify the adverse party, and the substance of the litigation.
3. In the case of approval given to initiate or intervene in an action, the announcement need not identify the action, the defendants, or other particulars, but shall specify that the direction to initiate or intervene in an action has been given and that the particulars will be disclosed upon request once the litigation is formally commenced, unless to do so would jeopardize the agency's ability to complete service of process, or jeopardize the ability to conclude existing negotiations.
4. Approval given to a settlement of pending litigation shall be reported after the settlement is final as specified below:
 - a. If the board accepts a settlement offer signed by the opposing party, the board shall report its acceptance and identify the

substance of the agreement in open session at the public meeting during which the closed session is held.

- b. If final approval rests with the other party or the court, the board shall disclose the fact of approval and the substance of the agreement upon inquiry by any person as soon as the settlement becomes final.
5. Disposition of claims discussed in closed session pursuant to Section 54956.95 must be reported as soon as reached. The board must identify the name of the claimant, the local agency claimed against, the substance of the claim, and the amount of any settlement.
6. Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee shall be reported at the public meeting at which the closed session is held. The report must identify the title of the position.

However, the report of a dismissal or of the non-renewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any.

If none of these specified types of "actions" is "taken" during the closed session, there is no duty to report the body's deliberations or the members' votes or abstentions with respect thereto. When the legislative body of a local agency meets in closed session to consider the proposed dismissal of a public employee but ultimately rejects that proposal and retains the employee, the legislative body is not thereafter required to publicly report its decision and the vote or abstention of each member. 89 Ops.Atty.Gen. 110 (2006).

7. Approval of an agreement concluding labor negotiations pursuant to Section 54957.6 shall be reported after the agreement is final and has been accepted or ratified by the other party. The report must identify the item approved and the other parties to the negotiation.

H. Making the required reports.

1. The reports may be made either orally or in writing. [Government Code Section 54957.1(b).]
2. The board must provide to any person who has submitted a written request to the board within 24 hours of the posting of the agenda, or to any person who has made a standing request for all documentation as part of a request for notice of meetings pursuant to Section 54954.1 or 54956, if the requester is present at the time the closed session ends, copies of any contracts, settlement agreements, or other documents that were finally

approved or adopted in the closed session. [Government Code Section 54957.1(b).]

If the action taken results in one or more substantive amendments to the related documents requiring retyping during normal business hours, the documents need not be released until the retyping is completed, provided that the presiding officer of the legislative body or his designee orally summarizes the substance of the amendments for the benefit of the document requester or any other person present and requesting the information.

3. In addition, the documents referred to above shall be available to any person on the next business day following the meeting in which the action referred to is taken or, in the case of substantial amendments, when any necessary retyping is complete. [Government Code Section 54957.1(c).]
4. No action for injury to a reputation, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made by a legislative body in an effort to comply with this section. [Government Code Section 54957.1(e).]

VI. ENFORCEMENT OF THE BROWN ACT

- A. Criminal Consequences: Each member of a board who attends a meeting of the board where action is taken in violation of any provision of this chapter, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under this chapter, is guilty of a misdemeanor. [Government Code Section 54959.]
 1. Action taken is defined to include “collective commitment.” Mere deliberation of some action will not trigger the criminal penalty. [Government Code Section 54952.6.]
 2. Good faith reliance on an opinion of counsel that a closed meeting is proper, normally would preclude a finding of “wrongful intent to deprive the public of information.” [See, Attorney General Index letter 76-173 interpreting pre-amendment language.]
- B. Civil Remedies - actions in the form of injunction, mandamus or declaratory relief.
- C. The district attorney or any interested person may commence an action by mandamus, injunction, or declaratory relief for the purpose of **stopping** or **preventing violations** or **threatened violations** of this chapter by members of the legislative body of a local agency or to determine the applicability of this chapter to **ongoing actions** or **threatened future actions** of the legislative body, or to determine the applicability of this chapter to **past actions** of the legislative body, subject to Section 54960.2, or to determine whether any rule or action by the

legislative body to penalize or otherwise discourage the expression of one or more of its members is valid or invalid under the laws of this state or of the United States, or to compel the legislative body to audio record its closed sessions as hereinafter provided. [Government Code Section 54960.]

1. The district attorney or any interested person may file an action to determine the applicability of this chapter to **past actions** of the legislative body pursuant to subdivision (a) of Section 54960 only if all of the following conditions are met [Government Code Section 54960.2(a).]:
 - a. The district attorney or interested person alleging a violation of this chapter first submits a cease and desist letter to the clerk or secretary of the legislative body being accused of the violation, clearly describing the past action of the legislative body and nature of the alleged violation. (Government Code Section 54960.2(a)(1).]
 - b. The cease and desist letter must be submitted to the legislative body within nine months of the alleged violation. [Government Code Section 54960.2(a)(2).]
 - c. The time during which the legislative body may respond to the cease and desist letter has expired and the legislative body has not provided an unconditional commitment. [Government Code Section 54960.2(a)(3).]
 - d. Within 60 days of receipt of the legislative body's response to the cease and desist letter, other than an unconditional commitment, or within 60 days of the expiration of the time during which the legislative body may respond to the cease and desist letter, whichever is earlier, the party submitting the cease and desist letter shall commence the action or thereafter be barred from commencing the action. [Government Code Section 54960.2(a)(4).]
2. The legislative body may respond to a cease and desist letter submitted pursuant to subdivision (a) within 30 days of receiving the letter. This subdivision shall not be construed to prevent the legislative body from providing an unconditional commitment pursuant to subdivision (c) at any time after the 30-day period has expired, except that in that event the court shall award court costs and reasonable attorney fees to the plaintiff in an action brought pursuant to this section, in accordance with Section 54960.5.

3. If the legislative body elects to respond to the cease and desist letter with an unconditional commitment to cease, desist from, and not repeat the past action that is alleged to violate this chapter, that response shall be in substantially the following form:

To _____:

The [name of legislative body] has received your cease and desist letter dated [date] alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

[Describe alleged past action, as set forth in the cease and desist letter submitted pursuant to subdivision (a)]

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the [name of legislative body] hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The [name of legislative body] may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

[Chairperson or acting chairperson of the legislative body]

[Government Code Section 54960.2(c)(1).]

4. An unconditional commitment pursuant to this subdivision shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda. [Government code Section 54960.2(c)(2).]
5. An action shall not be commenced to determine the applicability of the Brown Act to any past action of the legislative body for which the legislative body has provided an unconditional commitment as specified above. During any action seeking a judicial determination regarding the applicability of this chapter to any past action of the legislative body, if the court determines that the legislative body has provided an unconditional commitment, the action shall be dismissed with prejudice. [Government Code Section 54960.2(c)(3).]
6. The fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of this chapter. [Government Code Section 54960.2(c)(4).]
7. If the legislative body provides an unconditional commitment, the legislative body shall not thereafter take or engage in the challenged action described in the cease and desist letter. Violation of the commitments shall constitute independent violations of the Brown Act, without regard to whether the challenged action would otherwise violate the Brown Act. An action alleging past violation or threatened future violation of this subdivision may be brought pursuant to subdivision (a) of Section 54960, without regard to the procedural requirements of this section. [Government Code Section 54960.2(d).]
8. The legislative body may resolve to rescind an unconditional commitment made by a majority vote of its membership taken in open session at a regular meeting as a separate item of business not on its consent agenda, and noticed on its posted agenda as “Rescission of Brown Act Commitment,” provided that not less than 30 days prior to such regular meeting, the legislative body provides written notice of its intent to consider the rescission to each person to whom the unconditional commitment was made, and to the district attorney. Upon rescission, the district attorney or any interested person may commence an action pursuant to subdivision (a) of Section 54960. [Government Code Section 54960.2(e).]
9. A court may impose the requirement that closed sessions be taped if it finds that the board has violated the statutes authorizing closed sessions. [Government Code Section 54960(a).]
10. Tape recordings of closed sessions will be discoverable under very limited circumstances.

- D. Violations of the meeting notice and agenda provisions may result in having action taken adjudged null and void. Such actions may be commenced by the district attorney or by any interested person. [Government Code Section 54960.1.]
1. Prior to commencing such an action, the interested person or the district attorney must demand in writing that the board cure or correct the alleged violation.
 2. The written demand shall be made within 90 days unless the action was taken in an open session but in violation of the agenda requirements, in which case the demand must be made within 30 days from the date the action was taken.
 3. Suit must be brought within 15 days of the board's decision as to whether it will cure or correct or within 15 days after the expiration of the 30-day period to cure or correct demand, whichever is earlier. Even after a lawsuit is filed, the board may cure and correct and have the lawsuit dismissed.
 4. Certain actions are not subject to rescission. [Government Code Section 54960.1(d)(1-4).]
 5. Successful plaintiffs are entitled to their attorney's fees. Boards may recover attorney's fees only where the lawsuit is frivolous and without merit. [Government Code Section 54960.5.]
 6. "Even where a plaintiff has satisfied the threshold procedural requirements to set aside an agency's action, Brown Act violations will not necessarily invalidate a decision. Appellants must show prejudice." [Cohan v. City of Thousand Oaks (1994) 30 Cal.App.4th 547, 555-556 (no prejudice shown from violation of Government Code Section 54954.2, subd. (a), which "requires that an agenda be posted at least 72 hours before a regular meeting and forbids action on any item not on that agenda").] [San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School Dist. (2006) 139 Cal.App.4th 1356; Galbiso v. Orosi Public Utility Dist. (2010) 182 Cal.App.4th 652, 671.]
 7. To state a cause of action under Section 54960.1, the complaint must allege: (1) that a legislative body violated one or more enumerated Brown Act statutes; (2) that there was "action taken" by the local legislative body in connection with the violation; and (3) that before commencing the action plaintiff made a timely demand of the legislative body to cure or correct the action alleged to have been taken in violation of the enumerated statutes, and the legislative body did not correct the challenged action. [Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109, 1116-1117.] (Mere conference with legal counsel and the giving of direction to staff did not constitute "an action taken" within the meaning of Section 54952.6. Further, the council's rescission of all

action relating to the improperly-agendized litigation, even though there was no action taken, constituted the cure and correction of the alleged violation.)

E. Attorney Fees.

1. “A court may award court costs and reasonable attorney fees to the *plaintiff* in an action brought pursuant to Section 54960 or 54960.1 *where it is found that a legislative body of the local agency has violated this chapter*. The costs and fees shall be paid by the local agency and shall not become a personal liability of any public officer or employee of the local agency.” [Government Code Section 54960.5.]
2. Such awards are not mandatory, and are entrusted to the discretion of the trial court. [Galibiso v. Orosi Public Utility District (2008) 167 Cal.App.4th 1063, 1077.]
3. In determining whether to award attorney fees it “should consider among other matters ‘the necessity for the lawsuit, lack of injury to the public, the likelihood the problem would have been solved by other means and the likelihood of recurrence of the unlawful act in the absence of the lawsuit.’ [Citations.]” [Galbiso supra, 167 Cal.App.4th 1063, 1083, and Bell v. Vista Unified School Dist., supra, 82 Cal.App.4th at p. 686.]
4. “[T]he trial court has the discretion to deny successful Brown Act plaintiffs their attorneys fees, but only if the defendant shows that special circumstances exist that would make such an award unjust.” [Id., and Los Angeles Times Communications v. Los Angeles County Bd. of Supervisors, supra, 112 Cal.App.4th at p. 1327.]
5. A court may award court costs and reasonable attorney fees to a local agency defendant in an action only where the defendant has prevailed in a final determination of such action and the court finds that the action was clearly frivolous and totally lacking in merit. [Government Code Section 54960.5.]

MEMORANDUM

TO: Surplus Property (“7-11”) Advisory Committee
FOUNTAIN VALLEY SCHOOL DISTRICT

FROM: Andreas Chialtas, District Legal Counsel

DATE: November 15, 2016

RE: Conflict of Interest Law: Real Property

This memorandum provides an overview of the laws dealing with conflicts of interest and public officials. Specifically, we address the issue of board appointed advisory committee members who own property near land that is the subject of the advisory committee’s actions.

1. DISCUSSION

There are two sets of laws that address conflict of interest issues in general and may apply to board appointed advisory committee members and their ownership of property in particular. The Government Code addresses conflicts of interest generally in Section 1090 *et seq.* The Political Reform Act, which can be found in Government Code (Section 87100 *et seq.*) and the California Code of Regulations (Title 2, Section 18700 *et seq.*) also addresses conflicts of interest and specifically discusses the issue of property ownership. This memo focuses on the Political Reform Act since it addresses the issue of property ownership specifically and we do not think the Section 1090 would be triggered here.

A. Political Reform Act

The Political Reform Act is found in the Government Code (Section 87100 *et seq.*) and the California Code of Regulations (Title II, Section 18700 *et seq.*). In general, the Act prohibits any public official from participating in a governmental decision that may affect his or her financial interest. Specifically, the Act lays out a six step analysis to determine if a conflict of interest exists in any given situation. Special instructions are given throughout this analysis when property ownership is at issue. Below, we discuss each step in the context of property ownership.

1. Elements

a. Public Official

As defined by Section 82048, public official includes any member of a state or local government agency, including members of advisory bodies.

b. Influencing a Government Decision

In order for a conflict of interest to exist, the public official must be attempting to use his or her official position to influence a governmental decision. According to Section 18702.1(a), this occurs when "the official votes on a matter, obligates his agency to a course of action, or enters into any contractual agreement on behalf of his or her agency." Any decision that relates to property will fall under this category.

c. Economic Interest

In order to be considered a conflict of interest, the official in question must have an economic interest that may be financially affected by the decision. (Section 87103(b).) In terms of property ownership, the public official in question will have an economic interest if he or she has some type of interest in a piece of property that is worth at least two thousand dollars. (Section 87103.)

d. Potential Effect on Economic Interest

Once it is established that the public official has a financial interest, it must be shown that the economic interest will be or possibly could be affected by the decision. According to Section 18704.2(a)(1), this step is satisfied if the member's property is within 500 feet of the boundary of the government's property.

e. Material Effect

The effect on the public official's property must be material. According to Regulation 18705.2(a), any "reasonably foreseeable" effect on the member's property is presumed to be material. If the public official can argue that the effect was not reasonably foreseeable, this presumption may be rebutted. The Regulation specifically states that a decision is not material if it does not foreseeably affect any of the following:

- (1) the termination date of the lease,
- (2) the amount of rent paid related to the property,
- (3) the value of the right to sublease the property,
- (4) the allowed use or actual use of the property, or
- (5) the use or enjoyment of the property.

f. Reasonably Foreseeable Effect

At the time the government decision was made, the financial effect on the member's property must be reasonably foreseeable. This standard depends on the facts of the case. However, according to relevant decisions, an effect is always considered reasonably foreseeable if the government's decision will alter the use or value of the property in any manner.

2. Consequences

Once it is determined the public official fits all the elements and has a conflict of interest, he or she must follow the following steps as outlined in Section 87105.

a. Public Identification

First, the member must make the conflict of interest known to the public. The code requires the public identification to be "in detail sufficient to be understood by the public" but it specifically states that "disclosure of the exact street address of a residence is not required." (Section 87105.)

b. Recuse

The member must then recuse himself from discussing and voting on the manner.

c. Absence

The member must leave the room during the vote as well as during any discussion of the matter and any disposition of the matter. The section allows the member to speak about the issue during the time that the general public is allowed to speak on the issue.

B. Government Code Section 1090

The Government Code section 1090 *et seq.* also deals with conflicts of interest. This section is broader than the Political Reform Act but it does not specifically address the property ownership issue. It states that public officials cannot hold a financial interest in any contract made by them in their official capacity. As this advisory committee will not be contracting in their official capacity, we believe Section 1090 would not apply.

2. RELEVANT CASE LAW

Conflict of interest issues concerning real property owned by a public official was addressed by the California appellate court in *Downey Cares v. Downey Community Development Commission* (1987) 196 Cal.App.3d 983. In *Downey Cares*, the court considered whether the material financial effect on the value of a councilmember's real property and real estate business of amendment of a redevelopment plan was reasonably foreseeable. The councilmember owned real property in both the old and amended redevelopment project areas and his real estate business was located in the amended area. The trial court based its decision in part on the fact that while amendment of the plan did not spend money on specific projects, it began the process of setting aside revenues for improvements in the plan area. The trial court also found that it had a reasonably foreseeable effect on the councilmember's income as a realtor because such income is based on percentage of property value sold and it was reasonably foreseeable that the amendment to the plan area would increase property values. (*Downey Cares, supra*, at 989-90.)

The councilmember argued that the conflict laws did not bar his participation in the action to amend the plan because the amendment of the plan did not specify or authorize any particular projects so it could not have a reasonably foreseeable financial effect on any specific property, including the councilmember's. The councilmember conceded that he might be barred from future votes on implementation of the redevelopment plan, but argued that he was not barred from voting on the amendment of the plan. (*Id.* at 990.)

The Court of Appeal rejected the councilmember's argument as too narrow an interpretation of the PRA. (*Ibid.*) According to the Court:

In determining the reasonably foreseeable effects of the adoption of the redevelopment plan, the court may justifiably consider that the very purpose of redevelopment is to improve the property conditions in the redevelopment area. [Citation and footnote omitted.] The fact that it might be possible to conceive of specific redevelopment projects which might fail to affect [the councilmember's] property and business does not show the trial court's decision was wrong. The test is whether it was reasonably foreseeable that the adoption of the plan would have a material financial effect on [the councilmember's] property and business, and we find the trial court's decision supported by reasonable inferences and the record.

* * *

Footnote 4: Drawing reasonable inferences that redevelopment will foreseeably increase property values and realtor income, while taking care to decide each case on its individual circumstances, is a reasonable accommodation of conflicting considerations. Such interpretation does not paralyze redevelopment agencies from taking the first steps toward redevelopment. Government Code section 87101 provides: "Section 87100 does not prevent any public official from making or participating in the making of a governmental decision to the extent his participation is legally required for the action or decision to be made. The fact that an official's vote is needed to break a tie does not make his participation legally required for purposes of this section." This section represents a compromise which permits government agencies to act but minimizes conflicts of interest, reflecting a policy that the actions of a closely divided council or commission should not be determined by a member who is financially interested in the decision. (*Downey Cares, supra*, at 991.)

3. CONCLUSION

If an advisory committee member owns a piece of property that may be financially affected by an act of the committee, the Political Reform Act may require that the committee takes steps to ensure its decisions are not influenced by the advisory committee member in question.

SUMMARY OF SURPLUS PROPERTY PROCEDURES

These materials provide school districts with an overview of practical issues to consider before using or disposing of school district property, as well as the options available and information necessary to better assess current real property use agreements, and make fiscally responsible plans for future use agreements or disposition of school district properties. We will discuss the disposition of surplus real property by way of sale or lease and the options available to school districts for sharing facilities with both public and private entities. The following materials are divided into four categories: (1) disposition of surplus real property; (2) agreements with private entities; (3) agreements with other public entities; and (4) school closures.

I. SALE AND LEASE OF SURPLUS PROPERTY

1. What are the school district's goals/expectations?
2. What limitations (legal, political, etc.) exist on the property?
3. How will these goals, expectations, and limitations be communicated to the Board and to the community?
4. What does the school district desire to do with the funds it receives and is this an allowable use of those funds?
5. With what type of entities (public, private, individual) is the school district dealing?
6. What type of relationship, if any, does the school district have with these entities?
7. What political/community issues will be involved in the school district's decision about the disposition of the property or its ultimate use?
8. Does the school district have a master facilities plan with which the use/disposition of the property must conform?
9. How will the disposition of the property affect the use of other district facilities?
10. Has the school district considered disposing of other properties that may be better suited?

SALE OF PROPERTY

Preliminary Matters

(A) Asset Management Planning

“Asset management”, as a term, is often confusing because it means different things to different people. In the context of California public school districts, asset management simply means treating surplus real property -- property no longer needed for programmatic, administrative, or operational use -- in a businesslike way. A school district does this by

taking a holistic look at the need for its real estate over the next ten (10) or twenty (20) years and deciding, based on policy goals, demographic analysis, and economic analysis, what properties may be declared surplus and can generate revenues and how all other district properties are best used.

A well-run business treats any of its assets in a manner which secures the most value for its shareholders. Similarly, a prudent school district, in dealing with its surplus real estate, will be responsible for securing value from these assets for the benefit of its constituents. Acting like a business in handling its surplus real property carries significant benefits for a school district. For example, when it goes out for a bond or a parcel tax, a district assures its constituents that economic value has been properly realized from assets no longer needed for the district's mission purpose, value which can be turned to advantage for other district capital needs.

A school district engages in proper asset management by planning for the long-term use of all its real property assets. For a property which it determines it may not need for the long-term, the district should first inventory it in order to fully understand what it owns. Second, the district should engage in planning for disposition to ensure that it will not be shortchanged if and when the property were to be put on the market. It does this by recognizing that there are various methods to achieving value for a piece of surplus property. In this context, a district should analyze the pros and cons of each approach to disposition - sale or lease of property, exchange or joint venture, sale of property "as is" or with zoning or development entitlements in place, etc. In this way, the district comes to understand the relationship of risk to reward; in the marketplace greater reward almost always carries with it the assurance of greater risk. The question is how does a school district knowledgeably and prudently find the right balance between that reward and that risk?

A recommended way to approach asset management with the goal of ensuring an ultimately successful disposition is to undertake an Asset Management Planning Report. Although this plan can take different forms, essentially an Asset Management Planning Report should provide the school district with the following information and can do so by carrying out the following tasks:

1. Inventory each potentially surplus property (including reference to each property's characteristics and constraints, such as size, zoning and General Plan designations, title issues, current use, and lease and other encumbrances).
2. Summarize lease obligations and other commitments for use by non-district entities of each property, if any.
3. Discuss constraints and opportunities for each property.
4. In regard to property which may be subject to the Naylor Act, memorialize discussions with the Planning Department and the Parks and Recreation Department of the local jurisdiction so the district can avoid surprises (and possibly create compromise).

5. Articulate real-world disposition options for each property and, working with an appraiser, develop value ranges for each option.
6. Look at all potentially surplus properties holistically with reference to all of the real estate owned by the district; i.e., use this process to discover and act on opportunities to resolve all potential land use issues with the local city or county in which the district operates.
7. Summarize legal and procedural requirements for sale or lease or exchange of public school district real property.
8. Present recommendations to district for the preferred manner of disposition for each property and the priority in which they should occur.

It should be remembered that the final version of any good Asset Management Planning Report will be the result of discussions undertaken among school district staff, the Board of Education, the staff of the local city or county, and members of the public. In this way, the Asset Management Planning Report will be able to lead to wide acceptance by the community in any disposition of the district's real property.

(B) Appointment of Advisory Committee (Education Code section 17388)

Pursuant to Education Code section 17388, before surplus real property is sold or leased, the governing board of a school district must appoint an advisory committee to advise the governing board on the disposition of such property. Education Code section 17389 requires that the advisory committee be composed of not less than seven (7) nor more than eleven (11) members and must be representative of specific groups within the community. Sometimes this committee is called a "7-11 Committee."

Education Code section 17389 states that an advisory committee must be represented by each of the following:

- a. The ethnic, age group, and socioeconomic composition of the school district.
- b. The business community, such as store owners, managers, or supervisors.
- c. Landowners or renters, with preference to be given to representatives of neighborhood associations.
- d. Teachers.
- e. Administrators.
- f. Parents of students.
- g. Persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to, knowledge of the zoning and other land use restrictions of the cities or cities and counties in which the surplus space and real property is located.

The committee's task is to review data to determine the amount of surplus space or real property available, establish a priority list for its use, provide community input on acceptable uses, and forward its recommendations to the governing board. On recommendation from the advisory committee, a school district's governing board may pass a Resolution of Intention to dispose of real property.

Education Code section 17390 specifically states that an advisory committee must do all of the following:

- a. Review the projected school enrollment and other data as provided by the school district to determine the amount of surplus space and real property.
- b. Establish a priority list of use of surplus space and real property that will be acceptable to the community.
- c. Cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings for community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for childcare development purposes pursuant to Education Code section 17458.
- d. Make a final determination of limits of tolerance of use of space and real property.
- e. Forward to the school district's governing board a report recommending uses of surplus space and real property.

Please note that the provisions for an Advisory Committee do not set forth a minimum time period in which these duties must be completed. Furthermore, as an extension of a legislative body (the school district governing board), please note that the Advisory Committee must follow all Brown Act requirements.

(C) Notice to Local Planning Agency

Government Code section 65402(c) requires a school district to submit a report to its local planning agency before disposing of any real property. The planning agency must report on the disposition's conformity with the applicable general plan within forty (40) days. If the planning agency fails to report on the disposition of such property within forty (40) days, such failure to submit a report is deemed a conclusive finding that the proposed disposition conforms to the general plan. If the planning agency disapproves of the disposition, such disapproval may be overruled by the school district.

(D) California Environmental Quality Act

Prior to disposing of the property, school districts must comply with the California Environmental Quality Act ("CEQA"). School districts may seek a categorical exemption for the sale of surplus property pursuant to CEQA Guidelines section 15132.

(E) Deed Restrictions

Prior to selling any surplus property, a review of the real property deed should be made to discover any possible restrictions.

Requirements Regarding Offering Surplus Property

After the advisory committee recommends the sale of surplus property, a school district must offer to sell the property to certain entities and public agencies as follows:

(A) Sale of Property Designed to Provide Direct Instruction or Instructional Support pursuant to Education Code section 17457.5 and amendments to Education Code sections 17230, 17458, 17464 and 17489

This legislation now gives charter schools first priority over other entities if the charter school has projections of at least eighty (80) in-district average daily attendance for the following year and submitted a written request to the school district to be notified of surplus property dispositions and the property was designed to provide direct instruction or instructional support. This legislation sunsets on July 1, 2016, unless extended by the legislature. The legislation requires that the school district's offer to sell or lease the property to the charter school include the following conditions:

- a. The charter school must use the property exclusively to provide direct instruction or instructional support.
- b. If the charter school fails to comply with the requirements described above, in the case of a sale, the charter school would be required to immediately offer the property for sale to the school district that previously owned the property. If the school district does not desire to purchase the property, the school district must furnish the charter school with a list of charter schools that have requested notification of surplus property. If the property is not sold to these parties, the charter school must offer it for sale pursuant to the statutory surplus property requirements applicable to school districts. In the case of a lease, such failure to comply would constitute a breach of the lease and entitle the school district to immediate possession of the property in addition to any damages the school district may be entitled to under the lease.
- c. Construction of a school building shall comply with the Education Code section 17280 *et seq.* and 17365 *et seq.* Reconstruction or alteration of a school building must comply with Education Code section 17280 *et seq.* and 17365 *et seq.* if the building complied with these sections on the date the property was purchased by the charter school.
- d. A charter school selling real property obtained pursuant to section 17457.5 must use the proceeds only for capital outlay, maintenance, and other facility-related costs.

- e. The school district and any of the entities authorized to receive offers of sale pursuant to the statutory surplus property requirements have standing to enforce the above conditions and would be entitled to reasonable attorney's fees incurred in such enforcement.

Once the school district has provided written notice to a charter school offering to sell or lease the property, the charter school has sixty (60) days to notify the school district of its intent to purchase or lease the property. If more than one charter school notifies the school district of the intent to purchase or lease the property, the school district may choose the charter school to which it desires to sell or lease the property.

Significantly, the school district can only sell or lease the property to the charter school at a reduced price based upon the formula set forth in the new Section 17457.5. For a sale, the price is limited to an amount that does not exceed the school district's cost of acquisition (subject to a cost of living adjustment) plus the cost of any school facilities construction undertaken on the property by the school district since its acquisition of the land (subject to an adjustment based on the statewide cost index for class B construction, as annually determined by the State Allocation Board pursuant to Section 17072.10). However, the price cannot be less than twenty-five percent (25%) of the fair market value of the property or less than the amount necessary to retire the share of local bonded indebtedness plus the amount of the original cost of the approved state aid applications on the property. For a lease, the lease payment is limited to an annual rate of not more than five percent (5%) of the maximum sale price, as described above (subject to a cost of living adjustment).

(B) Sale of Surplus Playground, Playing Fields and Recreational Property pursuant to Education Code section 17485 *et seq.* ("Naylor Act")

The purpose of the Naylor Act is for the preservation of recreational and open space property by allowing one governmental agency to purchase such property from another at a reduced price. (Education Code section 17485). In order to be subject to the requirements of the Naylor Act, the surplus property must be a site which has the following characteristics:

- a. The property consists of land which is used for school playground, playing field, or other outdoor recreational purposes and open-space land particularly suited for recreational purposes.
- b. The property must have been used for one or more of the purposes set forth in the preceding paragraph for at least eight (8) years immediately preceding the date of the governing board's determination to sell the property.
- c. No other available publicly owned land in the vicinity is adequate to meet the existing and foreseeable need to the community for playground, playing field, or other outdoor recreational and open-space purposes.

There are some exceptions and limitations to the Naylor Act, which are summarized as follows:

- a. If a school building is already erected on the site, the governing board can retain a portion of the property and the surrounding property which must be retained to avoid reducing the value of that part of the school site containing the structures to less than 50 percent (50%) of the fair market value. (Education Code section 17490.)
- b. The school district can exempt the property from the Naylor Act if it is purchasing a school site at another location or is expanding another school site by 50 percent (50%) or more. (Education Code section 17497.)
- c. A public agency can acquire only so much of the property so as not to exceed 30 percent (30%) of the total surplus land owned by the school district. (Education Code section 17499.)
- d. The acquiring agency must maintain the property's use as recreational or open-space property. (Education Code section 17494.)

If it is determined that the property is subject to the Naylor Act, pursuant to Education Code section 17489, the school district must notify the following government agencies regarding the availability of the property:

- a. First, to any city within which the land may be situated.
- b. Second, to any park or recreation district within which the land may be situated.
- c. Third, to any regional park authority having jurisdiction within the area in which the land is situated.
- d. Fourth, to any county within which the land may be situated.

The notified agencies have sixty (60) days to respond to the school district in writing. If a particular public agency is interested in purchasing the property, Education Code section 17491 sets forth the method for calculating the purchase price. Pursuant to Education Code section 17491, any property sold pursuant to the Naylor Act ("Naylor Act Property") shall not exceed the school district's cost of acquisition, calculated as a pro rata cost of acquiring the entire parcel comprising the school site, adjusted by a factor equivalent to the percentage increase or decrease in the cost of living from the date of purchase to the year in which the offer of sale is made, plus the cost of any improvement to the recreational and open-space portion of the land which the school district has made since its acquisition of the land. In no event shall the price be less than twenty-five percent (25%) of the fair market value of the land or less than the amount necessary to retire the share of local bonded indebtedness plus the amount of the original cost of the approved state aid applications on the property.

(C) Requirements to Offer District Property to Other Public Agencies

If none of the public agencies listed in Education Code section 17489 purchase the surplus property, or if the property is not Naylor Act property as described above, school districts

must proceed pursuant to Education Code section 17464 which requires that a school district, prior to offering property for sale to the general public, must first offer such property to certain public agencies through two categories of priority.

a. Offer to Public Agencies Pursuant to Education Code section 17464(b)

Pursuant to Education Code section 17464(b), school districts must make a written offer to sell the property to certain public agencies in accordance with Government Code section 54222. These public agencies include the following:

- i. Any local entity as defined in Health and Safety Code section 50079 for the purpose of developing low and moderate-income housing (i.e., local housing authorities and/or redevelopment agencies) within whose jurisdiction the property is situated.
- ii. To any park or recreation department of any city within which the property is situated.
- iii. To any park or recreation department of the county within which the property is situated.
- iv. To any regional park authority having jurisdiction within the area in which the property is situated.
- v. To the State Resources Agency.
- vi. To a non-profit neighborhood enterprise association corporation if the property is located in an enterprise zone as referenced in Government Code section 7073.
- vii. To the program area agent if the property is located in a designated program area as defined in Government Code section 65088.4.

If any of the above-referenced entities desires to purchase the surplus property, such entities must notify the school district in writing of their intent to purchase within sixty (60) days after receipt of the school district's notification of intent to sell. (Government Code section 54222(f)).

If the school district receives notice from any of these entities, stating that they desire to purchase the property, the school district and such entities must enter into good-faith negotiations to determine a mutually satisfactory sales price. If a price cannot be agreed upon after good-faith negotiations of not less than ninety (90) days, the property may be disposed of, without further regard to these provisions. (Government Code section 54223).

In the event that the school district receives offers for the purchase of the property from more than one of the above-referenced entities, the school district must give priority to the entity who agrees to use the property for housing for persons and families of low or moderate income. However, first priority must still be given to an

entity who agrees to use the property for park or recreational purposes if the property is already being used and will continue to be used for park or recreational purposes, or if the property is designated for park or recreational use in the local general plan and will be developed for that purpose. (Government Code section 54227).

(D) Offer to Public Agencies Pursuant to Education Code section 17464(c)

Education Code section 17464(c) states that as second priority, the school district must offer the property for sale at fair market value to the following public agencies:

- i. Director of General Services for the State of California.
- ii. The Regents of the University of California.
- iii. The Trustees of the California State University.
- iv. The county in which the property is located.
- v. The city in which the property is located.
- vi. Any public housing authority in the county in which the property is located.

In addition to offering the surplus property for sale to the above-referenced public agencies, Education Code section 17464(c) requires that school districts give public notice to any public district, public authority, public agency, public corporation, or any other political subdivision in the state, to the federal government, and to non-profit charitable corporations by publishing the school district's intent to dispose of the property in a newspaper of general circulation within the school district's boundaries.

The school district must publish this notice once a week for three (3) successive weeks with at least five (5) days intervening between the respective publication dates, not counting the publication dates. Written notices to public agencies listed in Education Code section 17464(c) must be mailed no later than the date of the second published notice.

Any entity who desires to purchase the property must, within sixty (60) days after the third publication of the notice, notify the school district of its intent to purchase. If the entity and the school district are unable to arrive at a mutually satisfactory price during the sixty (60)-day period, the school district may dispose of the property to the general public as set forth below. In the event that the school district receives offers from more than one entity, the school district's governing board may determine which offer to accept.

Resolution for Sale of Property

After the school district follows the above-referenced procedures, the school district must sell the surplus property to the highest bidder, or reject all bids pursuant to Education Code sections 17466-17476. Pursuant to these provisions, the school district's governing board must, in a regular open meeting, adopt a resolution by two-thirds (2/3) vote of all its members, declaring the school

district's intention to sell the property. This resolution must describe the property as well as specify the minimum price and the terms upon which the property will be sold. In addition, the resolution must state the commission, if any, which the district will pay to a licensed real estate broker out of the minimum price. This resolution must fix a time, not less than three (3) weeks thereafter, for a public meeting of the governing board to be held at its regular place of meeting, at which sealed bids to purchase the property will be received and considered.

The language of this resolution is very important as it must contain the terms and conditions upon which the school district will sell the property. Often, it will be practical to adopt a detailed resolution prior to engaging in the notice and negotiation process with public agencies, as set forth above, thereby providing a minimum standard of deal points from which all such negotiations must begin.

The school district may, at its discretion, offer to pay the commission to a licensed real estate broker who is instrumental in obtaining any proposal. If the school district decides to pay such a commission, this must be specified in the above-referenced resolution. No commission may be paid unless it is contained in or with the sealed proposal or stated in or with the oral bid which is finally accepted. Any commission must be paid only out of money received by the school district from the sale of the property.

Furthermore, notice of the adoption of the resolution declaring the school district's intention to sell the property and of the time and place the school district is holding the meeting must be given by posting copies of the resolution signed by the school district's governing board in three (3) public places in the school district, not less than fifteen (15) days prior to the school district's meeting at which the sealed proposals will be received and considered. In addition, the school district must publish such notice not less than once a week for three (3) successive weeks before the district's governing board meeting in a newspaper of general circulation published in the county in which the district or any part thereof is situated.

At the board meeting which the governing board receives and considers the proposals, all sealed bids which have been received, in public session, must be opened, examined and declared. Prior to accepting any written proposal, the governing board must call for oral bids. If upon calling for any oral bids, any responsible person offers to purchase the property upon the terms and conditions specified in the resolution, for a price exceeding by at least five percent (5%) the highest written proposal, after deducting the commission, if any, to be paid a licensed real estate broker, then the oral bid which is the highest after deducting such commission must be accepted by the governing board. Final acceptance by the governing board, however, must not be made until after the oral bid is reduced to writing and signed by the offeror.

Of the written proposals submitted to the school district which conform to all terms and conditions specified in the resolution of intention to sell, which are made by responsible bidders, the proposal which is the highest after deducting any commission, if any, to be paid a licensed real estate broker, must be accepted unless a higher oral bid is accepted as set forth above. In addition, the school district's governing board may, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from sale.

USE OF PROCEEDS FROM PROPERTY DISPOSITION- SALE AND LEASE

Use of Proceeds from Property Disposition (Sale)

Education Code section 17462 specifies the manner in which school districts may use surplus property proceeds. Generally, school districts are allowed to use surplus property proceeds for capital outlay expenses or for costs of maintenance of school district property that the governing board of a school district determines will not recur within a five (5)-year period.

Additionally, school districts have the option of depositing their surplus property proceeds into their general fund, if both the governing board of the school district and the State Allocation Board (“SAB”) determine that the school district has no anticipated need for additional sites or building construction for the ten (10)-year period following the sale and the school district has no major deferred maintenance requirements. School districts using this option may only use the proceeds for a one-time expenditure and are specifically prohibited from using the proceeds for ongoing expenditures such as salaries and other operating expenses.

Finally, school districts may deposit surplus property proceeds into a special reserve fund to be used for capital outlay expenses, for costs of maintenance of school district property that the governing board determines will not recur within a five (5)-year period, or for the future maintenance and renovation of school sites if the school district’s governing board and the SAB determine that the school district has no anticipated need for additional sites or building construction for major deferred maintenance projects for a ten (10)-year period following the sale.

Although the existing law provides methods by which school districts can use surplus property proceeds for general fund or special reserve fund purposes, to do so, a school district essentially has to “opt out” of the School Facility Program for the subsequent ten (10) years. Under Education Code section 17463.7, school districts were given additional options for allocating their surplus property proceeds that, although limited in application and with their own caveats, did not require this “opting out” of the School Facility Program. Please note that Education Code section 17463.7 originally had a sunset date of January 1, 2012; which was extended by subsequent statute to January 1, 2016. Although much discussion has occurred, this statute was not extended past January 1, 2016. Thus, at this time, Education Code section 17463.7 is no longer available for use by school districts.

Use of Proceeds from Property Disposition (Lease)

It is interesting to note that use of proceeds from the lease of surplus property is not specifically addressed in the Education Code sections governing the disposition of surplus property. This lack of clarity led many school districts to take a conservative approach over the years and apply the same restrictions that apply to proceeds from a sale or lease with option to purchase. It is now generally accepted that such proceeds may be expended without the limitations imposed on the proceeds from a sale or lease with option to purchase. In fact, the general fund is likely the appropriate place to hold such funds, pursuant to Education Code section 41002 (which says the general fund is the appropriate place for funds not otherwise designated), unless the district opts, by way of Board resolution pursuant to Education Code section 41003, to allocate a specific fund in which lease proceeds are to be deposited.

The Office of Public School Construction (“OPSC”) had long taken the approach of claiming that lease proceeds derived from a lease of a year or less can be used for general fund purposes, but lease proceeds from leases of longer duration must be put in a capital fund for restricted use. The “one year rule” was not based on any law or regulation and was seemingly an arbitrary distinction made by SAB, although the SAB and OPSC claim it is in accordance with Education Code section 17462.

The legislative history of Education Code section 17462, however, indicates that the restrictions were not intended to apply to lease proceeds. During the crafting of the most recent version of section 17462, which came into effect in 2007, the legislature briefly considered using the term lease throughout the section. However, the final adopted section replaced the word lease with the phrase “lease with an option to purchase.” This change offers evidence that the legislature intended to exclude leases from the restrictions of Education Code section 17462.

The balance of evidence strongly suggests that the restrictions found in Education Code section 17462 do not apply to lease proceeds. Arguably, the general fund is the only appropriate place to hold lease proceed funds (under Section 41002), unless a school district opts, by way of Board resolution pursuant to Education Code Section 41003, to allocate a specific fund in which lease proceeds are to be deposited. However, until this issue is resolved, school districts must remain vigilant and recognize that they are acting at odds with the opinion of the SAB and OPSC.

LEASE OF PROPERTY

Leases are a common method used by school districts to retain unused property in a manner that is economically beneficial to the school district. However, the leasing of a school district’s real property is a highly regulated activity. The Education Code contains specific procedures for leasing property that apply depending on the property type and/or its intended use. In general, we will differentiate between the following property types: classroom space, recreational or Naylor Act property, vacant land, improved property not containing classrooms, and property intended for use for child care.

In order to lease school district property, regardless of the type of use, surplus property procedures must be followed, including the formation of an advisory committee pursuant to Education Code section 17387 *et seq.*, that makes recommendations to the school district governing board, as discussed in the Sale of Surplus Property section above.

Board Meeting to Declare Intent to Lease Real Property

Regardless of the type of property or the use intended for that property, the lease process requires that, upon receipt of the advisory committee’s recommendations, the governing board make a determination as to the disposition of the property at issue. If the governing board decides to accept the advisory committee’s recommendation to lease the property, the board must declare its intent to lease the property by a resolution that is adopted at a regular open meeting by a two-thirds (2/3) vote of all the board members. (Education Code section 17466.) The resolution must describe the property proposed to be leased, specify the minimum rental amount and terms upon which it will be leased (and commission if a broker is involved), and fix a time not less than three (3) weeks thereafter for a public meeting of the governing board at which sealed proposals to lease the property will be received and considered. The stated terms will then be used to determine if a

bidder is responsive to the governing board's requirements. The wording of the resolution is critical to ensuring that the school district receives proposals that meet its needs.

After the governing board adopts the resolution of its intent to lease the property, then the board's desired course of action must be implemented under the procedural requirements of the Education Code as discussed below. It is at this point that the type or use of the property for lease becomes relevant; thus resulting in variations to the lease process concerning the notice required and the priorities for leasing. Leasing property without option to purchase generally requires fewer notices than when a district sells property. Specifically, Education Code section 17464 applies only to sale and lease with option to purchase, so the district does not need to send notices to the entities listed here. Please note, however, arguments have been made that Government Code section 54222 applies to any lease even though Education Code section 17459 identifies only the *sale* of real property, not lease, as subject to Government Code Section 54220 *et seq.* While certain fact-specific issues in some transactions render compliance with this statute impractical, until a court determines this issue definitively, we recommend that school districts offer leases in accordance with Government Code section 54222, as a best practice.

Notice Procedures Based on Type of Property: Variations to the Lease Process Subsequent to Adoption of Intent to Lease

Property Designed to Provide Direct Instruction or Instructional Support

If the property to be leased is designed to provide direct instruction or instructional support it must first be offered to charter schools pursuant to Education Code section 17457.5 and amendments to Education Code sections 17230, 17458, 17464 and 17489, as described above.

Classroom Space

If a school district intends to lease classroom space, it must first offer to lease the property for special education programs to school districts that are part of the school district's special education local plan area or the county office of education with jurisdiction over the school district. (Education Code section 17465.) Under Education Code section 17465(c), the school district must notify, in writing, the school districts and county office of its intent to lease the vacant classrooms for special education programs that they provide. The notice must specify that the lease shall not exceed a term of ninety-nine (99) years and that the lease payment and other terms of the lease are subject to negotiation. The notice shall also state that the offer to lease is not valid for more than sixty (60) days after receipt. (Education Code section 17465(c).) If a school district or county office of education is interested in leasing the property, the lease terms shall be negotiated between the parties and the lease payments "shall not exceed the school district's actual costs for maintenance, operations, and custodial services for the leased classrooms." (Education Code sections 17465(f)(1) and (2).) However, if the area school districts and the county office of education are not interested in leasing the property, the school district may then make the property available to the public through a formal notice and bidding process in accordance with Education Code section 17455 *et seq.*, as described below.

Recreation Site--Naylor Act Property

If the property to be leased contains land that was used as a playground, playing field or recreational property for at least eight (8) years immediately preceding the date of the governing

board's decision to lease the property, then Education Code section 17485 *et seq.*, imposes certain requirements, including making the land available first to specific public agencies according to a given priority.

As noted above with respect to disposition of property through sale procedures, if it is determined that the property is subject to the Naylor Act (Education Code section 17489), the school district must notify the following governmental agencies regarding the availability of the property for lease:

- a. To any city within which the land is situated.
- b. To any park or recreation district within which the land is situated.
- c. To any regional park authority having jurisdiction within the area in which the land is situated.
- d. To any county within which the land is situated.

The notified agencies have sixty (60) days to respond to the school district in writing. If a particular agency is interested in leasing the property, Education Code section 17491(c) sets forth the method for calculating the lease rate. If none of the notified agencies are interested in leasing the property pursuant to the Naylor Act, then the school district may proceed with the public bidding process under Education Code section 17455 *et seq.*

Lease of Vacant Land

If a school district is considering leasing vacant land, as a preliminary matter, the school district should confirm that the proposed leasing arrangement would comply with any applicable zoning requirements. If the land is vacant and has not been or is not now used for playground, playing field, or recreation purposes, the property would not be considered subject to the Naylor Act. Accordingly, there would be no requirement to offer the property to any entity prior to the public bidding process under Education Code section 17455 *et seq.*, as described below.

Lease of Site with Improvements That Do Not Include Classrooms

If a school district wishes to lease improved property that does not include vacant classrooms, such as property containing only administrative buildings, there is no requirement to offer the property to any entity prior to the public bidding process under Education Code section 17455 *et seq.*

Lease of Property to be Used for Child Care and Development Services

If a school district wishes to lease property specifically for use for child care and development services, as permitted under Education Code section 17458, then the property may be offered first to any contracting agency, which includes school districts, community college districts, colleges or universities, county superintendents of schools, counties, cities, public agencies, private nontax-exempt agencies, private tax-exempt agencies, as well as licensed private agencies and parent cooperatives. The term for such a lease must be no less than five (5) years from the date upon which the property is first offered to the agency or until the school district retakes possession of the property, whichever occurs first. Failure by the leasing agency to comply with this requirement

would constitute a breach of contract entitling the school district to immediate possession of the property as well as any damages under the lease agreement.

If none of the contracting agencies are interested in leasing the property for childcare purposes, the school district must comply with the other requirements for leasing the property, depending on the type of property at issue.

Offer to Lease to General Public and Other Public Entities through Formal Notice and Bidding Process under Education Code Section 17455

If the property is not leased to any of the specified entities enjoying priority as described above, then the school district must offer the property to the general public, including public entities not specifically addressed above, under the following Education Code procedures.

Public Notice of Resolution of Intention to Lease and Receive Sealed Proposals

The school district must provide public notice of the resolution of intention to lease the property and the time and place of holding the meeting to receive proposals. (Education Code section 17469.) The school district must: 1) post copies of the signed resolution in three public places in the school district, not less than fifteen (15) days before the meeting; and 2) publish notice not less than once per week for three (3) successive weeks before the meeting in a newspaper published in the county. Education Code section 17471 provides abbreviated notice provisions in the event that the governing board determines in its resolution that the “value” of the lease does not exceed \$50 per month based on the market property rental rates.

Board Meeting to Receive Sealed Proposals

At the time and place fixed in the resolution for the meeting of the governing board, “all sealed proposals which have been received shall, in public session, be opened, examined, and declared by the board.” (Education Code section 17472.) The highest proposal made by a responsible bidder that conforms to all terms and conditions specified in the resolution of intention to lease must be accepted unless a higher oral bid is accepted or the governing board rejects all bids. (*Id.*) Because the governing board must award the lease based on the highest proposal, the wording of the resolution containing the terms upon which proposals will be accepted is critical so that the governing board can carefully control the terms of the deal and reject proposals that do not comply with all specified terms.

Prior to accepting any written proposals, the governing board must call for oral bids under the terms and conditions specified in the resolution. (Education Code section 17473.) A responsible oral bid that exceeds the rental price set forth in the resolution by at least 5 percent (5%) shall be accepted when reduced to writing unless the governing board decides to reject all bids and withdraw the property from sale or lease. (Education Code section 17476.) The final acceptance of prevailing bid may be made at either the same session or at any adjourned session of the same meeting held within the following ten (10) days. (Education Code section 17475.)

The procedures discussed above require the award to the highest responsible bidder unless all proposals are rejected. These procedures do not lend themselves to flexibility in the award of proposals based on non-monetary consideration. As a result, the possibility exists that a bid could be received from one entity that contains a rental amount that is greater than the monthly rental

amount stated in a competing proposal, but that is less than the total consideration provided in the competing proposal. The selection of the highest bidder becomes a challenge in that case.

To solve this problem, the governing board resolution must be carefully crafted to allow for the evaluation of the various forms of consideration in addition to the monthly rental fee. For example, improvements to the land proposed by the tenant, and the value of any services provided to the school district by the tenant under the lease agreement should be included in the calculation of the total value of the lease. Additionally, the terms stated in the governing board resolution must be crafted in a manner that allows the governing board to accept only those proposals that meet school district purposes.

WAIVER

The governing board of a school district or a county board of education, on a district-wide or county-wide basis or on behalf of one or more of its schools or programs, after a public hearing on the matter, may request the State Board of Education (“SBE”) to waive all or part of any section of the Education Code or any regulation adopted by the SBE that implements a provision of the Education Code. There are, however, some provisions that may not be waived.

Two of the provisions that cannot be waived are Sections 17459 and 17464(a) (that require that school districts offer surplus property for sale to enumerated public entities) and Section 17462 (that dictates exactly to what uses a school district may put its proceeds from the sale of the surplus property).

Procedure

A waiver can be granted upon the completion and submission of a General Waiver Request (“Request”) to the Waiver Office of the SBE through an online submission form. Prior to the submission of this Request, the District must complete several tasks.

First, the school district should consult with any employee collective bargaining units. Note that the school district’s obligation to consult unions is not limited to employee contract issues, so it would still apply to property transactions. Although union support is not a required condition for approval, the Request must reflect the school district’s efforts to involve any bargaining units. The position of the bargaining unit must be clearly marked and explained on the Request. It is recommended that this meeting occur prior to the public meeting, discussed below.

The Request must also be evaluated by the school district’s advisory committee. In addition, any other committee or counsel with an interest in the waiver topic should also be consulted. If the committee has any objections, a written summary of the objections must be submitted with the Request.

Next, the school district must conduct a public hearing. A public hearing is not simply a board meeting. It must be a properly noticed public hearing held during a board meeting at which time the public may testify regarding the waiver proposal. It is important that the meeting is properly noticed. Distribution of a local board agenda will not constitute notice of the public hearing. Also, the notice must *specifically* invite public testimony. Proper notice can be achieved by printing a notice that includes the time, date, location and subject of the hearing in a newspaper of general circulation.

Finally, the school district must submit an accurate and complete Request to the State. The SBE may contact the school district during the evaluation period for additional information or with questions about the Request.

Approval

Under Section 33051(a), the SBE must approve any and all Requests, except in those cases where the SBE specifically finds any of the following:

- a. The educational needs of the pupils are not adequately addressed.
- b. The waiver affects a program that requires the existence of a schoolsite council and the schoolsite council did not approve the request.
- c. The appropriate councils or advisory committees, including bilingual advisory committees, did not have an adequate opportunity to review the request and the request did not include a written summary of any objections to the request by the councils or advisory committees.
- d. Pupil or school personnel protections are jeopardized.
- e. Guarantees of parental involvement are jeopardized.
- f. The request would substantially increase state costs.
- g. The exclusive representative of employees, if any, as provided in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, was not a participant in the development of the waiver.

II. WORKING WITH PRIVATE ENTITIES

With respect to assets, school districts have the option of entering into an agreement with a private entity. Private entities can bring additional income, non-monetary resources and other benefits to a relationship with the school district. When entering into agreements with private entities, or in reviewing existing agreements with private entities, school districts should consider these questions:

1. Does the private entity have any non-monetary benefit to offer the school district (i.e., a company may donate school supplies, books, classroom presentations in addition/in lieu of rent)?
2. Has the district maximized the income the private entity is capable of contributing to the school district?

There are four types of arrangements discussed below that are categorized based on legal authority: (1) Joint Occupancy, (2) Exchange, (3) License Agreements, and (4) Charter School Facility Use Agreements.

JOINT OCCUPANCY

A joint occupancy agreement allows school districts to maintain ownership of the surplus property. A school district may enter into leases and agreements relating to real property and buildings to be used jointly by the school district and any private person, firm, or corporation pursuant to Education Code section 17515 *et seq.* Joint occupancy does not require the school district to follow surplus property procedures, although it does require construction of facilities.

With regard to construction, the joint use lease or agreement must require the private entity either to construct or provide for the construction of a building on the property for the joint use of the school district and the private entity. The private entity may, however, designate the school district as its agent to construct the facilities.

Procedure for Undertaking a Joint Occupancy Project

Before a joint occupancy lease or agreement is executed, the school district must follow specific procedures. First, the governing board must adopt a resolution declaring its intention to consider proposals. The resolution must describe the proposed site and specify the intended use of that portion of the building to be occupied by the school district. The resolution must also fix a time, not less than ninety (90) days thereafter, for a public meeting of the governing board to be held at its regular place of meeting. The school district must publish the resolution of intention at least once a week for three (3) weeks in a newspaper of general circulation. At the public meeting, the governing board must consider all of the proposals.

Before the school district's governing board can approve any proposal or enter into an agreement regarding the joint occupancy, the school district must submit the proposal to the SBE for approval. The SBE must notify the governing board of its approval or disapproval within forty-five (45) days of submission.

Pursuant to the joint occupancy provisions of the Education Code, the private entity must file either a bond for the performance of the lease or agreement, or an irrevocable letter of credit issued by a state or national bank for the performance of its obligations.

If the school district will receive money from the current state school facilities program for the project, the school district must hold title to the portion of the property that will be funded with state money. Accordingly, this means that the school district and its partner must carefully apportion title among themselves so that the school district will hold title to the percentage of the property proportional to the percentage of state funding.

Although the agreement will apportion title to a certain percentage of the building to each party, the document can further provide that each party will have a license to use the other party's portion of the building upon whatever terms and conditions the parties agree to in the document.

A significant difference between solely and jointly occupied property is the availability of zoning protection. Government Code section 53094, by which school districts may render zoning ordinances inapplicable to school property, does not apply to property developed pursuant to the joint occupancy sections. Any building that is to be used by a private party is subject to the zoning and building code requirements of the local jurisdiction.

Considerations

The viability of a joint occupancy partnership will depend on the school district's need for facilities and educational programs and whether or not a partner that can assist with those needs is available and interested. A benefit of this type of project is that it can facilitate useful partnerships and allow the district to effectively use sites that may be underutilized. For example, if a school district owns property that is in a commercially desirable location, it may be able to receive significant income, while at the same time retaining an asset that will be more valuable in the future.

However, a significant difference between solely and jointly occupied property is the availability of zoning protection. Government Code section 53094, by which school districts may render zoning ordinances inapplicable to school property, does not apply to property developed pursuant to the joint occupancy sections. Any building that is to be used by a private party is subject to the zoning and building code requirements of the local jurisdiction. Thus, if the district owns property designated as open space or public use, then any potential partner will need to obtain a zone change or variance in order to establish a commercial or residential use on the district's site. This may affect a private partner's willingness to enter into a partnership or may reduce the amount of money they are willing to spend that will go toward school district facilities or income.

Buildings constructed for use by the joint occupancy partner would also need to comply with any city/county codes specific to construction and location of the buildings on the site. If the school district anticipates that the building will eventually be used for school purposes, it will want to make sure it meets school building standards as well. Finally, a joint occupancy lease may not exceed sixty-six (66) years. We have found that some potential partners are wary of this limitation because it can negatively impact their ability to finance construction on the site.

EXCHANGE

A school district may exchange one or more of the properties rather than selling or leasing them pursuant to Education Code section 17536 *et seq.*, which provides as follows:

The governing board of a school district may exchange any of its real property for real property of another person or private business firm. Any exchange shall be upon such terms and conditions as the parties thereto may agree and may be entered into without complying with any of the provisions in this code [including surplus property procedures applicable to the selling and leasing of surplus property] except as provided in this article.

Education Code section 17536 (emphasis added).

Before ordering any exchange of real property the board shall adopt, by a two-thirds (2/3) vote of its members, a resolution declaring its intention to exchange the property. The resolution shall describe the properties to be exchanged in a manner to identify them, and the terms and conditions, not including the price, upon which they will be exchanged.

Education Code section 17537 (emphasis added).

Therefore, if a school district desires to dispose of surplus property to a private organization, it may do so by following this streamlined procedure if it can: 1) locate a property for which it is willing to exchange its surplus property, and 2) negotiate for the acquisition of the located property by a private organization which will in turn exchange the located property with the school district's surplus property pursuant to an Exchange Agreement.

A decision to exchange its real property allows school districts to forgo following the relatively burdensome surplus property procedures. Specifically, the school district would not be required to appoint an advisory committee pursuant to Education Code section 17387 *et seq.*, offer the property to enumerated public agencies through notices and negotiations, nor offer the property through a public bid process should no public agency acquire the property from the school district.

Considerations

If a school district has property that is not ideal for school use, but does not want to give up an asset during a time of low property values, this option is worth considering. A school district can exchange an asset that is either not producing income for the school district, or even costing the school district money, for an asset that will benefit the school district. Potential exchange partners or properties could be sought through a Request for Proposals process or simply by finding properties the district desires. If a school district does not require a site for development of school district facilities or programs, it may also seek "income-generating" properties.

There are, however, both economical and practical considerations that would have to be addressed should a school district decide to exchange its property for another property. Once the school district found a site it desired, it would need to look at the appraised value of the property it wants to exchange and determine if the school district could obtain the type of site it needs for that amount. It should be noted, however, that the exchange need not be exact. For example, the school district may exchange a more valuable piece of undeveloped property for another site on which a developer agrees to construct a building for the school district. Alternatively, it is acceptable to make up a small difference in value with a cash payment. From a practical standpoint, the school district will need to coordinate the timing of the exchange so that if it is exchanging a site that is currently occupied, it will have made sufficient allowances for moving school district programs or preparing the new site for occupancy.

LICENSE AGREEMENTS

A license is a grant of permission to another party to use school district property for some defined purpose. It is, in many respects, similar to an easement or a lease. However, the granting of a license does not require the same cumbersome procedures as the dedication of an easement or the surplus property procedures necessary for a lease.

An increasingly prevalent example of private use of school district property is wireless communications facilities. Wireless carriers must install towers throughout the state to relay signals for wireless phones. School sites often prove ideal locations for these facilities.

A school district governing board may approve a license agreement for a wireless communications facility as a standard board meeting agenda item. A license agreement with a wireless carrier should address all significant terms of the agreement, including the following:

1. License fee;
2. Term of the agreement and renewal provisions;
3. Precise identification of the location and dimensions of the facility;
4. Language obligating the carrier to obtain any necessary permits and approvals and pay for utilities and taxes for the subject property;
5. Insurance and indemnification requirements;
6. Termination provisions;
7. Language addressing interference to, or caused by, existing and future communications facilities;
8. Profit sharing for assignment and subletting of tower space;
9. Fingerprinting of employees and coordination requirements; and
10. Exhibits detailing the planned facility and the work to be done on school property.

It is worth noting that some practitioners recommend utilizing a lease instead of a license because the Education Code does not specifically authorize the licensing of school district property for such purposes. However, Education Code section 35160 (“Permissive Education Code”) allows a school district to undertake any activity which is not in conflict with, inconsistent with, or preempted by any law, and which does not conflict with the purposes for which school districts are enacted. We therefore believe a school district may grant a license without complying with the surplus property statutes because those statutes, by their express terms, do not apply to “licenses.”

Considerations

Agreements for the placement of wireless communications facilities are often a source of lost revenue for school districts. The form agreement usually proposed by carriers are unacceptable and do not provide a benefit to the school district. It is important to keep in mind that school districts often have very desirable locations for wireless communications facilities and are in a good position to negotiate the fees, terms and any other benefits that may be available.

School districts should also be aware that the installation of capital improvements on property pursuant to a license arrangement can allow a license to be treated similar to an easement and take on some of the characteristics of an easement, such as irrevocability. Thus, careful attention should be given to the wording of a license agreement when the terms will involve the installation of capital improvements by the licensee.

CHARTER SCHOOL FACILITY USE AGREEMENTS

Proposition 39, which was passed by voters in 2000, is comprised of two separate parts that relate to school district facilities. One part enabled school districts to pass a general obligation bond for certain specified purposes by a fifty-five percent (55%) majority vote, provided that certain

oversight mechanisms were in place. The second part of Proposition 39 established Education Code section 47614, which addresses a school district's obligation to provide facilities for charter schools operating within the school district. Regulations governing Proposition 39 were adopted in 2002. In November 2007, the State Board of Education (SBE) revised the Regulations governing Proposition 39 requests. Because there is no connection between the two parts, a school district must provide charter school facilities even if it has not passed a bond pursuant to Proposition 39.

Although allowing a charter school to use school district facilities will likely never be a great source of income for a school district, there are items to consider when entering into a facilities use agreement that can, at minimum, reduce the costs and administrative time devoted to charter school facilities.

The following are key provisions of a facilities use agreement that should be examined to determine if the school district can save costs or increase revenue from a charter school's use of a school district's site:

1. The school district final notification
2. Insurance
3. Indemnification
4. Compatibility with school district policies and programs
5. Charges for facilities costs (pro-rata share and oversight costs)
6. Shared space
7. Maintenance and operations
8. Furnishings and equipment
9. Term
10. California Environmental Quality Act (CEQA)

III. WORKING WITH OTHER PUBLIC ENTITIES

Sharing resources among local public entities can result in creative programs that more efficiently use the available resources of both parties. By increasing cooperation and coordination with other public entities, such as cities, counties or neighboring educational institutions, school districts may be able to achieve significant cost savings in areas such as maintenance, repairs, utilities and capital improvements. Although we are focusing on the use of school district facilities, it is important to remember that not only school sites may have sites that can be shared; school districts should also consider the facilities its cities, counties and other public educational institutions have available and consider whether they may provide a use for the school district. Viewing school sites as a resource for the community not only helps to create cost savings for the school district but helps strengthen the district's ties to the community and other local public entities. Developing an ongoing positive dialogue with local public entities can provide a valuable exchange of information and increased

understanding of these entities' respective goals and needs. While this is not always easy due to political constraints, school districts that successfully create a cooperative dialogue and working relationship with other local public entities may greatly benefit their school programs and often the community overall.

The following questions are useful to keep in mind as school districts look to collaborate with other public entities on the use of facilities:

1. Does the school district already have a positive relationship with the public entity?
2. What steps can be taken to improve the relationship and create a productive dialogue?
3. What educational and community needs can be economically combined (i.e., recreation, daycare, senior citizens, health and social services, and libraries)?
4. Does the school district have facilities available (or that could be made available) that could fulfill multiple needs?
5. Do any local public entities have facilities available that could fulfill multiple needs?
6. Does the school district have existing agreements with any local public entities? If so, can these agreements be improved to provide greater economic and/or practical benefits? (Key provisions to consider include maintenance, repairs, operations, utilities, and capital improvements.)

Once a school district has decided to enter into a shared use arrangement with another public entity, it must decide which type of agreement would best fulfill its objectives. Essentially, this means determining the appropriate legal authority that would allow the use of the school district's facility under the particular set of facts and circumstances involved. There are four (4) types of arrangements discussed below that are categorized based on legal authority: (1) Joint Use Leases, (2) Joint Use Grants, (3) Community Recreation Programs, and (4) Civic Center Act.

JOINT USE LEASES

Education Code section 17527 *et seq.*, authorizes the lease of vacant classrooms on a joint use basis with various entities, both public and private, under conditions that will allow the school district to continue to use most of the school facility for school district classroom purposes. The joint use of the property is permitted to take place even during school operating hours. A joint use lease may be entered into with the following types of entities: other school districts, educational entities, governmental units, nonprofit organizations, community agencies, professional agencies, commercial and noncommercial firms, corporations, partnerships, businesses, and individuals. Education Code section 17527 specifically excludes private educational institutions which maintain kindergarten or grades 1 to 12.

Generally, joint use leases require significant advance planning because the school district is required to follow surplus property procedures for leases. (Education Code section 17530.) Specifically, Education Code section 17530 states that applicable provisions of the "Sale or Lease of Real Property" article commencing with Education Code section 17455 must be followed. While

surplus property procedures will be discussed in greater detail in the third section of this presentation, it is important to highlight here that the property must be declared surplus by the governing board before a joint use lease can be entered into. While it is arguable which provisions the legislature had in mind with the phrase “applicable provisions,” we believe that such provisions include the procedures for offering the classrooms for special education programs in Education Code section 17465, a governing board resolution, and notice requirements and procedures for public bidding, as discussed below, in the event the property is not leased to entities with leasing priority. (Education Code section 17455 *et seq.*)

Once the property has been declared surplus, the following process and requirements for joint use leases must be satisfied:

Priority

Education Code section 17527 contains a priority system for offering vacant classrooms for lease. The first priority is to be given to “educational agencies for conducting special education programs.” Under the first priority, the school district must make the classrooms available to special education programs provided to school district pupils by either other school districts that comprise part of the school district’s special education local plan area or by the county office of education having jurisdiction over the leasing school district. These entities have sixty (60) days from receipt of the notification to inform the school district governing board of their intent to lease or not to lease the classrooms. (Education Code section 17465(d).) The lease payments may not exceed the school district’s actual costs for maintenance, operation, and custodial service for the leased classrooms. (Education Code section 17465(f)(2).) If no interest is expressed, or if the parties are not able to agree on terms of the lease, then the school district may proceed to the second tier of priority. Second priority is given to “other educational agencies.” (Education Code section 17527.)

Non-Interference, Neighborhood Disruption and Student Safety

Prior to entering into a lease or rental agreement, the school district must determine that the proposed joint occupancy and use of school district property or buildings will not (a) interfere with the educational program or activities of any school or class conducted upon the real property or in any building, (b) unduly disrupt the residents in the surrounding neighborhood, and (c) jeopardize the safety of the children of the school. (Education Code section 17529.) We recommend that the school district’s board adopt a resolution making such findings.

Space Limitations

Education Code section 17531 limits the amount of space a school district may lease during normal school hours to forty-five percent (45%) of the total classroom space of the specific school and thirty percent (30%) of the school district’s total classroom space in operating schools. (Education Code section 17531.) Provided that the thirty percent (30%) limit is not exceeded, the governing board may, upon a two-thirds (2/3) vote, exceed the forty-five percent (45%) limit per school upon making a finding that the leases are compatible with the educational purpose of the school. Moreover, the school district may lease vacant classroom space exceeding the thirty percent (30%) limit if the lease is for any day care center, nursery school, or special education class. (Education Code section 17532.)

Lease Provisions

The tenant(s) must comply with applicable zoning ordinances, use permits, and construction and safety codes. (Education Code section 17533.) The term of the lease agreement must not exceed five (5) years, except that the limit does not apply to agreements including capital outlay improvements made on school property for park and recreation purposes by public entities and nonprofit corporations. (Education Code section 17534.) The rent or lease of vacant classrooms must be for at least fair market value unless the tenant is a public entity. (Education Code section 17535.) However, a less than fair market value rental amount for the public entity is not mandatory.

Considerations

The benefit to a joint use lease is it allows a school district to generate revenue at a school site while continuing to use the site for classroom purposes. Joint use leases are a viable option for a school site currently used for classroom purposes but with a significant amount of excess space due to declining enrollment or other factors. If the school district does not anticipate a need for that excess space in the near future, does not want to give up use of the entire site, and wants to continue using the classroom space, a joint use lease may be a good approach. The timing needs to be considered carefully, however, since compliance with surplus property procedures can be lengthy and cumbersome. For this reason, short-term lease arrangements are not perfectly suited to a joint use lease. However, there is a five (5)-year term limitation to take into consideration. If a lease longer than five (5) years is needed, including a renewal provision may be an option. While a renewal provision is not expressly authorized, we are not aware of any prohibition to including a renewal provision. A more secure approach to including a longer lease term is to have the public entity lessee provide capital outlay for improvements on the site for park and recreation purposes, in which case the five (5)-year limitation would not apply. It is also important to inform potential lessees of the timelines and procedures, and especially the requirements to first offer the space to certain entities.

To get the maximum economic benefit from the joint use lease, school districts should determine their objectives and negotiate for them. For example, if a school district has a need for certain capital improvements on the site, this should be part of the negotiations. The lessee could be asked to contribute the costs for the improvements or at least share the costs. School districts should carefully consider how operating expenses will be shared, particularly utilities, maintenance, repair and security costs. For example, if the school district intends to provide maintenance and repair to the entire site, the lessee should be required to contribute at least an equitable share of those costs based on percentage of use. In some instances, having certain utilities separately metered can make sense. How these provisions are ultimately best drafted will be fact specific. The critical part is to make certain that the questions have been raised, conscientiously considered, and negotiated.

JOINT USE GRANT PROJECTS

Joint use grant projects are governed by Education Code section 17077.40 *et seq.*, and do not require a school district to follow surplus property procedures. Joint Use Grant Projects allow school districts to seek grants from the SAB for joint use projects for the construction of the following types of school facilities:

- a. Multipurpose rooms;
- b. Libraries;
- c. Gymnasiums;
- d. Child care facilities; or
- e. Teacher education facilities.

Relatively recently, the SAB approved regulatory amendments to the School Facility Program (“SFP”) Joint Use Program, revising the requirements school districts must satisfy to obtain approval of joint use applications. The amendments, discussed in greater detail below, impact the application filing deadline, the requirements for local bond language, the definition of non-profit organizations as joint use partners, and review of final Division of State Architect (“DSA”) approved plans.

General Requirements

Under Education Code section 17077.42, several conditions must be satisfied in order for the grant to be approved. The school district and joint use partner must have a joint use agreement addressing topics such as apportionment of costs for maintenance of the facility. Also, the school district and joint use partner must contribute a total of fifty percent (50%) of the cost of construction for the joint use facility. Of the fifty percent (50%) local contribution, the joint use partner must contribute at least half (twenty-five percent (25%) of the total cost), unless the school district has passed a local bond which specifies that the bond funds are to be used for the joint use project, in which case the school district may provide up to the full fifty percent (50%) local contribution.

Local Bond Funds

If a school district intends to rely on local bond funds in lieu of a contribution from the joint use partner, the language of the bond will need to be specific. The recent amendments require the language in voter-approved local bond measures to now specify that the bond proceeds may or will be used for joint use purposes and the subject joint use project. Inclusion of the term “joint use” in the bond language is critical. The subject joint use project must be identified by either the specific facility type and/or the specific school site.

This amendment affects only voter approved local bonds authorized on or after February 27, 2008. For local bonds passed prior to February 27, 2008, the joint use project may be identified in the voter approved local bond language, the district board resolution authorizing the bond, or school district board meeting minutes.

Eligibility

A school district may apply to the SAB for funding under Education Code section 17077.40 *et seq.*, for a joint use project that meets any of the following criteria:

- a. The joint use project is part of an application for new construction funding under this chapter, and will increase the size or extra cost associated with the joint use of the proposed multipurpose room, gymnasium, child care facility, library, or teacher education facility beyond that necessary for school use.

- b. The joint use project proposes to either reconfigure existing school buildings or construct new school buildings, or both, to provide for a multipurpose room, a gymnasium, a library, a child care facility, or a teacher education facility, and the project will be located at a school that does not have the type of facility for which funds are requested or the existing facility is inadequate.
- c. The joint use project proposes to either reconfigure existing school buildings or construct new school buildings, or both, to provide for facilities to improve pupil academic achievement, and the plans for the facility were accepted for review and approval by the department prior to January 1, 2004.

Application Requirements

In order to be approved for a grant under the School Facility Program, the school district must demonstrate that it has complied with all of the following:

Agreement with a Joint Use Partner

The school district must have entered into a joint use agreement with a governmental agency, public community college, public college or public university, or a nonprofit organization approved by the governing board.

Current SFP Regulation § 1859.2 defines a “Non-Profit Organization” as “an entity that is organized and operated for purposes of not making a profit under the provisions of the Revenue and Taxation Code.” The new amendments clarify this definition with respect to the joint use partner’s funding source, recognition of non-profit status, and operation of community programs or contribution for continuing operational costs of the project. Specifically, the amendments require that the source of funds from the Non-Profit Organization joint use partner be independent of the partner school district.

The Non-Profit Organization, if not a recognized nationally chartered organization, must have independent governance. A recognized nationally chartered organization is one that OPSC or the SAB recognizes as operating on a national basis and having a charter issued by a national headquarters or governing body. Independent governance means that the Non-Profit Organization and school district may have no more than one common board member, ex-officio board member, officer, management or staff member, regardless of whether voting or non-voting, and whether employee, contractor, or agent; however, this restriction applies only to the extent that the employee, contractor or agent has managerial authority in one or both entities. Finally, the Non-Profit Organization joint use partner must provide community programs and some level of funding toward the project or assistance in providing services that aid the continuing operations for the joint use purpose of the project subsequent to construction.

Terms of Joint Use Agreement

The joint use agreement must specify the following: (1) the method of sharing capital and operating costs; (2) the relative responsibilities for the operation and staffing of the facility; (3) the manner in which the safety of the pupils will be ensured; (4) the amount of the contribution to be made by the school district and the joint use partner toward the fifty percent (50%) local share of eligible project

costs; and (5) how the facility will be used to the maximum extent possible for both school and community purposes.

Plan Approval

The application can be approved only if the project qualifies for funding under Education Code section 17077.40 and the school district has completed preliminary plans for the project and has received California Department of Education approval of the plans.

The new amendments revise SFP Regulation § 1859.129 regarding review of DSA-approved plans. Specifically, OPSC will review the final DSA-approved plans for apportionments received for a Type II Joint Use Project that is not part of a qualifying SFP Modernization Project. If OPSC determines that the approved plans create a reduction in square footage that is greater than or equal to five percent (5%) of the square footage contained in the preliminary plans, a commensurate reduction to the apportionment already authorized will be taken to the next available SAB meeting.

Submission of Application

Once the eligibility and qualifying criteria have been met, the school district must adopt a resolution supporting the submission of the application for joint use funding to the OPSC. In addition to the requirements set forth above, the school district must also certify that it has and/or will comply with the requirements set out in Section 14 of the Application for Joint Use Funding (i.e., proper accounting, compliance with all Education Code provisions regarding school construction, etc.).

Application Filing Period

For each funding cycle, SAB will accept applications from March 2nd of the prior calendar year through March 1st of the then-current calendar year.

Considerations

Joint use grant projects are an excellent way to maximize the resources of two entities and obtain state funding. Keep in mind, however, that in order to utilize state funding opportunities under the SFP Joint Use Program, school districts must understand and comply with the filing and eligibility requirements. In particular, school districts should be mindful of the recent amendments concerning the earlier application filing timeframe, the specificity required in local bond measures in referencing the use of proceeds for a joint use project, the more stringent requirements on eligible non-profit organizations as joint use partners, and the potential reduction in approved apportionment based on OPSC review of approved plans. In addition, similar considerations, as discussed above for joint use leases, will be applicable as to how operating expenses will be shared for such things as utilities, maintenance, repair and security costs.

COMMUNITY RECREATION PROGRAMS USE AGREEMENT

A shared use agreement, based on Education Code section 10900 *et seq.* (“Community Recreation Programs”), allows school districts to enter into agreements with other public entities that have the authority to provide recreation including cities, counties and other school districts. Agreements authorized under these provisions do not trigger surplus property procedures. However, the

circumstances for using such agreements are limited and school districts should be careful to ensure that the proposed shared use is covered by these provisions.

Purpose and Covered Uses

The purpose of the Community Recreation Programs is to provide for “adequate programs of community recreation” in order to “promote and preserve the health and general welfare of the people of the state and to cultivate the development of good citizenship.” In furtherance of its purpose of providing adequate programs of community recreation, these provisions allow a school district to grant the use of any school district facility to another public entity to promote and preserve health and general welfare through programs of community recreation. (Education Code section 10910.) “Recreation” is broadly defined to include activities that contribute to the mental development of an individual or group including, but not limited to, activities in the fields of science and literature. (Education Code section 10901.) “Recreation Center” is also broadly defined as a place, structure, or area under the jurisdiction of the public entity even if the primary use is for something other than recreation.

Agreement Terms

There are no statutorily required provisions that the agreements must include. Also, there are no limitations as to the length of the term of the agreement. Education Code section 10912 allows the school district to set the fees for use of the facilities. Education Code section 10914.5 allows school districts to establish a separate account for funds received for community recreation programs and authorized expenses associated with the community recreation funds can be paid from such accounts.

Considerations

The Community Recreation Program is best suited for uses that fall clearly into the category of recreation. A use agreement entered into based on the Community Recreation Program provisions has the potential to generate revenue. However, often the greatest benefit to the school district is from the programs or services offered. School districts should carefully consider how operating expenses will be shared for such things as utilities, maintenance, repair, and security costs, as well as possible contributions for capital improvements.

CIVIC CENTER ACT USE OF FACILITIES

Education Code section 38130 *et seq.* (Civic Center Act) permits school districts to grant use of facilities for a variety of purposes to both public and private entities as well as individuals. (See Education Code section 38130(b).) The terms of such use are set by the school district but are subject to certain limitations, which may include charging fees. Education Code section 38134 limits the fees charged under the Civic Center Act to direct costs, except for certain situations or users such as meetings or entertainment where fees are charged. With respect to youth sports, even if the organization charges fees, the school district cannot charge the youth sports organization more than direct costs. (Education Code section 38134(c).) Direct costs are divided into two categories: capital direct costs and operational direct costs. Capital direct costs are defined to include the estimated costs for maintenance, repair, restoration and refurbishment of District nonclassroom space, including specialty teaching stations such as dance studios. Operational direct costs are defined to include the estimated costs of supplies, utilities, janitorial services, services of

District employees, and/or contracted workers and salaries and benefits paid to District implies directly associated with administering the Civic Center Act to operate and maintain District facilities and grounds. It is important that the calculation of direct costs be based on the formula set forth in Education Code section 38134(g) and the California Code of Regulations applicable to the Civic Center Act, and supported by specific verifiable cost information. School districts should make certain that their Civic Center policies and administrative regulations are up to date and in compliance with legal requirements. It is also important that the facility use agreements under the Civic Center Act contain appropriate indemnification and insurance provisions to adequately protect the school district.

Considerations

The Civic Center Act gives school districts the most day to day flexibility because the uses do not infringe upon the school district's uses of the facility, and because the use by others is generally short in duration. While Civic Center Act uses are not generally looked to as a way to generate significant revenue, it does allow school districts the opportunity to recoup costs.

IV. SCHOOL CLOSURE

With respect to school closures and the general process, there are few statutory requirements. Education Code section 17387 requires only that community input should be obtained prior to school closure, but does not include any specifics on the process or procedure for community input, including convening a 7-11 Advisory Committee or following any other surplus property procedures (discussed below). While the use of a 7-11 committee is recommended for school closures as a good practice, the mandate in Education Code section 17388 to convene a 7-11 Advisory Committee refers only to sale or lease without any reference to school closure. However, Education Code section 17387 reads “[i]t is the intent of the Legislature to have the community involved before decisions are made about school closure or the use of surplus space, thus avoiding community conflict” Thus, it seems to suggest, at a minimum, that community input should be had prior to school closure.

The California Department of Education (“CDE”) provides a checklist that may assist school districts further in the school closure process. Prior to actually closing a school, plans that impact particular groups, such as a transportation plan, should be decided upon for practical reasons in order to facilitate a smooth closure of the school. The CDE checklist provides a good overview of the issues and suggested timeline to facilitate the process. Please note that CDE identifies this timeline as “suggested” only, and notes that timelines will vary based on the size and unique issues for each school district. The timing of the items on the checklist, to the extent they apply to the closure, should be conducted in the manner that makes the most practical sense.

The area of school closures, as it relates to CEQA, has seen some changes in recent years. School closures are usually exempt from CEQA under Public Resources Code section 21080.18 and CEQA Guidelines section 15314. School closures are unique in that they involve both statutory and categorical exemptions from CEQA. There are seldom any CEQA ramifications to a school closure itself. Instead, the concern arises when the students from the closed school are subsequently transferred to other schools (changes in traffic patterns, parking impacts at the other school, additional noise, addition of classrooms, etc.). In 1989, the California Court of Appeal concluded that school closure and attendance reconfiguration actions are “projects” within the

meaning of CEQA. (*East Peninsula Ed. Council, Inc. v. Palos Verdes Peninsula Unified School District* (1989) 210 Cal.App.3d 155.) However, Public Resources Code section 21080.18 provides that CEQA does not apply to the closing of any school or the transfer of the students to other schools as long as the only physical changes involved qualify for exemption under any of the categories set out in the CEQA Guidelines.

Prior to 2002, school district boards found that school closure projects were excluded from CEQA under CEQA Guidelines section 15378(b)(5), which provides that projects under CEQA do not include “[o]rganizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment (such as the reorganization of a school district or detachment of park land).” Section 15378(b)(5) again called into question the usefulness of Public Resources Code section 21080.18. But, the California Court of Appeal extinguished the CEQA Guidelines exclusion for school district reorganizations in 2002 in *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98.

While the state of the law after 2002 clearly provided that school closure was not excluded from CEQA, it remained unclear whether such a project was exempt from CEQA. That question was settled in 2006 with *San Lorenzo Valley Community Advocates v. San Lorenzo Valley Unified School District* (2006) 139 Cal.App.4th 1356.

The court, in *San Lorenzo*, examined a reconfiguration of several schools involving both school closures and the transfer of many students. The court used a straightforward application of Public Resources Code section 21080.18 to find the school reconfiguration exempt from CEQA. In other words, the court focused primarily on the categorical exemptions in the CEQA Guidelines. The court disregarded potential offsite impacts of the reconfiguration including traffic and air quality impacts, and instead examined the physical changes that would take place onsite at the receptor schools as a consequence of the reconfiguration. Thus, the court held that as long as one of the categorical exemptions apply (and no exceptions apply), no further analysis is required.

V. CONCLUSION

As shown above, school districts have a myriad of options available regarding the use and disposition of their assets. By selecting the appropriate vehicle for the school district’s goal, and by taking advantage of each of the benefits that a vehicle may offer, school districts can maximize their income and eliminate unnecessary expenses.



Crossroads Office Park

265 S. Anita Drive

Orange, CA 92868

Background:

- Building was acquired in 2003 as part of the sale of the Arevalos School property to Pegasus School
- The building's net revenue at its highest was \$ 355,081 in 2004, but most years was closer to \$150,000 - \$190,000. Revenue was placed in the District's Routine Restricted Maintenance Fund to help cover the 3% deposit requirement.
- During the recession, the occupancy rate dropped as did net revenue.
- Due to the age of the building, deferred maintenance has been necessary over the past 3-4 years:
 - 2012 – restrooms were remodeled
 - 2013 – exterior was painted, parking lot resurfaced & striped
 - 2014 – Exterior courtyard work, including upgrade to pond pump
 - 2015 – replaced 8 HVAC units, installed 4 new surveillance cameras, ADA closures on entry doors
 - 2016 – replace 10 HVAC units, new mailboxes & directory, new ADA door hardware on suite entry doors
 - Additional needs – 7 original HVAC units still need to be replaced, elevator installation

Declared surplus property in 2008:

- The District was looking to pay off Certificated of Participation (COPs) issued for modernization
- Appraisal at the time was between \$9.9 and \$10 million, but it was found to be inflated, even at the peak of the real estate market brokers only anticipated it would garner in the \$8.5 to \$9.5 million range.
- Vacancy rates across Orange County in professional buildings of this type were rising and were expected to continue to increase.
- The brokers at the time encouraged the District to finance the sale and carry the note to create more buyer interest in the building
- It was recommended at the time to postpone the sale of the building for 12-18 months in the hope the market would improve.

2015 Opinion of Value

- The District received an unsolicited offer on the property in August of 2015 for \$5.85 million
- At that time the District requested a Opinion of Value from its broker, Lee & Associates



- The Opinion of Value, dated February 2016, was based on 69% of the suites occupied and asking leasing rates of \$1.35-\$1.65. The recommended asking price was \$6,478,650 (\$1.50/SF) with an expected sale price between \$5,830,785 (\$135/SF) and \$6,262,695 (\$145/SF).
- The Board, at that time, was unable to entertain the offer as the property had not been declared surplus and requested that staff explore convening a Surplus Property Advisory Committee.

Current Building Information

- As of September 30, the occupancy rate has risen to 84.58% occupied, which meets the leasing assumptions for 2016.
- 2016 Budget:

Rental Revenue	\$578,580
Operating Expenditures	\$374,242
Net Before Capital	\$231,337
Capital Expenditures	\$189,797
Net Income	\$39,042

- Cash flow:
 - 2016 Beginning cash flow - \$160,986
 - 2016 Ending cash flow _ \$200,028
- Current asking lease rates are \$1.50 SF and are actually leasing at approximately \$1.40 SF.



Fountain Valley School Enrollment Projections

Projected school enrollment is provided, per statute, to Surplus Advisory Committees. However, Crossroads is a commercial office building; therefore enrollment projections are not applicable to this property.

The table below outlines the 2016-2017 moderate enrollment projections for the Fountain Valley School District, by grade level, through 2025. These projections are completed annually by the District's demographer, DecisionInsite.

Totals														
Grade	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
K	641	600	559	595	599	591	583	583	579	575	570	566	561	558
1	557	645	619	593	618	624	611	607	607	601	596	593	587	584
2	612	575	661	636	608	634	639	627	615	615	610	604	598	595
3	690	635	584	651	646	617	645	649	632	619	619	613	609	605
4	669	695	670	610	691	682	652	684	668	651	636	636	633	626
5	693	680	712	686	619	701	693	661	689	674	656	642	642	636
6	674	752	713	745	725	683	778	742	708	738	720	703	687	687
7	797	725	792	767	799	777	734	835	781	747	778	760	741	726
8	806	796	733	803	778	813	790	745	842	788	754	785	767	747
TransK	25	54	118	103	95	93	92	92	92	91	91	89	89	88
Subtotals	6164	6157	6161	6186	6176	6215	6217	6225	6213	6099	6038	5961	5874	5802
Pct Chg		-0.1%	0.1%	0.5%	-0.2%	0.6%	0%	0.1%	-0.2%	-1.8%	-1.1%	-0.8%	-1.3%	-1%
SDC	184	178	164	173	175	174	174	174	174	171	168	168	166	164
Totals	6348	6335	6315	6359	6351	6389	6391	6399	6387	6270	6199	6130	6060	5986
Capacity	7844	7844	7844	7844	7844	7844	7844	7844	7844	7844	7844	7844	7844	7844
Open Seats	1498	1612	1528	1482	1493	1465	1452	1445	1457	1574	1645	1714	1778	1858

FOR LEASE - OFFICE SPACE

CROSSROADS OFFICE PARK
265 S. ANITA DRIVE
ORANGE, CALIFORNIA 92868



Marketed Exclusively By:

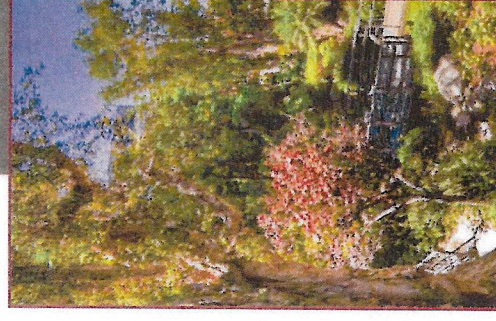
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FOR LEASE - OFFICE SPACE

CROSSROADS OFFICE PARK 265 S. ANITA DRIVE ORANGE, CALIFORNIA 92868



CROSSROADS OFFICE PARK

265 S. Anita is a 2-story, Class B office building which offers excellent access to the 5, 57, and 22 Freeways. Crossroads Office Park features premium offices, ample parking and a lush green courtyard that creates a welcoming and professional environment. It is surrounded by numerous amenities including the Main Place Mall, Anaheim Stadium, The Outlets at Orange, and Disneyland. The 43,191 square foot building provides major visibility from the 57 Freeway.

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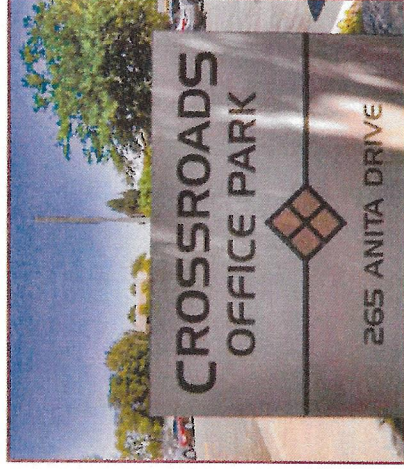
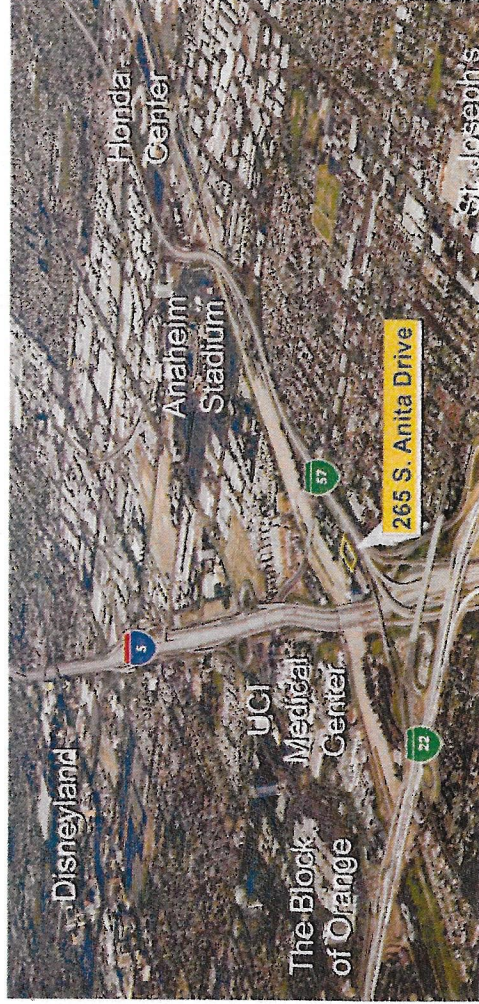
Marshall Vogt - Principal
mvogt@lee-associates.com
714.564.7117
Lic #: 01519213

LEE & ASSOCIATES®
COMMERCIAL REAL ESTATE SERVICES
Corporate ID #01011260

Lee & Associates® All information contained herein has been provided by the Lessor and/or third parties, but has not been independently verified by Lee & Associates or its agents. Lessee and interested parties should independently verify all information communicated by these sources.

FOR LEASE - OFFICE SPACE

CROSSROADS OFFICE PARK 265 S. ANITA DRIVE ORANGE, CALIFORNIA 92868



HIGHLIGHTS:

- ♦ 43,191 SF Two-Story Office Building with Premium Office and a Lush Green Courtyard
- ♦ Prime Orange Location with Convenient Access to Major Freeways (57, 22 and 5) and 57 Freeway Visibility
- ♦ Minutes from Numerous Amenities, The Block of Orange, Santa Ana MainPlace, and Angels Stadium
- ♦ Ample Surface Parking - 4:1,000
- ♦ Professionally Managed by River Rock Real Estate Group

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FOR LEASE - OFFICE SPACE

CROSSROADS OFFICE PARK
265 S. ANITA DRIVE
ORANGE, CALIFORNIA 92868

GROUND FLOOR



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COMMERCIAL REAL ESTATE SERVICES
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FOR LEASE - OFFICE SPACE

CROSSROADS OFFICE PARK
265 S. ANITA DRIVE
ORANGE, CALIFORNIA 92868

SECOND FLOOR



Marketed Exclusively By:

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COMMERCIAL REAL ESTATE SERVICES

TO: MS. CHRISTINE FULLERTON
FVSD

FROM: MARSHAL VOGT ERIK THOMPSON
PRINCIPAL PRINCIPAL

DATE: FEBRUARY 25, 2016

RE: OPINION OF VALUE
265 S ANITA DRIVE
ORANGE, CA 92868

In an effort to provide you with realistic parameters for a sales price for 265 S Anita Drive, this Opinion of Value will provide an overview of current market conditions and look at the building from both a CAP rate basis and market approach using sale comps.

BRIEF PROPERTY & LOCATION DESCRIPTION

Crossroads Office Park is currently a fully improved 2 story commercial office building estimated in size to be 43,191 rentable square feet situated on 2.10 acres of land. The property is not elevator served and was constructed in 1982 as a "walk-up" multi-tenant office building located at 265 S Anita Drive near the intersection of S Anita Drive and W Chapman Avenue in the city of Orange. With Orange (57) Freeway frontage, the property is located at one of Orange County's most heavily traveled freeway interchanges where the Santa Ana (5), Garden Grove (22), and Orange (57) freeways connect.

The subject property is currently zoned C-1 and is situated within the West Chapman/Uptown Orange 'focus area' within the Existing General Plan in the City of Orange. The subject property's current land use designation under the Existing General Plan is "General Commercial" allowing .5 FAR.

MARKET OVERVIEW

Leasing -

- The commercial office market in Central Orange County, consistent with other areas of Orange County and the Country has been hit hard by increasing vacancy and lack of demand for class B office buildings.
- Asking lease rates for comparable quality office buildings range from \$1.35 to \$1.65 Full Service Gross ("FSG"), and have returned to their peak numbers of 2007.
- The 2015-2016 leasing market for all of Central Orange County is stabilizing but without signs of significant turnaround for class B buildings. Landlords are doing everything they can to keep existing tenants, just as competing landlords are aggressively pursuing any viable prospects.

Sales -

- Commercial building sales overall are substantially affected by tightened lending practices, as even the most qualified buyers are challenged to obtain acceptable financing.

- Financing for a leased investment is particularly challenging, as the underwriting process is ultra conservative with regards to future rental rates and uncertainty regarding a tenant's ability to fulfill the obligations of their lease agreements.
- Banks are cautious to lend money, which is forcing Loan-To-Value ("LTV") ratios down, thereby requiring buyers to put more capital down to purchase.
- SBA financing for an owner/user is still obtainable and interest rates are at all time lows, but it is still difficult for borrowers to qualify and businesses to justify allocating to capital away from their core business while leasing still remains the short-term alternative.
- Owner/User sales are driving the market in volume and pricing as SBA financing allows buyers to borrow 90% of the building purchase price with an interest rates below 5%.
- Once a willing lender is identified and acceptable financing is agreed to, the appraisal process may complicate the pending deal. Appraisers are being overly cautious when determining building value, and will sometimes come up short of the agreed-to purchase price, causing delays in escrow while a deal is renegotiated or forces a buyer to put up additional capital to close or find another bank and appraiser.
- The 2015-2016 outlook for building sales is improving with vacancies decreasing and rental rates increasing. The most aggressively priced properties will sell first, as buyers will take advantage of a perceived "deal". Over priced properties will sit on the market as buyers wait for the prices to drop or catch the market.

CAP RATE ANALYSIS

ACTUAL

The below CAP rate analysis outlines building value based upon current rent and expenses. For the purpose of the analysis, we will use the following assumptions for base rent and operating expenses.

<u>Gross Income:</u>	\$446,576
<u>Expenses:</u>	\$285,484
<u>Net Operating Income:</u>	\$161,093

Based upon the assumptions above for the actual rents and expenses, the building would command the following values at these CAP rates:

PURCHASE PRICE	PSF PRICE	RESULTING CAP RATE
\$2,684,883	\$62	6.0%
\$2,478,354	\$57	6.5%
\$2,301,329	\$53	7.0%
\$2,147,907	\$50	7.5%
\$2,013,663	\$47	8.0%
\$1,895,212	\$44	8.5%

PRO FORMA

The below CAP rate analysis outlines building value based upon 'pro-forma' rent and expenses with a 10% vacancy rate and a \$1.40/sf lease rate for new leases. For the purpose of the analysis, we will use the following assumptions for base rent and operating expenses.

<u>Gross Income:</u>	\$634,364
<u>Expenses:</u>	\$285,484
<u>Net Operating Income:</u>	\$348,880

Based upon the assumptions above for the projected rents and estimated expenses, the building would command the following values at the "pro-forma" CAP rates:

PURCHASE PRICE	PSF PRICE	RESULTING CAP RATE
\$5,814,659	\$135	6.0%
\$5,367,378	\$124	6.5%
\$4,983,994	\$115	7.0%
\$4,651,727	\$108	7.5%
\$4,360,994	\$101	8.0%
\$4,104,465	\$95	8.5%

CAP rates on investment properties have gradually decreased over the past twelve months. A motivated seller should expect for a leased investment to trade in the 6.5% to 8% range, resulting in a purchase price in the \$5,367,378 to \$4,360,994 range (\$124 PSF to \$101 PSF) for the subject building.

Traditional investors looking at this property would also add leasing assumptions for downtime, free rent, tenant improvements, brokerage commissions and capital improvements which would reduce an investor's interest at "market" cap rates stated above.

PURCHASE ANALYSIS

In a flat or improving market, it is just as important to look at pricing for competitive buildings for sale as well as recent sales comps. Recent sales comps are important to the appraisal process, but will not help a building sell if it is overpriced as compared to other available alternatives on the market. For the purpose of this analysis we will take a look at both recent comps as well as competitive inventory for sale.

AVAILABLE

	ADDRESS	DESCRIPTION	SF	ASKING PRICE	COMMENTS
1)	1665 E 4 th Street, Santa Ana	Two story office building, multi tenant building, parking of 3:1,000 SF.	24,451	\$2,396,198 \$98 PSF	Built in the 1973, no elevator, listed over 7 months, selling as a leased investment, in ESCROW .

2)	2001 E 4 th Street, Santa Ana	Two story office building, multi tenant building, parking of 4:1,000 SF.	27,700	\$3,500,000 \$126 PSF	Built in 1969, no elevator, listed over 6 months. Selling as a leased investment.
3)	1850 E 17 th Street, Santa Ana	Two story office building, multi tenant building, parking of 3.3:1,000 SF.	24,215	\$2,808,940 \$116 PSF	Built in 1970, no elevator, listed over 5 months. Selling as a leased investment.
4)	50 S Anaheim Blvd, Anaheim	Three story office building, multi tenant building, parking of 5.6:1,000 SF.	32,795	\$5,000,000 \$152 PSF	Built in 1985, elevator served, listed almost 2 years. Selling as a leased investment. In Escrow.
5)	180 S Anita Drive, Orange	Two story office building, multi tenant building, parking of 4:1,000 SF.	13,646	\$2,797,430 \$204 PSF	Built in 1982, no elevator, sold as an owner user building.
6)	3707 W Garden Grove, Orange	Two story office building, multi tenant building, parking of 4.5:1,000 SF.	26,405	\$TBD Auction	Built in 1987, elevator served, being sold at Auction.
7)	1900 E La Palma Ave, Anaheim	Two story office building, multi tenant building, parking of 4:1,000 SF.	15,588	\$3,400,000 \$218 PSF	Built in 1979, listed for almost one year, partially leased, and sold as an owner user or investment.
8)	555 N Park Center, Santa Ana	Two story office building, multi tenant building, parking of 4:1,000 SF.	24,737	\$3,586,865 \$145 PSF	Currently in escrow, built in 1977, no elevator, current buyer plans a remodel. For sale as an investment or owner user opportunity.
9)	888 W Santa Ana, Santa Ana	Two story office building, multi tenant building, parking of 3:1,000 SF.	19,795	\$3,563,100 \$180 PSF	Built in 1981, located in the heart of downtown Santa Ana, selling as an investment. Listed for over one year.
10)	630 The City Dr Orange	Two story office building, multi tenant building, parking of 3.19:1,000 SF.	29,509	\$799,000 \$149 PSF	Currently in escrow, built in 1978, no elevator, current buyer plan to tear the building down and build a Senior Living Community. For sale as an investment or owner user opportunity.

SOLD

	ADDRESS	DESCRIPTION	SF	PURCHASE PRICE	COMMENTS
11)	132 S Anita Dr, Orange	Two story office building, elevator served, multi tenant building, parking of 3.7:1,000 SF.	11,060	\$2,400,000 \$217 PSF	SOLD 10/2014 to an owner user, SOLD BY LEE & ASSOCIATES, listed for 229 days.
12)	1800 N Broadway, Santa Ana	Two story office building, elevator served, multi tenant building, parking of 3:1,000 SF.	10,500	\$1,470,000 \$140 PSF	SOLD 10/2014 to an owner user, listed for 800 days.
13)	2024 N Broadway, Santa Ana	Three story office building, elevator served, multi tenant building, parking of 2.53:1,000 SF.	18,291	\$2,030,000 \$111 PSF	SOLD 7/2014 to an investor, SOLD BY LEE & ASSOCIATES, listed for 105 days.
14)	201 S Center, Anaheim	Six story office building, elevator served, multi tenant building, parking of 4:1,000 SF.	33,860	\$5,350,000 \$158 PSF	SOLD 11/2014 to an investor, listed for 271 days.
15)	161 Fashion Lane, Tustin	Two story office building, not elevator served, multi tenant building, parking of 3:1,000 SF.	18,858	\$3,250,000 \$172 PSF	SOLD 10/2014 to an investor, listed for 420 days.
16)	1122 E Lincoln Ave, Orange	Two story medical office building, elevator served, multi tenant building, parking of 7:1,000 SF.	40,000	\$5,351,000 \$134 PSF	SOLD 2/2014 to an investor, listed for 373 days.
17)	1380 S Sanderson, Anaheim	Two story office building, elevator served, multi tenant building, excess land.	37,000	\$7,500,000 \$202 PSF	SOLD 4/2014 to an owner user (Church), listed for 301 days.
18)	1507 W Yale Ave Orange	Two story office building, not elevator served, single tenant building, parking of 4:1,000 SF.	17,544	\$3,509,000 \$200 PSF	SOLD 9/2014 to an investor, off the market transaction, SOLD BY LEE & ASSOCIATES.

PRICING RECOMMENDATIONS

Based upon the analysis provided above and attached, selling the building to an investor will garner the highest price.

Competitive "Market" Pricing - To be competitive with other alternatives in the market, we recommend an asking price of **\$6,478,650 (\$150/SF)** with expectations of striking a deal between **\$5,830,785 (\$135/SF)** and **\$6,262,695 (\$145/SF)**.

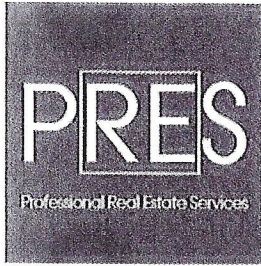
Respectfully submitted,



Marshal J. Vogt
Principal
714.564.7117
mvogt@lee-associates.com
Lic #: 01519213



Erik Thompson
Principal
714.564.7151
ethompson@lee-associates.com
Lic #: 0145292



August 20, 2015

VIA EMAIL: MVogt@lee-associates.com

C/O Mr. Marshall J. Vogt
Lee & Associates
1004 W. Taft Ave, Suite 150
Orange, CA 92865

RE: LETTER OF INTENT TO PURCHASE
265 S. ANITA DRIVE
ORANGE, CALIFORNIA
APN# 232-041-02

Dear Marshall:

This letter of intent ("Letter of Intent") outlines the principal terms upon which PRES Real Estate Investments LLC ("Buyer") is prepared to enter negotiations with Fountain Valley School District ("Seller") of the real property described below, with respect to entering into a definitive purchase and sale agreement and joint escrow instructions ("Purchase Agreement") to acquire the fee simple title to the land, improvements and all personal property located therein owned by Seller located at 265 S. Anita Drive in the City of Orange, County of Orange, State of California, which includes one office building comprised of a total of approximately 43,131 square feet on a 2.10 acers parcel of land (the "Property").

1. PURCHASE PRICE:

The Purchase Price shall be Five Million Eight Hundred Fifty Thousand Dollars (\$5,850,000). The Purchase Price shall be paid in cash by Buyer through Escrow at closing, less the Deposit and subject to customary pro rations and adjustments. Buyer's obligation to close Escrow shall be conditioned on delivery of the Property free and clear of debt, liens and encumbrances, except for permitted encumbrances that are approved by Buyer in its sole and absolute discretion during the Due Diligence Period. Upon signing this letter, Seller and its affiliates agree to refrain from discussions or negotiations with other buyers or investors regarding the sale of the Property or from otherwise marketing the Property until a Purchase Agreement is signed or discussions are terminated. Additional contingencies to the close of Escrow are outlined in Paragraph 7 of this Letter of Intent.

2. PURCHASE AGREEMENT:

Seller's attorney will prepare a draft Purchase Agreement for the sale of the Property and circulate it to Buyer and Seller. The Purchase Agreement shall incorporate the terms and conditions included in this Letter of Intent and such other terms and conditions as are commercially reasonable, including commercially reasonable representations and warranties.

3. EARNEST MONEY DEPOSIT:

Upon execution and delivery by Buyer and Seller of a mutually acceptable Purchase Agreement to escrow, Buyer shall deposit the sum of One Hundred Thousand Dollars (\$100,000) (the "Initial Deposit") with a mutually agreeable escrow company ("Escrow"), which amount shall be held by Escrow in an interest bearing account. Upon the expiration of the Contingency Period (as hereinafter defined) without cancellation of Escrow by Buyer (in its sole discretion), Buyer shall deposit an additional One Hundred Thousand Dollars (\$100,000) ("Second Deposit," and along with the Initial Deposit, shall be referred to as the "Deposit"). All interest earned on the Deposit shall be for the benefit of the Buyer. The Deposit shall become non-refundable at the expiration of the Contingency Period and receipt of Buyer's intention to proceed with the transaction. At the Close of Escrow (as defined herein), the Deposit shall be applied and credited toward the payment of the Purchase Price.

4. CONTINGENCY PERIOD:

Commencing upon the mutual execution of the Purchase Agreement and delivery of the Deposit (the "Effective Date"), and continuing for a period of Forty Five (45) days thereafter (the "Contingency Period"), Buyer, its agents and consultants shall be permitted reasonable access to the Property for the sole purpose of satisfying itself as to such matters as title, physical condition and environmental matters and conducting such tests, and communication with government and public agencies as Buyer may deem appropriate. Upon mutual execution of this Letter of Intent, Seller shall deliver to Buyer all items requested by Buyer that are in Seller's possession, including, but not limited to leases, operating statements, books and records, engineering and environmental reports, building plans, correspondence, etc. If Buyer cancels Escrow during the Contingency Period for any reason or no reason whatsoever (in which event the Deposit shall be returned to Buyer), then Buyer agrees to promptly deliver all documents to Seller that had been used or prepared in order to conduct their investigation of the Property during the Contingency Period.

5. CLOSE OF ESCROW:

The Close of Escrow shall occur Forty Five (45) days from the expiration of the Contingency Period.

6. CLOSING COSTS AND PRORATIONS:

Seller shall pay for a CLTA owner's basic coverage policy of title insurance, all transfer taxes, one-half of the Escrow fee and all other fees and costs incurred by Seller in connection with this transaction. Buyer shall pay for one-half of the Escrow fee, the cost of any ALTA title coverage in excess to the basic CLTA coverage and the premium for any endorsements to the Title Policy and all costs incurred by Buyer in connection with this transaction. Taxes and any other items that are customarily prorated shall be prorated and paid through Escrow. Seller shall provide a mechanics' lien indemnity to Title Company as necessary to provide coverage free of mechanics liens, such that Buyer can obtain (at Buyer's expense), a mechanics' lien endorsement.

7. CONTINGENCIES TO CLOSE OF ESCROW:

The Close of Escrow shall be subject to Buyer's approval and verification of the information and material reviewed during the Contingency Period. It shall be a condition precedent to Closing that hazardous substances shall not be discovered on the Property that are not disclosed in Phase I report obtained by Buyer. Buyer acknowledges that Seller is selling, and Buyer shall accept, the Property in "As-Is" condition with commercially reasonable representations and warranties to be negotiated in the Purchase Agreement consistent with an "As-Is" transaction.

8. COMMISSIONS:

Buyer and Seller acknowledge that Marshall Vogt of Lee & Associates will act as sole broker/advisors (the "Broker") in the sale of the Property. Seller shall be responsible for Broker's commission under a separate agreement, if the Close of Escrow occurs.

9. CONFIDENTIALITY:

Except as required by law, the terms of this Letter of Intent and the proposed transaction shall be kept strictly confidential by both parties; provided, however, that either party may disclose such terms to its employees, officers, shareholders, financial advisors, consultants, partners, affiliates, lenders and attorneys who need to know such terms for purposes of evaluating the proposed transaction.

10. EXPIRATION:

This Letter of Intent shall remain valid until 5:00 P.M. PDT on September 1, 2015.

This Letter of Intent is intended solely as a preliminary expression of general intentions and is to be used for discussion purposes only. The parties intend that neither shall have any contractual obligations to the other with respect to the matters referred herein unless and until a definitive Purchase Agreement has been fully executed and delivered by the parties. The parties agree that this Letter of Intent is not intended to create any agreement or obligation by either party to negotiate a definitive Purchase Agreement and imposes no duty whatsoever on either party to continue negotiations. Prior to delivery of a definitive executed agreement, and without any liability to the other party, either party may (1) propose different terms from those summarized herein, (2) enter into negotiations with other parties and/or (3) unilaterally terminate all negotiations with the other party hereto.

If the terms and conditions set forth herein are acceptable to Seller, please have the appropriate party return an executed copy of this Letter of Intent and provide for the delivery of the due diligence materials. Upon receipt of the fully executed Letter of Intent and delivery of the due diligence materials, Seller's counsel shall draft the Purchase Agreement.

Should you have any questions or comments regarding this Letter of Intent, please do not hesitate to contact the undersigned.

Sincerely,
PRES REAL ESTATE INVESTMENTS LLC,
a California limited liability company

By:


David A. Bonaparte
Member / Authorized Signatory

AGREED AND ACCEPTED:

SELLER:

By: _____
Its: _____
Title: _____
Date: _____

CC: Bradley W. Schroth

MINUTES

Meeting No. 1

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

November 15, 2016, 6:30PM

1. PRELIMINARY

Dr. Johnson, Superintendent, called the first meeting of the
Surplus Property Advisory Committee to order at 6:33pm.

Call to Order

The following committee members were present:

Roll Call

Tom Antal
Steve Brown
David Pate
Ed Eldridge
Chris Christensen
Tiffany Covington
Susan Galvin
Joy Moyers
Cheryl Norton
David Truong

Absent:

Judy Edwards

2. PLEDGE OF ALLEGIANCE

Dr. Johnson led the Pledge of Allegiance.

Pledge of Allegiance

3. INTRODUCTIONS

Each member of the 7-11 Committee present took a moment to
introduce his/herself. In addition, District staff members
introduced themselves to those present.

7-11 Committee Members,
District Staff and
Consultants, if any

4. SELECTION OF CHAIR AND CO-CHAIR/ACTION

Motion: Mr. Brown moved to approve Chris Christensen as
the Chair and David Truong as the Co-Chair of the

Action

committee.

Second: Mrs. Moyers

Vote: 10-0

5. COMMENTS FROM THE FLOOR

There were no requests to address the 7-11 Committee.

Comments from the Floor

6. OVERVIEW OF SURPLUS PROPERTY COMMITTEE PURPOSE AND DUTIES

Mr. Chialtas walked the Committee through a Summary of Real Property Advisory Committee Information. The discussion included the legal requirements regarding the purpose of the Advisory Committee and the Formation of the Advisory Committee. In addition, the Duties of the Advisory Committee were provided and explained.

Summary of Surplus
Property Advisory
Committee Duties

Mr. Chialtas then provided a copy of the Brown Act to the Committee and gave an overview as to why this committee falls under these legal requirements. He shared the intent of the Brown Act, the “Rule” according to Government Code Section 54953, the definition of a meeting, public meeting procedures, guidelines regarding closed session, and enforcement of the Board Act.

Open Public Meeting
Requirements Under the
Brown Act and California
Education Code

Following this, Mr. Chialtas shared Conflict of Interest Law regarding Real Property. He shared information regarding the Political Reform Act, Government Code Section 1090, and relevant case law.

Conflict of Interest Law

Lastly, Mr. Chialtas provided supporting documents regarding surplus property procedures including: information regarding the sale and lease of surplus property; use of proceeds from property disposition – sale and lease; waivers; working with private entities; joint occupancy; exchange; license agreements; charter school facility use agreements; working with other public entities; joint use leases; joint use grant projects; community recreation programs use agreements; civic center act use of facilities; and school closure.

Summary of Surplus
Property Procedures

7. OVERVIEW OF CROSSROADS PROPERTY

Mrs. Fullerton then provided an overview of the Crossroads Property including background on the building, details regarding

Crossroads
Property/Reference

its declaration as surplus property in 2008, the Opinion of Value Documents
from 2015, and current information regarding the building.

8. REVIEW ENROLLMENT PROJECTIONS

Lastly, Mrs. Fullerton shared the recent enrollment projections for Review Enrollment
the District by grade level. Projections

The group engaged in a discussion and Q&A regarding the value of the Crossroads Property; maintenance of the Crossroads Property (current and future projections); management company information; as well as the desire to consider a trade to address the District's leased Maintenance and Operations building.

9. DISCUSSION OF PROPOSED NEXT COMMITTEE MEETING AND TIMELINE/ACTION

Motion: Mr. Christensen moved to hold the next committee Action
meetings on January 3rd and February 7th at
6:30pm.

Second: Mr. Eldridge

Vote: 10-0

10. COMMENTS FROM COMMITTEE MEMBERS

There were no comments from committee members. Comments from Committee
Members

11. ADJOURNMENT

The meeting adjourned at 7:52PM. Adjournment

/rl

AGENDA

Meeting No. 2

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

January 3, 2017, 6:30 P.M.

1. PRELIMINARY

- a. Call to Order _____ p.m.
- b. Roll Call (Establishment of a Quorum)
 - 1. Tom Antal
 - 2. Steve Brown
 - 3. David Pate
 - 4. Ed Eldridge
 - 5. Chris Christensen (Chairperson)
 - 6. Tiffany Covington
 - 7. Judy Edwards
 - 8. Susan Galvan
 - 9. Joy Moyers
 - 10. Cheryl Norton
 - 11. David Truong (Co-Chairperson)

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

- a. 7-11 Committee Members, District Staff and Consultants, if any

4. COMMENTS FROM THE FLOOR

Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than four (4) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

5. APPROVAL OF MINUTES OF NOVEMBER 15, 2016 MEETING

- a. Motion By _____ Seconded by _____ Vote _____

6. SUMMARY OF NOVEMBER 15, 2016 MEETING AND CROSSROADS PROPERTY
7. DISCUSSION WITH REAL ESTATE BROKER (Marshal Vogt from Lee and Associates)
8. DEVELOPMENT OF PRIORITY USE LIST / ACTION
 - a. Sample Priority Use List & Possible Revisions
 - b. Approval of Priority Use List
Motion By _____ Seconded by _____ Vote _____
9. DEVELOPMENT OF DRAFT REPORT
 - a. Sample Report
 - b. Possible Revisions to Proposed Draft Report
10. DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING / ACTION
 - a. Motion By _____ Seconded by _____ Vote _____
11. COMMENTS FROM COMMITTEE MEMBERS
12. ADJOURNMENT _____ p.m.

MINUTES

Meeting No. 2

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

January 3, 2017, 6:30PM

1. PRELIMINARY

Dr. Johnson, Superintendent, called the second meeting of the Surplus Property Advisory Committee to order at 6:32pm.

Call to Order

The following committee members were present:

Roll Call

Tom Antal (late)
Steve Brown
Chris Christensen (Chairperson)
Tiffany Covington
Judy Edwards
Susan Galvan
Joy Moyers
Cheryl Norton
David Truong (Co-Chairperson)

Absent:

Ed Eldridge
David Pate

2. INTRODUCTIONS

Each member of the 7-11 Committee present took a moment to introduce him/herself. In addition, District staff members introduced themselves to those present.

7-11 Committee Members,
District Staff and
Consultants, if any

3. PLEDGE OF ALLEGIANCE

Mr. Christensen led the Pledge of Allegiance.

Pledge of Allegiance

4. COMMENTS FROM THE FLOOR

There were no requests to address the 7-11 Committee.

Comments from the Floor

5. APPROVAL OF MINUTES OF NOVEMBER 15, 2016 MEETING

Motion: Mrs. Moyers moved to approve Minutes from the November 15, 2016 Meeting. Action

Second: Mrs. Norton

Vote: 8-0

6. SUMMARY OF NOVEMBER 15, 2016 MEETING AND CROSSROADS PROPERTY

Mrs. Fullerton reviewed the discussion and questions from the November 15th meeting in addition to reviewing details of the Crossroads property.

Summary of November 15, 2016 Meeting and Crossroads Property

Mr. Antal joined the meeting at 6:45pm

7. DISCUSSION WITH REAL ESTATE BROKER

Marshal Vogt and Erik Thompson from Lee and Associates reviewed current trends in local building property rates.

Discussion with Real Estate Broker

8. DEVELOPMENT OF PRIORITY USE LIST/ACTION

Mr. Chialtas shared a sample priority use list and possible revisions.

Sample Priority Use List and Possible Revisions

Motion: Mr. Truong moved to approve the Priority Use List.

Action: Approval of Priority Use List

Second: Ms. Galvan

Vote: 9-0

9. DEVELOPMENT OF DRAFT REPORT

Mr. Chialtas shared a sample report.

Sample Report

In addition, Mr. Chialtas shared possible revisions to the proposed draft report.

Possible Revisions to Proposed Draft Report

10. DISCUSSION OF TIMELINE AND NEXT COMMITTEE MEETING/ACTION

Motion: Mrs. Edwards moved to approve the next committee meeting dates of February 7, 2017 at 6:30pm.

Action

Second: Mr. Brown

Vote: 9-0

11. COMMENTS FROM COMMITTEE MEMBERS

There were no comments from the Committee Members.

Comments from Committee
Members

11. ADJOURNMENT

The meeting adjourned at 8:22PM.

Adjournment

/rl

AGENDA

Meeting No. 3

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

February 7, 2017, 6:30 P.M.

1. PRELIMINARY

a. Call to Order _____ p.m.

b. Roll Call (Establishment of a Quorum)

1. Tom Antal	_____
2. Steve Brown	_____
3. David Pate	_____
4. Ed Eldridge	_____
5. Chris Christensen (Chairperson)	_____
6. Tiffany Covington	_____
7. Judy Edwards	_____
8. Susan Galvan	_____
9. Joy Moyers	_____
10. Cheryl Norton	_____
11. David Truong (Co-Chairperson)	_____

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTIONS

a. 7-11 Committee Members, District Staff and Consultants, if any

4. COMMENTS FROM THE FLOOR

Persons wishing to make comments to the 7-11 Committee on non-agendized items may do so at this time. Each speaker is requested to limit their comments to no more than three (3) minutes. Please fill out a Speaker Card and turn it in to the Chair if you wish to address the Committee.

5. APPROVAL OF MINUTES OF January 3, 2017 MEETING

a. Motion By _____ Seconded by _____ Vote _____

6. PUBLIC HEARING ON CROSSROADS PROPERTY / PRIORITY USE LIST

Public Hearing opened at _____ p.m.

The public is allowed to express itself regarding the Crossroads Property.

Public Hearing closed at _____ p.m.

7. DISCUSSION OF CROSSROADS PROPERTY / PRIORITY USE LIST
8. DISCUSSION, REVIEW AND REVISE DRAFT REPORT / FINALIZE AND APPROVE REPORT TO BOARD / ACTION
 - a. Motion By _____ Seconded by _____ Vote _____
9. COMMENTS FROM COMMITTEE MEMBERS
10. ADJOURNMENT _____ p.m.

DRAFT

FOUNTAIN VALLEY SCHOOL DISTRICT SURPLUS PROPERTY “7-11” ADVISORY COMMITTEE FINAL REPORT AND RECOMMENDATION

Submitted by, Advisory Committee Members

Tom Antal
Steve Brown
David Pate
Ed Eldridge
Chris Christensen (Chairperson)
Tiffany Covington
Judy Edwards
Susan Galvan
Joy Moyers
Cheryl Norton
David Truong (Co-Chairperson)

Administration

Mark, Johnson, Ed.D., Superintendent
Christine Fullerton, Assistant Superintendent, Business Services

District Consultants

Andreas C. Chialtas, Atkinson, Andelson, Loya, Ruud & Romo
Marshal Vogt, Lee & Associates
Erik Thompson, Lee & Associates

February 7, 2017

Background & Process

The Fountain Valley School District owns land located at 265 S. Anita Drive, Orange, California, known generally as the Crossroads Office Park (the “Property”).

Prior to disposing of excess real property, the District’s Governing Board is required to form an Advisory Committee pursuant to Education Code Section 17388, et seq., to advise the District’s Governing Board in the development of district-wide policies and procedures governing the use or disposition of school buildings or space in school buildings, which is not needed for school purposes.

The Advisory Committee must consist of not less than seven (7) and not more than eleven (11) members, and must be represented by each of the following: (a) the ethnic, age group, and socioeconomic composition of the District; (b) the business community, such as store owners, managers, or supervisors; (c) landowners or renters, with preference to be given to representatives of neighborhood associations; (d) teachers; (e) administrators; (f) parents of students; and (g) persons with expertise in environmental impact, legal contracts, building codes, and land use planning, including, but not limited to knowledge of the zoning and other land use restriction of the cities or cities and counties in which surplus space and real property is located.

The Advisory Committee must undertake the following duties: (a) review the projected school enrollment and other data as provided by the District to determine the amount of surplus space and real property; (b) establish a priority list of use of surplus space and real property that will be acceptable to the community; (c) cause to have circulated throughout the attendance area a priority list of surplus space and real property and provide for hearings for community input to the committee on acceptable uses of space and real property, including the sale or lease of surplus real property for child care development purposes pursuant to Education Code Section 17458; (d) make a final determination of limits of tolerance of use of space and real property; and (e) forward to the District’s Governing Board a report recommending uses of surplus space and real property.

On August 11, 2016, the Governing Board took action and approved the appointment of an Advisory Committee to advise the Governing Board in the development of District-wide policies and procedures governing the use or disposition of school buildings or space in school buildings, which is not needed for school purposes.

Public Meetings

The Advisory Committee held a public meeting on November 15, 2016, another public meeting on January 3, 2017, and a final public meeting and noticed Public Hearing related to the Property on February 7, 2017 to, collectively, discuss the possible disposition of Property and corresponding priority uses.

November 15, 2016 Meeting

At the initial public meeting on November 15, 2016, District legal counsel, Andreas Chialtas of Atkinson, Andelson, Loya, Ruud & Romo, reviewed the surplus property process for public school district real property under the California Education Code and Government Code, and in particular, described the work and duties of the Advisory Committee. It was noted that, the Advisory Committee is to review documents and pertinent information, “make a final determination of limits of tolerance of use of space and real property,” and, as an advisory body to the Board of Education, the Advisory Committee is then charged to “forward to the Board of Education a report recommending uses of surplus space and real property.”

Legal counsel summarized the methods available to public school districts with regard to disposition of property (i.e., sale, lease, ground lease, exchange, wavier of surplus property processes, etc.). Furthermore, written and verbal summaries related to public meetings and requirements under the Brown Act, as well as applicable conflicts of interest law, were provided to the Advisory Committee members. This meeting also included written and verbal summaries provided by District administration of student demographic data and enrollment projects, as well as pertinent information regarding the Property.

Finally, Advisory Committee members discussed and made inquiries about the Property, disposition options, its maintenance and repair history and requirements, possible fair market value, location, other District property, and the general state of the property market. Such questions were answered that evening, or otherwise included in a list to be addressed and answered at the second meeting scheduled for January 3, 2017.

See Exhibit “A” for a copy of the November 15, 2016 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were later approved by the Advisory Committee.

January 3, 2017 Meeting

At the second public meeting held January 3, 2017, a summary of the discussion had at the initial meeting was provided. Then, information was provided to answer Advisory Committee member inquiries made at the initial meeting regarding the Property, its maintenance and repair history and requirements, possible fair market value, location, other District property, and the general state of the property market.

Next, Marshal Vogt and Erik Thompson of Lee & Associates led a comprehensive discussion regarding current trends in local building property rates, current market conditions in general, and the history of the maintenance and repair requirements and options, and valuation of the Property. A robust discussion regarding retention of the Property for continued lease revenue versus the potential sale of the Property occurred.

This second meeting concluded with the Advisory Committee voting unanimously to approve a Priority Use List which was used to notify the public of a February 7, 2017 public hearing and third Advisory Committee meeting called to discuss the Advisory Committee’s only

stated priority: “Sale of the Property pursuant to California law at the Property’s highest and best use value.” The Advisory Committee also discussed the scheduled February 7, 2017 meeting, and options and possible direction regarding this Final Report and Recommendation.

See Exhibit “B” for a copy of the January 3, 2017 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were later approved by the Advisory Committee.

February 7, 2017 Meeting

The third, and final, Advisory Committee meeting included a summary of the discussions had at the prior two meetings. Then, the Advisory Committee held a public hearing regarding its only stated priority: “Sale of the Property pursuant to California law at the Property’s highest and best use value.”

Following the public hearing, the Advisory Committee discussed, and ultimately approved, this Final Report and Recommendation. A delegation of authority was also provided to the Superintendent to make certain minor revisions to this Final Report and Recommendation and to prepare the minutes of the third, and final, Advisory Committee meeting, which, upon approval of the Final Report and Recommendation and minutes by Advisory Committee Chairperson Chris Christensen and Co-Chairperson David Truong, would be provided to the Board of Education without any further action by the Advisory Committee.

See Exhibit “C” for a copy of the February 7, 2017 Meeting Agenda and meeting materials, as well as the minutes from the meeting which were approved through delegation of authority as noted above.

Final Determination & Recommendation

The Advisory Committee has the following recommendations for the Property:

Sale of the Property pursuant to California law at the Property’s highest and best use value.

With respect to this recommendation, a few factual matters should be noted for inclusion in this Final Report and Recommendation:

1. The Advisory Committee finds that the District has no educational, administrative, or operational need for the Property.
2. The Advisory Committee finds that sale of the Property, and not the retention and continued lease of the Property, is in the District’s best financial interests.
3. The Advisory Committee recommends that any revenue generated from the sale of the Property should be applied where it is needed most, as determined by the Governing Board, and as may be allowed or otherwise restricted by applicable law; however,

the Advisory Committee further recommends that the Board of Education should use its best efforts to ensure all of the revenue from the sale of the Property be included in the District's investment portion of Fund 40 and kept as a special reserve for capital outlay expenditures.

4. The Advisory Committee recommends sale of the Property through the surplus property bid/auction process. However, should an auction fail to provide a suitable offer, or should the Board of Education otherwise choose to follow a process by which a waiver of any and all applicable surplus property statutes is obtained from the State Board of Education, the Advisory Committee hereby unanimously agrees and consents to such waiver process, and agrees it does not need to re-convene in the future to make any other determinations related to such waiver process.

Attachments

- Exhibit A: November 15, 2016 Meeting Agenda, meeting materials, and approved minutes.
- Exhibit B: January 3, 2017 Meeting Agenda, meeting materials, and approved minutes.
- Exhibit C: February 7, 2017 Meeting Agenda, meeting materials, and approved (through Advisory Committee delegation) minutes.

MINUTES

Meeting No. 3

FOUNTAIN VALLEY SCHOOL DISTRICT
Surplus Property ("7-11") Advisory Committee / Crossroads Property
District Office, 10055 Slater Ave.
Fountain Valley, CA 92708

February 7, 2017, 6:30PM

1. PRELIMINARY

Dr. Johnson, Superintendent, called the third meeting of the Surplus Property Advisory Committee to order at 6:30pm.

Call to Order

The following committee members were present:

Roll Call

Tom Antal
Steve Brown
David Pate
Chris Christensen (Chairperson)
Tiffany Covington
Judy Edwards
Susan Galvan
Joy Moyers
Cheryl Norton
David Truong (Co-Chairperson)

Absent:

Ed Eldridge

2. PLEDGE OF ALLEGIANCE

Mr. Christensen led the Pledge of Allegiance.

Pledge of Allegiance

3. INTRODUCTIONS

Each member of the 7-11 Committee present took a moment to introduce him/herself. In addition, District staff members introduced themselves to those present.

7-11 Committee Members,
District Staff and
Consultants, if any

4. COMMENTS FROM THE FLOOR

There were no requests to address the 7-11 Committee.

Comments from the Floor

5. APPROVAL OF MINUTES OF NOVEMBER 15, 2016 MEETING

Motion: Mr. Truong moved to approve Minutes from the January 3, 2017 Meeting. Action

Second: Mrs. Edwards

Vote: 10-0

6. PUBLIC HEARING ON CROSSROADS PROPERTY/PRIORITY USE LIST

Mr. Christensen opened the Public Hearing at 6:32pm to allow the public to express itself regarding the Crossroads Property. There were no requests to speak and the hearing was closed at 6:33pm. Summary of November 15, 2016 Meeting and Crossroads Property

7. DISCUSSION OF CROSSROADS PROPERTY/PRIORITY USE LIST

Motion: Mrs. Moyers moved to approve the Priority Use List Discussion of Crossroads Property/Priority Use List

Second: Mr. Antal

Vote: 10-0

8. DISCUSSION, REVIEW AND REVISE DRAFT REPORT/FINALIZE AND APPROVE REPORT TO BOARD/ACTION

Motion: Mrs. Edwards moved to approve the report to the Board as revised. Action: Approve Report to Board

Second: Mr. Brown

Vote: 10-0

Motion: Mr. Pate moved to approve delegation of authority to approve minutes to chair/co-chair. Action: Delegation of Authority to Approve Minutes by Chair/Co-Chair

Second: Mrs. Galvan

Vote: 10-0

9. COMMENTS FROM COMMITTEE MEMBERS

There were no comments from the Committee Members. Comments from Committee Members

10. ADJOURNMENT

The meeting adjourned at 7:08PM.

Adjournment

/rl



Fountain Valley School District
BUSINESS SERVICES DIVISION

M E M O R A N D U M

TO: Christine Fullerton, Assistant Superintendent Business Services
FROM: Isidro Guerra, Director, Fiscal Services
SUBJECT: **Approval of 2016-17 Second Interim Report**
DATE: February 28, 2017

Background:

School districts are required to complete two interim financial reports during a fiscal year; one as of October 31 and one as of January 31. The Interim Reports are filed with the County Department of Education and the State Controller's Office. School districts must conduct a review of their interim reports in accordance with state-adopted Criteria and Standards. Two critical areas are cash balance and fund balance. The second part of the summary review includes specified additional information intended to assist governing boards and county offices in better understanding the status of the District budget. This supplemental information includes the status of negotiations, reserves, and any multi-year commitments that have occurred since the budget was adopted.

Fiscal Impact:

Beginning Balance

The 2015-16 audit is complete with a General Fund beginning balance on July 1, 2016 of \$11.95 million.

Revenue Assumptions

Local Control Funding Formula Revenue

The 2016-17 budget has been updated as of the Second Interim to reflect all state level changes to the Local Control Funding Formula (LCFF). The LCFF was calculated using an average daily attendance (ADA) of 6,207, a gap implementation percentage of 55.28% and a cost of living adjustment of 0.0%.

The methodology used for enrollment projections is based on the population and births in conjunction with historical enrollment and an analysis of District trends. The District also uses Decision Insite to assist in enrollment projections. As of the Second Interim, the projected ADA has remained unchanged from budgeted ADA.

The projected total LCFF revenue for 2016-17 is \$47.52 million. This revenue figure is approximately \$500,000 less than at First Interim due to a change in the recording of an interfund transfer to the Deferred Maintenance fund (Fund 14). Per guidance received from the Orange County Department of Education and the California Department of Education, these transfers, previously recorded as a “Transfer Out” should be recorded as an “LCFF Transfer”, resulting in a smaller top-line LCFF Revenue figure. The net impact of this reporting change is zero.

Federal Revenue

The adopted budget includes estimates based on entitlements for 2016-17 funding for all federal programs. Contracted programs are budgeted as received during the year.

All federal program revenues have been adjusted for unearned revenue from fiscal 2015-16. Federal revenue is projected to be \$1.98 million, unchanged from First Interim.

Other State Revenue

There have been no significant changes to Other State Revenue as of Second Interim, which includes one-time Mandate Cost Reimbursements of \$1.32 million (\$214 per ADA) as well as recognition of the STRS on-behalf pension contribution of \$2.10 million. The remaining balance is mostly comprised of funding for Lottery funds and Mandate Block Grant funding. Lottery is projected at \$144 per annual ADA. The restricted portion of Lottery funding is estimated at \$45 per annual ADA. The Mandate Block Grant is expected to be funded at a rate of \$28.42 per ADA.

All State program revenues have been adjusted for carry-over revenues. Other state revenue is projected to be \$5.05 million.

Other Local Revenue

Other Local Revenue is derived from various sources: lease income, special education transfer of apportionment, donations, contract fees and miscellaneous income. Lease income is used to partially fund the Routine Maintenance program.

Other Local Revenue increased \$514,525 at Second Interim due to projected increases in interest revenue as well as recognition of donations, E-Rate reimbursements and recognition of the full amount of a school bus grant.

Other local revenue is projected to be \$5.07 million.

Expenditure Assumptions

Salaries & Benefits

Salaries

Step, column and longevity increases for certificated, classified, confidential and management employees as well as 2016-17 negotiated salary increases for certificated employees approved by the Board of Trustees on January 12, 2017 are reflected in the Second Interim Report. Recently approved 2016-17 salary increases for confidential and management employees have not yet been incorporated into salaries expense. 2016-17 Salary negotiations for classified employees remain unsettled as of the date of this memo.

General fund Salaries expense for all employees is projected to be \$37.72 million, an increase of \$561,294 from First Interim mainly due to certificated salary increases adopted by the Board of Trustees on January 12, 2017.

Benefits

Employee statutory benefit rates for 2016-17 are as follows:

- STRS 12.58%
- PERS 13.888%
- Social Security 6.20%
- PARS 1.30%
- Medicare 1.45%
- Unemployment Insurance 0.05%
- Workers' Compensation 2.26%.

Health and Welfare costs are allocated at \$9,000 per full-time classified employee, \$9,000 per certificated employee prorated by the percentage of hours worked and \$4,500 for employees working part-time. The increase in the health and welfare expense approved in 2015-16 will continue to be funded out of the insurance fund balance (Fund 67). The remainder of the cost is borne by employees through payroll deductions.

The District covers the cost of health and welfare for 43 retired employees until age 65. The cost does not exceed the cap at the time of the employee's retirement.

Employee Benefits expense is projected to be \$12.82 million, an increase of \$77,189 from First Interim due to increases in statutory benefits related to recently approved salary increases for certificated employees.

Salaries and benefits for all employees make up approximately 84.1% of total revenue (before transfers) as of January 31, 2017.

Other Expenditures

Object codes 4000 through 7000 reflect typical expenditures in supplies, services and equipment. As of January 31, 2017 variances from budgeted amounts appear reasonable given one-time expenditures as well as grant, donation and other revenues received throughout the year and correspondingly budgeted as expenditures.

Books and Supplies (Object 4000) expense is projected to be \$2.76 million, an increase of \$254,740 from First Interim due to increases in grants and donations, which are budgeted as expenses.

Services and Other Operating Expenditures (Object 5000) expense is projected to be \$4.63 million, which is unchanged from First Interim.

Capital Outlay (Object 6000) expense is projected to be \$780,082, an increase of \$508,218 from First Interim due to the recognition of expenditures associated with the District's cabling and Wi-Fi access point project, as well as the award of a South Coast Air Quality Management District grant for a natural gas school bus. Both of these increases in expenditures were partially offset by additional Other Local Revenues.

Ending Balance

The projected ending balance for June 30, 2017, is \$12.38 million, a decrease of \$836,109 from First Interim. The projected ending fund balance is comprised of: Restricted Balance of \$844,395, Assigned Balance of \$4.60 million, Stores Balance of \$100,000, Revolving Cash of \$35,000, Unassigned Balance of \$5.0 million and a Reserve for Economic Uncertainties amount of \$1.79 million, which meets the state requirement for reserves equal to 3% of expenditures.

All other funds are projected to end the year with a positive fund and cash flow balance.

Recommendation:

It is recommended that the Board of Trustees approves the Second Interim Report for fiscal year 2016-17.

Fountain Valley School District
Superintendent's Office

SPECIAL MEETING OF THE BOARD OF TRUSTEES

10055 Slater Avenue
Fountain Valley, CA 92708

January 26, 2017

MINUTES

President Crandall called the special meeting of the Board of Trustees to order at 5:30pm.

CALL TO ORDER

The following board members were present:

ROLL CALL

Sandra Crandall	President
Lisa Schultz	President Pro Tem
Jim Cunneen	Clerk
Ian Collins	Member
Jeanne Galindo	Member

Motion: Mrs. Schultz moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mr. Collins

Vote: 5-0

Mr. Cunneen led the Pledge of Allegiance.

PLEDGE OF
ALLEGIANCE

BOARD WORKSHOP

Dr. Johnson opened the workshop by reviewing items for discussion this evening, driven by information requested by the Board, including: information on Design-Build and Lease-Leaseback, the contents of the air conditioning bundle and previous construction in our District. Dr. Johnson shared additional information regarding Design-Build, including a review of Education Code §17250, noting that in Design-Build, selection is based on “best value” criteria. He reviewed Design-Build for modernization projects, noting that it is best suited for straightforward projects with conventional design such as office buildings and parking structures. He noted that the value of Design-Build is that the District would turn significant control over to the Design-Builder and they can try to do it for us better, faster and in shorter time. In addition, the quality is highly

FACILITIES WORKSHOP

dependent on the architect and construction company doing their homework, like all projects. If there was something unforeseen, there could be change orders. He reviewed additional pros and cons in Design-Build. Mrs. Fullerton reviewed Lease-Leaseback and Education Code §17406. She reviewed the three agreements included in a Lease-Leaseback including: a site lease (district leases the site to the Lease-Leaseback contractor), sublease (Lease-Leaseback contractor leases back to the District the site and improvements for a guaranteed maximum price), and the construction service agreement (construction requirements such as bonds, insurance, payments, indemnification, terminations, etc.). In addition, she reviewed three examples of Lease-Leaseback projects and litigation surrounding these projects. She also reviewed legislation currently in place as a result of these projects. AB566 made two significant changes to Lease-Leaseback procedures as of January 1, 2016 including: mandatory prequalification procedures and reporting requirements on the use of “skilled and trained workforce” for each “apprenticeable occupation”. In addition, she reviewed SB693 regarding skilled and trained workforce; and AB2316 regarding the best value selection process. Moreover, Mrs. Fullerton reviewed what was included in the air conditioning bundle. Mr. Hastie reviewed previous modernization efforts and delivery methods in the District. He reviewed past District projects, construction delivery methods used and the rationale behind the selection of the method for each project. In summary, Dr. Johnson provided a comparison including similarities and differences between Design-Build and Lease-Leaseback. In closing, Dr. Johnson reviewed the current proposed timeline to date.

There were no requests to address the Board prior to closed session.

PUBLIC COMMENTS

Mrs. Crandall announced that the Board would retire into Closed Session. Action was not anticipated. The following was addressed:

CLOSED SESSION

- Personnel Matters: *Government Code 54957 and 54957.1*
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
- Pupil Personnel: *Education Code 35146*

Student expulsion(s) or disciplinary matters for violation of Board Policy 5144.1.

- Negotiations: *Government Code 54957.6*
Update and review of negotiations with the FVEA and CSEA Bargaining Units with the Board's designated representative, Cathie Abdel.

LEGISLATIVE SESSION

Motion:	Mrs. Galindo moved to approve the Consent Calendar.	CONSENT CALENDAR/ ROUTINE ITEMS OF BUSINESS
Second:	Mrs. Schultz	
Vote:	5-0	

The Consent Calendar included:

- Personnel Items
- Approval of Consulting Agreement between Growing Educators, Incorporated and Fountain Valley School District to Provide Professional Development in the Areas of Reading Instruction
- Contract with Gloria Johnston
- Approval of Consulting Agreement between Momentum in Teaching and Fountain Valley School District to Professional Development in Areas of Reading Instruction
- School Accountability Report Cards (SARCS)

SUPERINTENDENT'S COMMENTS/NEW ITEMS OF BUSINESS

Dr. Johnson Thanked the Board for their discussion this evening.

ADJOURNMENT

Motion:	Mr. Cunneen moved to adjourn the meeting at 8:37pm.
Second:	Mrs. Schultz
Vote:	Unanimously approved

/rl

Fountain Valley School District
Superintendent's Office

SPECIAL MEETING OF THE BOARD OF TRUSTEES

10055 Slater Avenue
Fountain Valley, CA 92708

February 4, 2017

MINUTES

President Crandall called the special meeting of the Board of Trustees to order at 9:00am.

CALL TO ORDER

The following board members were present:

ROLL CALL

Sandra Crandall	President
Lisa Schultz	President Pro Tem
Jim Cunneen	Clerk
Ian Collins	Member
Jeanne Galindo	Member

Motion: Mr. Collins moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mrs. Galindo

Vote: 5-0

Mrs. Crandall led the Pledge of Allegiance.

PLEDGE OF
ALLEGIANCE

There were no requests to address the Board.

PUBLIC COMMENTS

BOARD WORKSHOP

The Governance Team participated in a workshop facilitated by Gloria Johnston, Achievement Equity, Inc. to discuss practices, protocols and Governance Team effectiveness.

GOVERNANCE
WORKSHOP

SUPERINTENDENT'S COMMENTS/NEW ITEMS OF BUSINESS

Dr. Johnson Thanked the Board for their participation in the workshop today.

ADJOURNMENT

Motion: Mrs. Schultz moved to adjourn the meeting at 12:32pm.

Second: Mrs. Galindo

Vote: Unanimously approved

/rl

Fountain Valley School District
Superintendent's Office

SPECIAL MEETING OF THE BOARD OF TRUSTEES

10055 Slater Avenue
Fountain Valley, CA 92708

February 6, 2017

MINUTES

President Crandall called the special meeting of the Board of Trustees to order at 5:30pm.

CALL TO ORDER

The following board members were present:

ROLL CALL

Sandra Crandall	President
Lisa Schultz	President Pro Tem
Jim Cunneen	Clerk
Ian Collins	Member
Jeanne Galindo	Member

Motion: Mr. Collins moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mrs. Schultz

Vote: 5-0

Mrs. Galindo led the Pledge of Allegiance.

PLEDGE OF
ALLEGIANCE

BOARD WORKSHOP

Mrs. Fullerton opened the workshop regarding construction delivery options with a review of the items for discussion this evening regarding Construction Manager including: Construction Manager Agency, Construction Manager Multiple Prime and Construction Manager At-Risk. She provided a definition of Construction Manager, guided by Government Code §4526, where a local agency head may select providers of construction project management services. She provided additional details regarding agency versus multi-prime. Mr. Hastie provided additional details regarding general conditions. Mrs. Fullerton added information regarding Construction Manager At Risk, noting that the process begins with a construction manager multi-prime procurement, followed by multi-prime contracts being assigned to the CM after awarded by the District. The CM takes on the risk of managing the trade contractors after they are

FACILITIES WORKSHOP

assigned to the CM. In the public world, the CM At Risk cannot provide a guaranteed maximum price. Mrs. Fullerton emphasized that the Construction Manager process is a Design-Bid-Build process. Mrs. Fullerton reviewed the Request for Information process involved in a CM delivery method. Mr. Hastie shared some details regarding construction delivery methods used in the past in the District and what elements may be similar in future projects, including the potential impact on District staff. Mrs. Crandall asked for a comparison of costs when considering the 5% of total project costs tied to a CM versus the attorney costs associated with a Lease-Leaseback. Mrs. Fullerton also shared her experiences with various delivery methods in another District. Lastly, Dr. Johnson discussed his experiences in a previous District with construction delivery methods.

There were no requests to address the Board prior to closed session.

PUBLIC COMMENTS

Mrs. Crandall announced that the Board did not have a need for Closed Session.

CLOSED SESSION

SUPERINTENDENT'S COMMENTS/NEW ITEMS OF BUSINESS

Dr. Johnson Shared that architect interviews are set for February 17th. He reviewed the timeline regarding this process. In addition, he shared that the Surplus Property 7-11 Committee will be meeting for the last time tomorrow night and are tentatively set for a discussion at the February Board meeting.

ADJOURNMENT

Motion: Mr. Cunneen moved to adjourn the meeting at 6:40pm.

Second: Mr. Collins

Vote: Unanimously approved

/rl

Fountain Valley School District
Superintendent's Office

REGULAR MEETING OF THE BOARD OF TRUSTEES

10055 Slater Avenue
Fountain Valley, CA 92708

February 16, 2017

MINUTES

President Crandall called the regular meeting of the Board of Trustees to order at 5:30pm.

CALL TO ORDER

The following board members were present:

ROLL CALL

Sandra Crandall	President
Lisa Schultz	President Pro Tem
Jim Cunneen	Clerk
Ian Collins	Member
Jeanne Galindo	Member

Motion: Mrs. Schultz moved to approve the meeting agenda.

AGENDA APPROVAL

Second: Mrs. Galindo

Vote: 5-0

BOARD WORKSHOP

The Board of Trustees had an opportunity to discuss the work of the Surplus Property "7-11" Advisory Committee regarding the District-owned Crossroads Building located in Orange, CA with Marshal Vogt and Erik Thompson of Lee and Associates. Mrs. Fullerton opened the workshop by providing an overview of the items for discussion this evening including: building status update, Surplus Property Advisory Committee update, and current market conditions for this type of real estate. She provided background regarding the Crossroads Building and the current leasing status. She also reviewed capital maintenance efforts anticipated over the next three years. Following this, she provided a recent history leading to the declaration of the property as surplus and the appointment of the Surplus Property Advisory Committee. Mrs. Fullerton also reviewed the work of the Surplus Property Advisory Committee to date including the planned presentation of their report, along with their

CROSSROADS
WORKSHOP

recommendation, for the Crossroads Property at the March 9th meeting. Mr. Vogt and Mr. Thompson reviewed current real estate market conditions, including: commercial building market, market conditions in the Orange area and surrounding cities, and their opinion of the approximate value of the building. The Board requested that a resolution be drafted for action at the April Board meeting.

There were no requests to address the Board prior to closed session.

PUBLIC COMMENTS

Mrs. Crandall announced that the Board would retire into Closed Session. Action was not anticipated. The following was addressed:

CLOSED SESSION

- Personnel Matters: *Government Code 54957 and 54957.1*
Appointment/Assignment/Promotion of employees; employee discipline/dismissal/release; evaluation of employee performance; complaints/charges against an employee; other personnel matters.
- Pupil Personnel: *Education Code 35146*
Student expulsion(s) or disciplinary matters for violation of Board Policy 5144.1.
- Negotiations: *Government Code 54957.6*
Update and review of negotiations with the FVEA and CSEA Bargaining Units with the Board's designated representative, Cathie Abdel.

The public portion of the meeting resumed at 7:00pm.

PLEDGE OF
ALLEGIANCE

Boy Scout Troop 567 led the Pledge of Allegiance.

SPECIAL PRESENTATIONS

The Board of Trustees joined staff and the community in celebrating Fountain Valley School District's Administrator of the Year, Director, Educational Services, Dr. Julianne Hoefer. The Board was joined by staff and the community, along with members of Dr. Hoefer's family in celebrating her and this much deserved recognition.

CELEBRATION OF
FOUNTAIN VALLEY
SCHOOL DISTRICT
ADMINISTRATOR OF
THE YEAR DR.
JULIANNE HOEFER

It is an interest of the Board of Trustees to recognize outstanding

RECOGNITION OF

parent volunteers who give generously of their time and talents to our schools. From Fulton Middle School, the Board recognized and thanked Elizabeth Smilor and Erin Volz. From Masuda Middle School, the Board recognized and thanked Karen Cunningham and Theresa Payne. And from Talbert Middle School the Board recognized and thanked Tami Morrison and Bobbie Banner. The Board was joined by staff, members of the community, students and family members in thanking these parents for their dedication to our middle schools.

MIDDLE SCHOOL PARENT VOLUNTEERS

It is an interest of the Board of Trustees to recognize students who display high achievement, improvement or extraordinary effort. The Board recognized six outstanding students from each of our middle schools. From Fulton Middle School, the Board honored: Kanoa Wesley (6th), Eileen Baghdasarian (6th), Sean Zukle (7th), Emelia Ostovarpour (7th), Jake Pederson (8th), and Julia Svartstrom (8th). From Masuda Middle School, the Board honored: Jaden Smalley (6th), Abdulazim Muhammad (6th), Eric Stiffler (7th), Audrey Tengan (7th), Marina Haliem (8th), and Glenn Atkins III (8th). And from Talbert Middle School, the Board honored: Rhegan Crosby (6th), Devon House (6th), Jacqueline Dinh (7th), Emma Paquette (7th), Miranda Shannon (8th) and Seth Allen (8th). The Board was joined by family, staff and community members in celebrating the amazing accomplishments of these students.

RECOGNITION OF MIDDLE SCHOOL STUDENTS

Following the recognitions, the Board took a brief recess.

RECESS

BOARD REPORTS AND COMMUNICATIONS

Mr. Cunneen's activities since the last meeting included: FV Chamber of Commerce presentation by Dr. Johnson, CASH Conference, Governance Workshop and ACE meeting.

Mr. Collins' activities since the last Board meeting included: FV Chamber of Commerce presentation by Dr. Johnson, Governance Workshop, District Office Souper Bowl, FVSF meeting, SPC meeting, and the Government Leaders' Prayer Breakfast.

Mrs. Galindo's activities since the last Board meeting included: Board workshop on construction delivery options, Governance Workshop, District Office Souper Bowl, and announcement of ACSA Administrators of the Year Julianne Hoefer, Erin Bains and Chris Fullerton.

Mrs. Schultz' activities since the last Board meeting included:

Governance Workshop, Board workshop on construction delivery options, ACE meeting, and writing an article for *School News*.

Mrs. Crandall congratulated and thanked the Surplus Property Advisory Committee under auspices of Mrs. Fullerton with chair Mr. Christensen for their work. Mrs. Crandall's activities since the last meeting included: Tamara Lunar New Year, Courreges, Oka, and Newland winter concerts, EEK Meet and Greet at Oka, Mayor's Breakfast, FV Chamber of Commerce presentation by Dr. Johnson, OCSBA Fiscal Update, the Government Leaders' Prayer Breakfast, Governance workshop, SPC meetings, Eagle Scout ceremony of former FVSD student, award ceremony at Carmel Village, observation of two of the reading professional development days, and observation of two Board meetings at neighboring districts in order to better herself as Board President. She thanked the trustees for their service this month.

PUBLIC COMMENTS

There was one request to address the Board of Trustees. A parent addressed the Board regarding pornography education and prevention. PUBLIC COMMENTS

LEGISLATIVE SESSION

Motion:	Mr. Collins moved to approve new Board Policy 5141.33 Head Lice for first reading.	NEW BOARD POLICY 5141.33 HEAD LICE (FIRST READING)
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Second:	Mr. Cunneen	
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Vote:	5-0	
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Motion:	Mrs. Galindo moved to approve Board Policy 5030 Student Wellness for first reading.	BOARD POLICY 5030 STUDENT WELLNESS (FIRST READING)
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Second:	Mrs. Schultz	
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Vote:	5-0	
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Motion:	Mr. Cunneen moved to approve Board Policy 6164.6 Identification And Education Under Section 504 for first reading.	BOARD POLICY 6164.6 IDENTIFICATION AND EDUCATION UNDER SECTION 504 (FIRST READING)
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Second:	Mrs. Galindo	
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Vote:	5-0	
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- Motion:** Mr. Collins moved to approve Disclosure of Management and Confidential Employees Salary Increases. DISCLOSURE OF MANAGEMENT AND CONFIDENTIAL EMPLOYEES SALARY INCREASES
- Second: Mrs. Schultz
- Vote: 5-0
- Motion:** Mrs. Galindo moved to approve votes for the nine candidates brought forward for the 2017 CSBA Delegate Assembly Election – Region 15. 2017 CSBA DELEGATE ASSEMBLY ELECTION – REGION 15
- Second: Mr. Cunneen
- Vote: 5-0
- Motion:** Mr. Cunneen moved to approve Mrs. Galindo as liaison to the Fountain Valley Schools Foundation. SELECTION OF REPRESENTATIVES TO DISTRICT COMMITTEES
- Second: Mrs. Schultz
- Vote: 5-0
- Motion:** Mr. Collins moved to approve the Consent Calendar. CONSENT CALENDAR/ ROUTINE ITEMS OF BUSINESS
- Second: Mrs. Galindo
- Vote: 5-0

The Consent Calendar included:

- Board Meeting Minutes from the January 12th regular meeting
- Personnel Items (Employment Functions, Workshops/Conferences, and Consultants)
- Warrants
- Purchase Order Listing
- Budget Adjustments
- Single Plans for Student Achievement
- Settlement Agreement
- Approval of Contract between the Fountain Valley School District and the Orange County Department of Education to Provide Data Circuit Network Management Services
- Resolution 2017-14: Authorization for Teaching Credentials

- Consolidated Application – Winter Release 2016
- Non-Public Agency Contracts

Non-Public School/Agency	100% Contract Cost	Effective Dates
Olive Crest Academy	\$28,437.66	12/15/16-6/30/17
Cornerstone Therapies	\$1,000	2/16/17-6/30/17
Cornerstone Therapies	\$3,150	2/16/17-6/30/17
Olive Crest Academy	\$37,644.30	1/30/17-6/30/17

SUPERINTENDENT’S COMMENTS/NEW ITEMS OF BUSINESS

Dr. Johnson Noted his recent participation in the Superintendents Symposium and the presentation by keynote speaker Carol Dweck, author of *Mindset*. He also attended the Rotary Presidents training and is looking forward to his upcoming presidency with Fountain Valley Rotary. He commended our TOSAs, Dr. McLaughlin and Dr. Hoefer on the professional development being done in our district, especially the extraordinary efforts of late surrounding reading instruction. He noted his admiration of the work being done and his excitement regarding the work going forward following the February 10th student free day. In closing, he commended our three administrators recently recognized by ACSA as Administrators of the Year: Dr. Julianne Hoefer, Chris Fullerton and Erin Bains. He took a moment to highlight what makes each of them remarkable, emphasizing how lucky we are as a District to have them a part of the FVSD Family. In addition, he noted that Mrs. Crandall was recently honored by Carmel Village for her volunteerism, a well deserved recognition. He wished everyone a fantastic three-day weekend.

ADJOURNMENT

Motion: Mrs. Schultz moved to adjourn the meeting at 8:57pm.

Second: Mr. Cunneen

Vote: Unanimously approved

/rl

**FOUNTAIN VALLEY SCHOOL DISTRICT
PERSONNEL ITEMS FOR APPROVAL
March 09, 2017**

1.0 EMPLOYMENT FUNCTIONS:

1.1 ASSISTANT SUPERINTENDENT, PERSONNEL REQUESTS APPROVAL OF THE MODIFIED DAY, START AND END DATES, AND CLASSIFIED HOLIDAY CALENDARS FOR 2017-2018 SCHOOL YEAR (see attachments).

1.2 ASSISTANT SUPERINTENDENT, PERSONNEL REQUESTS APPROVAL OF THE FOLLOWING CERTIFICATED CHANGE OF STATUS, EFFECTIVE THE FIRST DAY OF THEIR WORK YEAR 2016-2017 SCHOOL YEAR.

	<u>EMPLOYEE</u>	<u>ASSIGNMENT</u>	<u>LOCATION</u>	<u>FROM</u>	<u>TO</u>	<u>EFFECTIVE</u>
1.2.1	Adamiak, Sean	Elementary Music	Newland/Plavan/ Tamura	Temporary	Prob I	09/01/2016
1.2.2	Antal, Cristen	Speech & Language	Oka	Temporary	Prob I	09/01/2016
1.2.3	Allen, Emi	Elementary Music	Courreges/Oka/Plavan	Temporary	Prob I	09/01/2016
1.2.4	Coleman, Kelly	Kindergarten	Oka	Prob I	Prob II	09/01/2016
1.2.5	Engel, Caitlin	School/Readiness Nurse	DO	Prob I	Prob II	09/01/2016
1.2.6	Evans, Melanni	School Nurse	DO	Temporary	Prob I	09/01/2016
1.2.7	Gaglione, Antoinette	Speech & Language	Masuda/Tamura	Prob I	Prob II	09/01/2016
1.2.8	Hughes, Sara	Elementary Music	Cox/Gisler	Prob I	Prob II	09/01/2016
1.2.9	Huynh, Nikki	Special Education	Masuda	Prob I	Prob II	09/01/2016
1.2.10	LaMantia, Jeremy	Middle School Music	Fulton	Prob I	Prob II	09/01/2016
1.2.11	LaBare, Megan	School Counselor	Talbert	Temporary	Prob I	09/01/2016
1.2.12	Lewis, Alison	Special Education	Masuda	Temporary	Prob I	09/01/2016
1.2.13	Shin, Ana	Resource Specialist	Tamura	Temporary	Prob I	09/01/2016
1.2.14	Vanasse, Cynthia	Resource Specialist	Oka	Prob I	Prob II	09/01/2016
1.2.15	Von Iderstein, Chelsea	Special Education	Talbert	Prob I	Prob II	09/01/2016
1.2.16	Warnock, Stephen	Resource Specialist	Fulton	Temporary	Prob I	09/01/2016

2.0 INDEPENDENT CONTRACTOR/CONSULTANT AGREEMENT

2.1 ASSISTANT SUPERINTENDENT, PERSONNEL REQUESTS APPROVAL OF THE AFFILIATION AGREEMENT WITH THE NEW YORK UNIVERSITY EFFECTIVE FEBRUARY 28, 2017.

**FOUNTAIN VALLEY SCHOOL DISTRICT
PERSONNEL ITEMS FOR APPROVAL
March 9, 2017**

3.0 EMPLOYMENT FUNCTIONS:

3.1 ASSISTANT SUPERINTENDENT, PERSONNEL REQUESTS THE APPROVAL OF THE FOLLOWING NEW CLASSIFIED EMPLOYEES:

	<u>EMPLOYEE</u>	<u>LOCATION</u>	<u>ASSIGNMENT</u>	<u>EFFECTIVE</u>
3.1.1	Vazquez, Sonia	Oka	ESP Instructor	03/06/2017
3.1.2	Watson, Kaitlyn	Newland	Behavior Intervention Assistant	02/15/2017

3.2 ASSISTANT SUPERINTENDENT, PERSONNEL HAS ACCEPTED THE FOLLOWING CLASSIFIED LEAVE OF ABSENCE:

	<u>EMPLOYEE</u>	<u>LOCATION</u>	<u>ASSIGNMENT</u>	<u>REASON</u>	<u>EFFECTIVE</u>
3.2.1	Inkster, Pat	Courreges	RSP Aide	Medical	03/22/2017

4.0 WORKSHOP/CONFERENCE ATTENDANCE:

	<u>NAME</u>	<u>ATTENDING</u>	<u>LOCATION</u>	<u>COST</u>	<u>BUDGET</u>	<u>DATES</u>
4.1	Guerra, Isidro Fullerton, Chris	CASBO	Long Beach, CA	Actual & Necessary	012849380- 5210	<i>April 12-15, 2017</i>

**FOUNTAIN VALLEY SCHOOL DISTRICT
PERSONNEL ITEMS FOR APPROVAL**

March 9, 2017

<i>EDUCATIONAL SERVICES</i>

5.0 **APPROVAL OF ADDITIONAL DUTY REQUESTS**

	<u>NAME</u>	<u>ASSIGNMENT</u>	<u>SALARY</u>	<u>BUDGET</u>	<u>DATE</u>
5.1	WARNOCK, Stephen (Fulton)	Sports coach for girls basketball	\$250 stipend + benefits (per sport)	010232989-1115	2016-2017 school year
5.2	YAMABE, Kevin (Fulton)	Sports coach for boys basketball	\$250 stipend + benefits (per sport)	010232989-1115	2016-2017 school year

FOUNTAIN VALLEY SCHOOL DISTRICT

PERSONNEL

TO: ALL CERTIFICATED EMPLOYEES
FROM: Cathie Abdel, Assistant Superintendent, Personnel
SUBJECT: **2017-2018 Calendar of Modified Days**
DATE: March 1, 2017

Please be advised of the following designations for modified day for the **2017-2018** School Year.

September

7 Teacher Planning
14 Back-to-School TK-5/Site Planning 6-8
21 Site Planning
28 Back-to-School 6-8/Site Planning TK-5

October

5 Teacher Planning
12 Site Planning/Special Ed
19 Site Planning
26 Teacher Planning
30-31 Parent Conferences

November

1-3 Parent Conferences
9 Staff Development #2
16 Site Planning
30 Report Card Prep 6-8/Teacher Planning TK-5

December

7 Report Card Prep TK-5/Teacher Planning 6-8
14 Site Planning
21 Teacher Planning

January

11 Site Planning
18 Teacher Planning/Special Ed
25 Site Planning

February

1 Site Planning
8 Teacher Planning
15 Site Planning/Special Ed
21-23 Parent Conferences

March

1 Teacher Planning
8 Report Card Prep 6-8/Site Planning TK-5
15 Report Card Prep TK-5/Site Planning 6-8
22 Teacher Planning
29 Site Planning

April

12 Teacher Planning
19 Site Planning
26 Site Planning

May

3 Teacher Planning
10 Site Planning
17 Open House 6-8/Teacher Planning TK-5
24 Open House TK-5/Teacher Planning 6-8
29 FVEA Association Modified Day
31 Site Planning

June

7 Site Planning
14 Report Card Prep TK-8/Teacher Planning
19-21 Teacher Planning

Teacher Planning

Teacher remains on campus for the purpose of lesson planning, classroom management duties, progress/report card preparation, etc. Grade level and/or department meetings may be held when necessary.

Site Planning

Principal/District staff development or site meetings.

Week of October 23rd Send progress reports home.
Week of December 18th Send report cards home.
Week of February 13th Send progress reports home.
Week of March 26th Send report cards home.
Week of May 14th Send progress reports home.
June 21st TK-8 Send report cards home.

FOUNTAIN VALLEY SCHOOL DISTRICT

2017–2018 CALENDAR

START AND END DATES FOR:

PRINCIPALS, ASST. PRINCIPALS
PROGRAM SPECIALISTS
COORDINATORS,
(210 DAYS)

AUGUST 3, 2017 TO JUNE 28, 2018
Thanksgiving Week Off

PSYCHOLOGISTS
(192 DAYS)

AUGUST 29, 2017, TO JUNE 28, 2018
Thanksgiving Week Off

12 MONTH CERTIFICATED

JULY 1, 2017 TO JUNE 30, 2018

12 MONTH CLASSIFIED -
DIRECTORS, SUPERVISORS,
CONFIDENTIALS

JULY 1, 2017 TO JUNE 30, 2018

200 DAY CLASSIFIED

AUGUST 17, 2017 TO JUNE 28, 2018
Thanksgiving Week Off

195 DAY CLASSIFIED

AUGUST 17, 2017 TO JUNE 21, 2018
Thanksgiving Week Off

180 DAY CLASSIFIED

SEPTEMBER 6, 2017 TO JUNE 23, 2018

NOTE 1:

All 200 day Classified Employees will return on 8/17/2017
School offices open to public on Tuesday, 8/22/2017
School offices closes to public on Wednesday, 06/27/2018

NOTE 2:

Middle School Principals will work an additional 5 days.

Board Approved: 03-09-2017

FOUNTAIN VALLEY SCHOOL DISTRICT
CLASSIFIED EMPLOYEES' HOLIDAY CALENDAR
2017-2018 SCHOOL YEAR

<u>HOLIDAY</u>	<u>DATE</u>	<u>DAY</u>
INDEPENDENCE DAY	July 4	Tuesday
LABOR DAY	September 4	Monday
VETERANS' DAY	November 10	Friday
ADMISSION DAY (Observed)	November 22	Wednesday
THANKSGIVING DAY	November 23	Thursday
BOARD APPROVED HOLIDAY	November 24	Friday
WINTER RECESS	December 25 - January 5	
CHRISTMAS HOLIDAY	December 25	Monday
BOARD APPROVED HOLIDAY	December 26	Tuesday
NEW YEAR'S DAY HOLIDAY	January 1	Monday
BOARD APPROVED HOLIDAY	January 2	Tuesday
MARTIN LUTHER KING DAY	January 15	Monday
LINCOLN'S BIRTHDAY	February 12	Monday
PRESIDENTS' DAY	February 19	Monday
SPRING RECESS	April 2 – April 6	
BOARD APPROVED HOLIDAY	April 6	Friday
MEMORIAL DAY	May 28	Monday

Board Approved: _____

FOUNTAIN VALLEY SCHOOL DISTRICT DONATIONS

BOARD APPROVAL DATE: 3/9/2017

SCHOOL	DONOR	AMOUNT	DESCRIPTION / INTENDED USE
FULTON			
	Fulton PTA	\$232.68	ASB Stipend/Benefits
GISLER			
	Gisler PTO	\$41.25	PTO copies for Jog-a-thon
TALBERT			
	Talbert PTO	\$549.90	STEAM Field Trip Chater Bus Cost
TAMURA			
	Merck Foundation	\$23.10	Principal's Discretion
	Wells Fargo Community Support Program	\$65.00	Principal's Discretion
	Tamura PTO	\$1,138.80	4th gr. Field Trip Transportation
	Tamura PTO	\$5,561.40	Outdoor Science School Transportation
	Cinna Phan/Minh Nguyen	\$50.00	Classroom supplies for Mrs. Hunter

**FOUNTAIN VALLEY SCHOOL DISTRICT
BOARD MEETING MARCH 9, 2017**

To: Christine Fullerton

From: Mino Nhek

Subject: Warrant Listing

Warrant Numbers: 75472 - 75843

Dates: 2/2/2017 - 2/27/2017

Fund 01	General Fund	446,322.33
Fund 12	Child Development	23,442.75
Fund 13	Cafeteria	69,826.01
Fund 25	Capital Facilities	-
Fund 40	Special Reserves	18,407.08
Fund 68	Worker Comp	71,933.17
Fund 69	Insurance	402,804.78

TOTAL	\$	1,032,736.12
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FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20M4235	SWRCB ACCOUNTING OFFICE	1,676.00	1,676.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4236	UNITED RENTALS	277.50	277.50	012899390 4347	Gardening / Repair & Upkeep Equip Supplies
K20M4237	GRUETT TREE COMPANY INC	1,500.00	1,500.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4238	CRANDALL'S PLUMBING INC.	225.00	225.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4239	CITY OF FOUNTAIN VALLEY	1,000.00	1,000.00	012869390 5860	Maintenance / Permits & Fees
K20M4261	EREPLACEMENTPARTS.COM LLC	146.72	146.72	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4270	HOME DEPOT	364.20	364.20	014869390 4347	STAR Building DO-Routine Maint / Repair & Upkeep Equip
K20M4271	CUMMINS CAL PACIFIC	200.00	200.00	016919395 4349	7240 Special Ed Transportation / Transportation Supplies (on
K20M4272	RESOURCE BUILDING MATERIALS	134.69	134.69	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4273	WEST LITE SUPPLY CO INC	420.23	420.23	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4274	MOBILE MINI STORAGE	1,200.00	1,200.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4275	UNITED PARCEL SERVICE	40.00	40.00	012869390 5930	Maintenance / Postage, Parcel, & Delivery
K20M4277	A & R FLOOR COVERING	743.04	743.04	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4278	VALIANT NATIONAL AV SUPPLY	620.72	620.72	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4280	CRANDALL'S PLUMBING INC.	750.00	750.00	014869390 5645	STAR Building DO-Routine Maint / Outside Srvs-Repairs &
K20M4281	AMERICAN ENVIRONMENTAL SPECIAL	604.97	604.97	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4284	CRANDALL'S PLUMBING INC.	250.00	250.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4285	UNITED PARCEL SERVICE	30.00	30.00	012869390 5930	Maintenance / Postage, Parcel, & Delivery
K20M4286	ARMOR FENCE CONCEPTS	3,097.00	3,097.00	012869390 5645	Maintenance / Outside Srvs-Repairs & Mainten
K20M4288	COMPONENTS CENTER	228.96	228.96	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4291	VALIANT NATIONAL AV SUPPLY	475.32	475.32	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20R1000	ARIEL SUPPLY INC.	114.04	114.04	010011616 4310	Sch Site Instr - Newland / Instructional Supplies
K20R1001	ARIEL SUPPLY INC.	96.87	96.87	010011616 4310	Sch Site Instr - Newland / Instructional Supplies
K20R1021	SOUTHWEST SCHOOL AND OFFICE SU	703.05	703.05	010011616 4310	Sch Site Instr - Newland / Instructional Supplies
K20R1051	SCHOOL OUTFITTERS	1,037.89	1,037.89	010114955 4320	Title I - Masuda / Computer Supplies
K20R1073	CISCO SYSTEMS CAPITAL CORPORAT	10,589.66	10,589.66	012109078 5826	Tech/Media Office Operation / Licensing/Software,Maint/Supp
K20R1084	CALIFORNIA STATE UNIVERSITY FU	808.13	808.13	010114055 4310	Title I - Plavan / Instructional Supplies
K20R1099	ORANGE COUNTY DEPARTMENT OF ED	47,737.50	47,737.50	012039275 5899	Ed Effectiveness-Tch Induction / Other Operating Expenses
K20R1100	ARIEL SUPPLY INC.	312.37	312.37	010019961 4310	Medi-Cal Billing-Instructional / Instructional Supplies
K20R1103	GRAINGER INC.	24.18	24.18	012719385 4325	Purchasing / Office Supplies
K20R1104	CERTIFIED TRANSPORTATION BUS C	452.40	452.40	010013789 5811	Donations - Oka / Transportation Outside Agency
K20R1106	CALIFORNIA STATE UNIVERSITY FU	750.00	750.00	010113755 5899	Title I - Oka / Other Operating Expenses

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20R1107	LAKESHORE LEARNING MATERIALS	202.00	202.00	015103760 4310	Special Ed. - Oka SDC / Instructional Supplies
K20R1108	BOOKSOURCE	669.80	669.80	010114055 4310	Title I - Plavan / Instructional Supplies
K20R1110	APPLE COMPUTER ORDER DEPARTMEN	568.15	568.15	010011089 4399	Donations - Tamura / Equipment Under \$500
K20R1111	SCHOOL NURSE SUPPLY INC	30.26	30.26	012731010 4327	Health Supplies - Tamura / Health Supplies
K20R1112	DEMCO	110.93	110.93	010144949 4310	Sch Site Instr - Masuda / Instructional Supplies
K20R1114	SCHOOL NURSE SUPPLY INC	212.43	212.43	010011616 4310	Sch Site Instr - Newland / Instructional Supplies
K20R1115	CENTER FOR DRUG-FREE COMMUNITI	6,500.00	6,500.00	012539962 5210	Tobacco-Use-OCDE Instructional / Travel, Conference, Works
K20R1116	AMAZON.COM LLC	683.82	683.82	012719275 4330	Educational Services Admin / Printing/Xerox Supplies
K20R1117	AMAZON.COM LLC	984.89	984.89	012658155 4325	Assessment and Accountability / Office Supplies
K20R1118	REGENTS OF THE UNIVERSITY OF C	10,312.50	10,312.50	010055175 5210	State Standards-MATH / Travel, Conference, Workshop
K20R1119	AMAZON.COM LLC	174.45	174.45	010019961 4320	Medi-Cal Billing-Instructional / Computer Supplies
K20R1120	STAPLES	350.00	350.00	010011616 4310	Sch Site Instr - Newland / Instructional Supplies
K20R1121	CDWG	81.81	81.81	010019961 5826	Medi-Cal Billing-Instructional / Licensing/Software,Maint/Su
K20R1122	BOOKSOURCE	910.58	910.58	010114055 4310	Title I - Plavan / Instructional Supplies
K20R1123	ARIEL SUPPLY INC.	138.94	138.94	010019961 4320	Medi-Cal Billing-Instructional / Computer Supplies
K20R1126	UCLA LAB SCHOOL	520.00	520.00	014079275 5210	OC Arts Ed-Visual & Perfor Art / Travel, Conference, Worksho
K20R1128	AWARDS & TROPHIES	45.36	45.36	010142989 4310	Donations - Fulton / Instructional Supplies
K20R1133	GOVERNMENT FINANCIAL STRATEGIE	3,839.40	3,839.40	012719380 5813	Business Department / Consultant
K20R1134	REVENUE ENHANCEMENT GROUP INC.	1,142.40	1,142.40	019509380 5899	STAR Building DO - Operations / Other Operating Expenses
K20R1135	REVENUE ENHANCEMENT GROUP INC.	1,076.07	1,076.07	019509380 5899	STAR Building DO - Operations / Other Operating Expenses
K20R1138	PALOS SPORTS	993.95	993.95	010014089 4310	Donations - Plavan / Instructional Supplies
K20R1140	AMAZON.COM LLC	75.00	75.00	012719470 4325	Personnel Department / Office Supplies
K20R1144	STAPLES	100.00	100.00	010144949 4310	Sch Site Instr - Masuda / Instructional Supplies
K20R1145	VIDEO COMMUNICATIONS	434.92	434.92	016919395 4349	7240 Special Ed Transportation / Transportation Supplies (on
K20R1146	GOPHER SPORTS EQUIPMENT	334.33	334.33	010143888 4310	ASB Donations Instr - Talbert / Instructional Supplies
K20R1148	DALEY, DAVID	46,000.00	46,000.00	015999860 5894	Special Ed - Administration / Regionalized Services (X-Pot)
K20R1150	SCHOOL SERVICES OF CALIFORNIA	205.00	205.00	012849380 5210	Fiscal Services / Travel, Conference, Workshop
K20R1152	AMAZON.COM LLC	476.14	476.14	012109078 4399	Tech/Media Office Operation / Equipment Under \$500
K20R1153	ORANGE COUNTY TREASURER	38,880.81	38,880.81	012719166 5855	Board of Trustees / Elections
K20R1154	SOUTHWEST SCHOOL AND OFFICE SU	540.00	540.00	011235575 4310	State Standards Discrt-INTRV / Instructional Supplies
K20R1155	AMAZON.COM LLC	159.46	159.46	012109078 4399	Tech/Media Office Operation / Equipment Under \$500
K20R1156	HEINEMANN	220.46	220.46	012040075 4310	Ed Effectiveness-Ed Quality / Instructional Supplies
K20R1157	BUREAU OF EDUCATION & RESEARCH	490.00	490.00	010144949 5210	Sch Site Instr - Masuda / Travel, Conference, Workshop

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20R1158	PRO ED INC.	69.00	69.00	012299963 5826	Medi-Cal Billing-Psychologists / Licensing/Software,Maint/Su
K20R1159	NIC PARTNERS INC	9,314.49	7,154.49	012109078 4410	Tech/Media Office Operation / Fixed Assets \$500-\$5000
			2,160.00	012109078 5826	Tech/Media Office Operation / Licensing/Software,Maint/Supp
K20R1161	HEINEMANN	16,152.94	16,152.94	011235675 4310	State Standards Discrt-READING / Instructional Supplies
K20R1165	PEARSON	1,577.25	1,577.25	016158155 4322	7140 Gifted & Talented - Instr / Testing Supplies
K20R1166	AMAZON.COM LLC	584.49	584.49	012109078 4399	Tech/Media Office Operation / Equipment Under \$500
K20R1167	TANDY LEATHER	478.41	478.41	010142989 4311	Donations - Fulton / Elective Supplies
K20R1168	LAKESHORE LEARNING MATERIALS	50.00	50.00	010144949 4310	Sch Site Instr - Masuda / Instructional Supplies
K20R1169	AWARDS & TROPHIES	66.74	66.74	010144949 4310	Sch Site Instr - Masuda / Instructional Supplies
K20R1170	FOUNTAIN VALLEY SCHOOL DISTRIC	90.00	90.00	012849380 5450	Fiscal Services / Other Insurance
K20R1171	U.S. SCHOOL SUPPLY INC.	96.38	96.38	010014747 4310	Sch Site Instr - Courreges / Instructional Supplies
K20R1173	STAPLES	80.81	80.81	010013289 4310	Donations - Cox / Instructional Supplies
K20R1174	NEW MANAGEMENT INC	592.63	592.63	010013289 4310	Donations - Cox / Instructional Supplies
K20R1178	UNITY SCHOOL BUS PARTS	538.50	538.50	016919395 4349	7240 Special Ed Transportation / Transportation Supplies (on
K20R1180	FOUNTAIN VALLEY EDUCATION ASSO	512.50	512.50	010059470 5210	Contractual Obligation - Cert / Travel, Conference, Workshop
K20R1181	PLUSOPTIX INC	317.86	317.86	010239275 5899	School Nurse Expansion Project / Other Operating Expenses
K20R1184	CHIC PARTY RENTALS	1,437.05	1,437.05	010149380 5610	Promotion Activities / Outside Services - Rentals
K20R1189	CASBO	180.00	60.00	012719385 5210	Purchasing / Travel, Conference, Workshop
			120.00	012849380 5210	Fiscal Services / Travel, Conference, Workshop
K20R1190	GREAT BOOKS FOUNDATION	675.00	675.00	010014747 5210	Sch Site Instr - Courreges / Travel, Conference, Workshop
K20S8022	P & R PAPER SUPPLY COMPANY	776.03	776.03	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8023	SCHOOL SPECIALTY	139.54	139.54	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8024	ARIEL SUPPLY INC.	2,084.15	2,084.15	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8025	WAXIE	87.60	87.60	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8026	UNITED HEALTH SUPPLIES	36.64	36.64	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8027	CANNON SPORTS	710.88	710.88	011000000 9320	Revenue Limit - State Revenues / STORES
K20S8028	GRAINGER INC.	78.58	78.58	011000000 9320	Revenue Limit - State Revenues / STORES
Fund 01 Total:		230,801.77	230,801.77		

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20M4289	WAXIE	161.51	161.51	120017598 4310	Child Dev Cntr Preschool Instr / Instructional Supplies
K20R1113	CPACINC	1,227.27	1,227.27	120016098 4410	Extended School Instructional / Fixed Assets \$500-\$5000
K20R1124	LAKESHORE LEARNING MATERIALS	754.25	754.25	120017598 4310	Child Dev Cntr Preschool Instr / Instructional Supplies
K20R1125	LAKESHORE LEARNING MATERIALS	53.88	53.88	120017598 4310	Child Dev Cntr Preschool Instr / Instructional Supplies
K20R1127	MOTION PICTURE LICENSING	910.42	910.42	120016098 5899	Extended School Instructional / Other Operating Expenses
K20R1132	APPLE COMPUTER ORDER DEPARTMEN	2,066.65	2,066.65	120016398 4310	ESP-Summer Camp Instructional / Instructional Supplies
K20R1143	CDWG	88.15	88.15	120016098 4310	Extended School Instructional / Instructional Supplies
K20R1149	SEHI COMPUTER PRODUCTS	2,682.99	2,682.99	120016098 4310	Extended School Instructional / Instructional Supplies
	Fund 12 Total:	7,945.12	7,945.12		

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20R1129	SENSOSCIENTIFIC, INC	7,217.70	7,217.70	133207380 5826	Cafeteria Fund / Licensing/Software,Maint/Supp
K20R1136	REFRIGERATION CONTROL COMPANY	674.70	674.70	133207380 5645	Cafeteria Fund / Outside Srvs-Repairs & Mainten
K20R1137	REFRIGERATION CONTROL COMPANY	504.75	504.75	133207380 5645	Cafeteria Fund / Outside Srvs-Repairs & Mainten
K20R1175	AMAZON.COM LLC	202.04	202.04	133207380 4320	Cafeteria Fund / Computer Supplies
Fund 13 Total:		8,599.19	8,599.19		

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO NUMBER</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>ACCOUNT AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20M4279	MIRACLE RECREATION EQUIPT	240.46	240.46	402998990 4347	Moiola Improvement Projects / Repair & Upkeep Equip Supplie
	Fund 40 Total:	240.46	240.46		

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT BY FUND
BOARD OF TRUSTEES MEETING 03/09/2017

FROM 02/02/2017 TO 02/28/2017

<u>PO</u> <u>NUMBER</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>ACCOUNT</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
Total Account Amount:			247,586.54		

FOUNTAIN VALLEY SD
PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS BY FUND
BOARD OF TRUSTEES 03/09/2017

FRO 02/02/2017 TO 02/28/2017

<u>PO</u> <u>NUMBE</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>CHANGE</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20M4011	NAPA AUTO PARTS	11,700.00	+2,500.00	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4019	GRAINGER INC.	13,000.00	+1,000.00	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4021	HOME DEPOT	18,000.00	+3,500.00	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4029	SMARDEN SUPPLY COMPANY	20,500.00	+4,000.00	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20M4082	MOBILE SOLUTIONS SERVICES INC	4,800.00	+2,400.00	012869390 5910	Maintenance / Communications - Telephones
K20M4251	TIME AND ALARM SYSTEMS INC.	1,057.16	+177.16	012869390 4347	Maintenance / Repair & Upkeep Equip Supplies
K20R0838	SURPLUS TWO WAY RADIOS	450.00	+100.00	010014747 5645	Sch Site Instr - Courreges / Outside Srvs-Repairs & Mainten
K20R0947	DATALINK CORPORATION	160,375.47	-160,375.47	012100000 8699	E-Rate Revenue / ALL OTHER LOCAL REVENUE
K20X0029	PROCARE WORK INJURY CENTER	3,500.00	+500.00	012719470 5820	Personnel Department / Physical Exam, Drug testing
K20X0442	RALPHS GROCERY COMPANY	3,000.00	-1,000.00	010142989 4311	Donations - Fulton / Elective Supplies
K20X0443	SMART & FINAL	2,000.00	+1,000.00	010142989 4311	Donations - Fulton / Elective Supplies
K20X0512	SOUTHWEST SCHOOL AND OFFICE SU	900.00	+500.00	012721010 4325	Sch Site Admin - Tamura / Office Supplies
K20X0549	SOUTHWEST SCHOOL AND OFFICE SU	665.00	+130.00	015513860 4310	Special Ed. - Talbert RSP / Instructional Supplies
Fund 01 Total:			-145,568.31		

FOUNTAIN VALLEY SD

PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS BY FUND

BOARD OF TRUSTEES

03/09/2017

FRO 02/02/2017 TO 02/28/2017

<u>PO NUMBE</u>	<u>VENDOR</u>	<u>PO TOTAL</u>	<u>CHANGE AMOUNT</u>	<u>ACCOUNT NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
K20X0259	SMART & FINAL	10,800.00	+5,400.00	123207598 4710	Child Dev Cntr Prsch Food Serv / Food
K20X0284	SAMS CLUB	10,800.00	+5,400.00	123206098 4710	Extended School Food Service / Food
K20X0287	WHAT A LOT OF PIZZA	1,620.00	+540.00	123207598 4710	Child Dev Cntr Prsch Food Serv / Food
Fund 12 Total:			+11,340.00		

FOUNTAIN VALLEY SD

PURCHASE ORDER DETAIL REPORT - CHANGE ORDERS BY FUND

BOARD OF TRUSTEES

03/09/2017

FRO 02/02/2017 TO 02/28/2017

<u>PO</u> <u>NUMBE</u>	<u>VENDOR</u>	<u>PO</u> <u>TOTAL</u>	<u>CHANGE</u> <u>AMOUNT</u>	<u>ACCOUNT</u> <u>NUMBE</u>	<u>PSEUDO / OBJECT DESCRIPTION</u>
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Total Account Amount:	-134,228.31
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FOUNTAIN VALLEY SD

Reference #:

2017 22

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 0101 GENERAL FUND

Object	Description	FROM	TO
1100	TEACHERS' SALARIES	1,410,563.00	2,112.00
2200	CLASSIFIED SUPPORT		50.00
3101	STRS-CERTIFICATED POSITIONS	177,440.00	266.00
3202	PERS-CLASSIFIED		7.00
3313	MEDICARE-CERTIFICATED	20,452.00	30.00
3314	MEDICARE-CLASSIFIED		1.00
3356	OASDI-CLASSIFIED		3.00
3401	HEALTH & WELFARE-CERTIFICATED	180,000.00	
3501	SUI-CERTIFICATED	705.00	1.00
3601	WORKERS'COMP-CERTIFICATED	31,844.00	48.00
3602	WORKERS'COMP-CLASSIFIED		1.00
4100	TEXTBOOKS		26,162.00
4300	MATERIALS & SUPPLIES	400.00	4,831.00
4400	NONCAPITALIZATION EQUIPMENT		15,661.00
5200	TRAVEL & CONFERENCES		178.00
5600	RENTAL,LEASE,REPAIR & NON CAP		1,268.00
5713	Direct Cost-Printing & Reprod	17.00	24.00
5800	PROF/CONS SERV & OPER EXPENSE	23,246.00	25,455.00
6200	BUILDING AND IMPROVE OF BLDGS	15,661.00	363,257.00
6400	EQUIPMENT		166,500.00
7142	Excess Costs/County Offices	3.00	
8000	REVENUE LIMIT SOURCES	1,820,933.00	1,809,724.00
8200	FEDERAL INCOME	71.00	6,011.00
8500	STATE INCOME		56,336.00
8600	LOCAL INCOME	10,660.00	443,652.00
9780	OTHER ASSIGNMENTS	32,991.00	44,310.00
9789	RESERVE FOR ECONOMIC UNCERTAIN		35,385.00
9790	UNASSIGNED/UNAPPROPRIATED	221,299.00	1,913,130.00

FOUNTAIN VALLEY SD

Reference #:

2017 22

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 0101 GENERAL FUND

Object	Description	FROM	TO
Subfund Total:		3,946,285.00	4,914,403.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 23

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 1212 CHILD DEVELOPMENT

Object	Description	FROM	TO
4300	MATERIALS & SUPPLIES	714.00	6,627.00
4400	NONCAPITALIZATION EQUIPMENT		2,840.00
5200	TRAVEL & CONFERENCES		16,544.00
5600	RENTAL,LEASE,REPAIR & NON CAP		21.00
5800	PROF/CONS SERV & OPER EXPENSE	25,638.00	464.00
9740	RESTRICTED BALANCE	144.00	
Subfund Total:		26,496.00	26,496.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 24

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 1313 CAFETERIA FUND

Object	Description	FROM	TO
5600	RENTAL,LEASE,REPAIR & NON CAP		5,000.00
5752	Direct Cost - Postage		500.00
9740	RESTRICTED BALANCE	5,500.00	
Subfund Total:		5,500.00	5,500.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 25

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 1414 DEFERRED MAINTENANCE

Object	Description	FROM	TO
5800	PROF/CONS SERV & OPER EXPENSE		50.00
8600	LOCAL INCOME		2,230.00
9760	OTHER COMMITMENTS		2,180.00
Subfund Total:		0.00	4,460.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 26

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 2525 CAPITAL FACILITIES

Object	Description	FROM	TO
5800	PROF/CONS SERV & OPER EXPENSE		50.00
8600	LOCAL INCOME		3,240.00
9780	OTHER ASSIGNMENTS		3,190.00
Subfund Total:		0.00	6,480.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 27

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 4040 SPECIAL RESERVE/C.O.P.

Object	Description	FROM	TO
5600	RENTAL,LEASE,REPAIR & NON CAP		1,840.00
5800	PROF/CONS SERV & OPER EXPENSE	8,840.00	23,500.00
8500	STATE INCOME		60.00
8600	LOCAL INCOME	10,300.00	767,000.00
9760	OTHER COMMITMENTS	3,240.00	743,500.00
Subfund Total:		22,380.00	1,535,900.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 28

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 6768 INSURANCE-WCI

Object	Description	FROM	TO
5800	PROF/CONS SERV & OPER EXPENSE	10.00	21,714.00
8600	LOCAL INCOME		15,530.00
9790	UNASSIGNED/UNAPPROPRIATED	6,174.00	
Subfund Total:		6,184.00	37,244.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 29

Adjustment of Funds

It has been resolved to make the budget adjustments as listed below per Education Code 42600.

Fund: 6769 INSURANCE HEALTH/WELFARE

Object	Description	FROM	TO
3401	HEALTH & WELFARE-CERTIFICATED		144,755.00
3402	HEALTH & WELFARE-CLASSIFIED		19,610.00
5800	PROF/CONS SERV & OPER EXPENSE		120.00
8600	LOCAL INCOME		515,430.00
9790	UNASSIGNED/UNAPPROPRIATED		350,945.00
Subfund Total:		0.00	1,030,860.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above adjustment was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy

FOUNTAIN VALLEY SD

Reference #:

2017 21

Transfer of Funds

It has been resolved to make the budget transfers as listed below per Education Code 42600.

Fund: 0101 GENERAL FUND

Object	Description	FROM	TO
1100	TEACHERS' SALARIES	5,555.00	9,240.00
2100	INSTRUCTIONAL AIDES' SALARIES		529.00
2400	CLERICAL & OFFICE SALARIES		47.00
2900	OTHER CLASSIFIED SALARIES		100.00
3101	STRS-CERTIFICATED POSITIONS	177.00	526.00
3202	PERS-CLASSIFIED		80.00
3313	MEDICARE-CERTIFICATED	20.00	73.00
3314	MEDICARE-CLASSIFIED		15.00
3353	ARP-CERTIFICATED		13.00
3354	ALTERNATIVE RETIRE-CLASSIFIED		16.00
3356	OASDI-CLASSIFIED		36.00
3402	HEALTH & WELFARE-CLASSIFIED		1.00
3501	SUI-CERTIFICATED		1.00
3502	SUI-CLASSIFIED	1.00	59.00
3601	WORKERS'COMP-CERTIFICATED		117.00
3602	WORKERS'COMP-CLASSIFIED	88.00	19.00
4300	MATERIALS & SUPPLIES	53,967.00	119,350.00
4400	NONCAPITALIZATION EQUIPMENT	1,955.00	14,733.00
5200	TRAVEL & CONFERENCES	386.00	6,349.00
5600	RENTAL,LEASE,REPAIR & NON CAP		61,363.00
5713	Direct Cost-Printing & Reprod	10,309.00	5,302.00
5752	Direct Cost - Postage	500.00	
5800	PROF/CONS SERV & OPER EXPENSE	144,370.00	58,731.00
5900	COMMUNICATIONS	60,185.00	120.00
6200	BUILDING AND IMPROVE OF BLDGS	5,878.00	
9740	RESTRICTED BALANCE	900.00	
9790	UNASSIGNED/UNAPPROPRIATED	3,338.00	10,809.00
Subfund Total:		287,629.00	287,629.00

I certify this is a true excerpt from the Minutes of a regular Board Meeting held by the FOUNTAIN VALLEY SD Board of Trustees, March 9, 2017.

AYES: _____

NOES: _____

ABSENT: _____

Secretary, Board of Trustees

The above transfer was approved on the _____ day of _____, 200____.

APPROVED: Superintendent of Schools, County of Orange: _____
Deputy



Fountain Valley School District
Educational Services

M E M O R A N D U M

TO: Board of Trustees
FROM: Julianne Hoefer, Director, Assessment & Accountability
SUBJECT: **Single Plans for Student Achievement**
DATE: March 6, 2017

California Ed Code and the federal Every Student Succeeds Act require Single Plans for Student Achievement (SPSA) as a condition for accepting categorical funds, including Title I and Title III. The purpose of the plan is to consolidate school programs and create blueprints to improve academic achievement for all students. In order to provide coherence, the SPSAs are aligned with the Local Control Accountability Plans (LCAPs). The eight State Priorities (basic services, implementation of Common Core, course access, student achievement, other student outcomes, parent engagement, school climate, and student engagement) outlined in the LCAP are evident in the SPSAs. The components of the plan remain the same from prior years and include:

- ✓ School Vision and Mission
- ✓ School Profile
- ✓ Comprehensive Needs Assessment Components
- ✓ Description of Barriers and Related School Goals
- ✓ School and Student Performance Data
- ✓ Planned Improvements in Student Performance
- ✓ Summary of Expenditures in this Plan
- ✓ Home/School Compact
- ✓ School Site Council Membership
- ✓ Recommendations and Assurances

Fiscal Impact:

There is no fiscal impact involved in the approval process.

Recommendation:

It is recommended that the Board of Trustees approves the School Plans for Student Achievement for Newland, Oka, Plavan, Talbert and Tamura Schools.

The Single Plan for Student Achievement

School: William T. Newland Elementary School
CDS Code: 30-66498-6027999
District: Fountain Valley School District
Principal: Chris Mullin
Revision Date: Jan. 24, 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: Chris Mullin
Position: Principal
Phone Number: (714) 378-4200
Address: 8787 Dolphin Street
Huntington Beach, CA 92646
E-mail Address: mullinc@fvsd.us

The District Governing Board approved this revision of the SPSA on March 9, 2017.

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School Vision and Mission

William T. Newland Elementary School's Vision and Mission Statements

Mission Statement

The staff and community of Newland School are committed to providing an educational environment in which academic excellence is expected and all children are encouraged to develop:

- Their maximum potential,
- A positive attitude toward self and others,
- A love of learning,
- The ability to think creatively and critically,
- An appreciation for diversity in others,
- Effective communication skills, and
- The ability to be a productive, useful member of society.

Vision Statement

Our staff is dedicated to maintaining and enhancing the spirit of excellence that pervades our school and community. All of Newland's teachers teach to the California State Standards, challenging each student to reach his maximum potential. Teachers strive to help students demonstrate mastery on the Smarter Balanced Assessments. The following special programs help students achieve their highest potential: Speech and Language, Resource Specialist Program, Gifted and Talented Program, Remediation, Special Day Classes, and Social Skills Classes. The education program is also enhanced through community involvement utilizing our hardworking and supportive parents and business partners. Parents and teachers conduct ongoing assessments of the school-based program. Our standards based program utilizes hands-on activities, manipulatives, group projects, portfolios, District Interim Assessments, and unit tests provided by the adopted publishers. The Newland staff continues to develop professionally in order to provide high quality instruction. Teachers continue to use the media center and other technology to make learning accessible and enticing for students. Finally, Newland provides a nurturing caring environment that encourages the celebration and joy of learning. The school environment is clean, orderly, and a place where all students feel safe and secure.

School Profile

William T. Newland School is a TK-5 elementary school serving approximately 500 students. Newland is located in Huntington Beach, California.

School Demographic Characteristics:

White 61%

Hispanic 17%

Vietnamese 12%

English Learners - 5%

Socio-Economic Disadvantaged - 9%

Special Education - 12%

Our parent community is strong and active in supporting our instructional program and students receive enriched opportunities as a result of the volunteers' countless dedicated hours. Newland School uses all available resources in the community to assist students in their emotional and academic development. Parents take advantage of the ample opportunities to be involved in activities that benefit students.

Newland is the intake center for the District's PB5 (Parent Birth to five years) program. Students are referred for testing by Regional Center and parents or doctors when there is a suspected developmental delay. One or all of the following professionals administer the appropriate testing: the occupational therapist, classroom teacher, psychologist, speech and language pathologist, adaptive Physical Education specialist, and/or nurse. The team meets monthly to determine appropriate placement and level of services. Newland houses a special day pre-school class, a blended pre-school class, social skills groups, occupational therapy and adaptive physical education. These programs provide services for children with identified needs between the ages of three and five. In

addition to servicing the Special Day Class population, Resource Specialists and Speech and Language pathologists are also provided for the transitional kindergarten through fifth grade students that require additional support in the classroom.

Comprehensive Needs Assessment Components

Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

Annually, the District administers a survey to parents of English learners. The complete results are available in the Fountain Valley School District Program Effectiveness document. Students in 3rd through 5th grades participate in a school climate survey.

Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The Board of Trustees and District administrators value learning and teaching. Throughout the year, District leaders make it a priority to visit every school multiple times. Along with these informal visits, Newland administration conducts several instructional visits every week. Newland also opens its doors several times a year to teachers both within the district and from neighboring districts.

Analysis of Current Instructional Program

The eight State priority areas listed below are outlined in the Local Control Accountability Plan regulations. These focus areas are used to analyze the current instructional practices for all students including English learners, socio-economically disadvantaged students, students with disabilities, and foster youth.

Basic Services

Teachers

Strengths	Needs
<ul style="list-style-type: none">All highly qualified/credentialed teachers	<ul style="list-style-type: none">Maintain 100% compliance in this areaTime to work with the California State Standards during grade level meetings, prep time and staff development.

Textbooks

Strengths	Needs
<ul style="list-style-type: none">Textbooks for all subject areas are available for all studentsCalifornia State Standards-aligned Math textbook adopted in the 2015-2016 school year	<ul style="list-style-type: none">Current ELA materials are not aligned to the California State StandardsNon-fiction informational text needed in library and classroomsNon-fiction magazines needed: Time 4 Kids, Scholastic, Weekly Reader

Facilities

Strengths	Needs
<ul style="list-style-type: none"> Excellent grounds maintenance by our District grounds workers Overall an excellent campus for our students with access to playground equipment and open grass areas for play Solar panels Custodial deep cleaning over summer 	<ul style="list-style-type: none"> Patching of cracks, holes, dips caused by tree and land settlement Aging pipe replacement Custodial cleaning and on-going maintenance of cleaning needs improvement. Repainting of games on playground Heavy/deep cleaning (carpets, vents, etc.) more often throughout the year Air conditioning New teacher chairs Upgraded student furniture to make flexible groupings throughout the day easier

California State Standards Implementation (all content areas)

Strengths	Needs
<ul style="list-style-type: none"> California State Standards staff development in ELA and Math Principal Training Program – Principal Meetings, Cotsen Principal Trainings Site focus on reading instruction and assessments Schoolwide reading assessments 	<ul style="list-style-type: none"> More instructional resources to support California State Standards Collaboration time for teachers to deepen their understanding of California State Standards (planning time, visiting other schools/districts) Online Subscriptions: Sumdog, Brainpop, Raz kids

Course Access

Strengths	Needs
<ul style="list-style-type: none"> ELA/Math block consistent across grade levels Greater emphasis on nonfiction, informational text Differentiated, small group instruction 	<ul style="list-style-type: none"> Grade level consistency in differentiated instruction/small group implementation. Cross grade articulation meetings on a regular basis

Pupil Outcomes

(Refer to the School and Student Performance Data section for multi-year scores.)

California Assessment of Student Performance and Progress (CAASPP)

Smarter Balanced Assessments

Strengths	Needs
100% Participation in Smarter Balance Assessment	

California English Language Development Test (CELDT)

Strengths	Needs
English language students represent a very small percentage but perform highly at Newland. Historically, this group represents less than 20 students school wide. Currently 78% of the English learners are at the Intermediate, Early Advanced or Advanced levels.	

California English Language Development Test AMAO 1

Strengths	Needs
	Newland fell short, moving only 47.8% of students missing target of 62%

AMAO 2

Strengths	Needs
English language students represent a very small percentage but perform highly at Newland. Historically, this group represents less than 20 students school wide. 31% of students attained English proficiency.	

Reclassification Rates

Strengths	Needs
	<ul style="list-style-type: none"> ELs at Newland tend to reclassify before reaching middle school. This year R-FEP rates for the Newland was at 8.7% which was lower than OC average.

California Physical Fitness Test

Strengths	Needs
<ul style="list-style-type: none"> Newland met 72.% of at least 5 of the 6 fitness standards 100 mile club 	<ul style="list-style-type: none"> Only 33.8% are meeting all 6 or 6 standards Parental and community support with educating students on the importance of physical education and increasing physical activity

Other Student Outcomes

Universal Literacy Screeners

Strengths	Needs
<ul style="list-style-type: none"> DIBELS Next across all grade levels SRI for 4th and 5th grades Small group instruction and placement based on scores 	<ul style="list-style-type: none"> Time to assess all students at the beginning of the year DIBELS Next assesses fluency well but not comprehension

Engagement

Parent Involvement

Strengths	Needs
<ul style="list-style-type: none"> Strong PTA Parents supporting miscellaneous teacher needs 	

Student Engagement

Attendance

Strengths	Needs
<ul style="list-style-type: none">• 96.% in 2015-2016	<ul style="list-style-type: none">• Slightly below District average in 2015-2016

Chronic Absenteeism

Strengths	Needs
	<ul style="list-style-type: none">• In 2015-16 Newland had a chronic absenteeism rate of 6.6%, higher than District average

School Climate

Suspensions

Strengths	Needs
<ul style="list-style-type: none">• PBIS	<ul style="list-style-type: none">• 6 suspensions in the past three years

Expulsions

Strengths	Needs
<ul style="list-style-type: none">• No expulsions reported in the last three years	

Survey (California Healthy Kids Survey Results and school surveys)

Strengths	Needs
District level information <ul style="list-style-type: none">• 86% of students perceived schools as safe or very safe• The level of school connectedness raised 5% to 71% from previous year	<ul style="list-style-type: none">• Drug/Alcohol use was reported at 15%• District wide, only 17% reported high levels of meaningful participation in school.

Description of Barriers and Related School Goals

Description of possible barriers related to goal: Student Achievement

- Lack of time for focused collaboration
- More knowledge of data analysis - What to use and how to use it
- More knowledge in regards to professional development in reading / writing
- Lack of a consistent writing program (school and District-wide)

Description of possible barriers related to goal: Special Populations

- More time needed for small group math instruction
- Motivation needed for students who struggle and reach plateaus in ST Math or AR Reading
- Inconsistent grade level implementation of CGI

Description of possible barriers related to goal: Parent Involvement

- Parents are reluctant to join PTA or serve in volunteer positions (usually in Tk-2). Parents of older students tend to join the PTA board in 3rd-5th grade, rather than Tk-2nd.
- Language barrier with our EL parents

Description of possible barriers related to goal: Student Engagement and School Climate

- Staff members need to be more consistent with PBIS rewards and program components
- Additional after school programs needed to allow greater access for students to become more "connected" to school
- Support needed from parents to not take vacations during school time or allow students to miss school except when sick

School and Student Performance Data

CAASPP Results (All Students)

English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	68	75	68	72	67	72	100.0	97.3
Grade 4	64	71	61	69	59	69	95.3	97.2
Grade 5	63	68	60	66	60	66	95.2	97.1
All Grades	195	214	189	207	186	207	96.9	97.2

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2448.3	2483.5	34	47	25	32	22	14	18	7
Grade 4	2538.1	2542.1	49	61	38	23	8	10	2	6
Grade 5	2563.8	2596.7	45	67	38	26	8	3	8	5
All Grades	N/A	N/A	42	58	33	27	13	9	10	6

Reading Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	37	36	43	51	19	13
Grade 4	46	52	53	41	2	7
Grade 5	50	52	38	45	12	3
All Grades	44	46	45	46	11	8

Writing Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	22	51	58	42	19	7
Grade 4	46	48	53	49	2	3
Grade 5	48	68	37	29	15	3
All Grades	38	56	49	40	12	4

Listening Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	24	35	63	60	13	6
Grade 4	31	32	69	64	0	4
Grade 5	28	39	72	58	0	3
All Grades	27	35	68	60	5	4

Research/Inquiry Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	30	42	51	54	19	4
Grade 4	37	59	44	35	0	6
Grade 5	50	74	48	24	2	2
All Grades	39	58	48	38	8	4

Conclusions based on this data:

1. 85% of Newland students scored Standard Exceeded or Standard Met.
2. Producing clear and purposeful writing proved most difficult for Newland students.

School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	68	75	68	72	66	72	100.0	97.3
Grade 4	64	71	61	69	61	69	95.3	97.2
Grade 5	63	68	61	66	61	66	96.8	97.1
All Grades	195	214	190	207	188	207	97.4	97.2

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2452.9	2490.2	29	46	35	32	12	18	21	4
Grade 4	2531.2	2541.3	39	45	44	42	16	12	0	1
Grade 5	2539.2	2580.1	33	64	28	17	25	8	15	12
All Grades	N/A	N/A	34	51	36	30	17	13	12	6

Concepts & Procedures Applying mathematical concepts and procedures							
Grade Level	% Above Standard		% At or Near Standard		% Below Standard		
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 3	47	65	27	29	26	6	
Grade 4	57	67	36	28	7	6	
Grade 5	41	61	38	26	21	14	
All Grades	48	64	34	28	18	8	

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	39	46	45	49	15	6
Grade 4	44	52	46	43	10	4
Grade 5	30	65	48	26	23	9
All Grades	38	54	46	40	16	6

Communicating Reasoning Demonstrating ability to support mathematical conclusions						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	36	58	48	36	15	6
Grade 4	48	61	51	33	2	6
Grade 5	30	52	57	36	13	12
All Grades	38	57	52	35	10	8

Conclusions based on this data:

1. 81% of Newland students scored Standard Exceeded of Standard Met in math.
2. 92% of Newland students scored Above, At, or Near in Communicating Reasoning: Demonstrating ability to support mathematical conclusions

School and Student Performance Data

CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K								***	***						
1				***		38		***	25			13		***	25
2	***	***		***		***		***	***		***				***
3		***		***	***	25		***	50			25			
4			***	***	***		***	***					***		
5		40	50			25		40	25					20	
Total	11	24	17	67	12	26	11	47	35		6	9	11	12	13

Conclusions based on this data:

1. Most English learners are at the Intermediate, Early Advanced or Advanced levels (78%)
2. All 3rd-5th grade ELs except one are Intermediate or higher.

School and Student Performance Data

CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K		18	13	22	9		11	45	38	22	9	13	44	18	38
1			10	***		30		***	20			10		***	30
2	***	50		***		***		25	***		25				***
3		***		***	***	25		***	50			25	***		
4			***	***	***		***	***					***		
5		40	40			20		40	20					20	20
Total	5	25	19	42	11	19	11	43	28	11	7	9	32	14	25

Conclusions based on this data:

1. About 40% of English learners are in transitional kindergarten or kindergarten.
2. The largest group of English learners (43%) is at the Intermediate level.

School and Student Performance Data

Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	9	17	23
Percent with Prior Year Data	100.0%	100%	100.0%
Number in Cohort	9	17	23
Number Met	--	12	11
Percent Met	--	70.6%	47.8%
NCLB Target	59.0	60.5	62.0%
Met Target	--	Yes	No

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	16	0	19	5	26	3
Number Met	--	--	4	--	8	--
Percent Met	--	--	21.1%	--	30.8%	--
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	--	--	No	--	Yes	--

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		--	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		--	
Met Percent Proficient or Above		--	

Conclusions based on this data:

1. Newland ELs did not meet AMAO 1 but did meet AMAO 2.

School and Student Performance Data

Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	666	698	769
Percent with Prior Year Data	100.0		100
Number in Cohort	666	698	769
Number Met	550	585	599
Percent Met	82.6	83.8	77.9
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	N/A

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	643	149	653	174	687	219
Number Met	359	119	377	144	357	178
Percent Met	55.8	79.9	57.7	82.8	52	81.3
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	Yes	Yes	Yes	N/A	N/A

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate	Yes	100	
Met Percent Proficient or Above	No	N/A	
Mathematics			
Met Participation Rate	Yes	98	
Met Percent Proficient or Above	No	N/A	
Met Target for AMAO 3	No		N/A

Conclusions based on this data:

1. English learners District-wide met all the AMAOs.
2. English learners District-wide far exceeded the Federal targets for AMAO 1 and AMAO 2.

Planned Improvements in Student Performance

School Goal #1

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Achievement
LEA Local Control and Accountability (LCAP) Goal:
Goal 1: To support academic success and prepare students for College and Career, students will have access to 21st Century learning tools, including technology, and engage in rigorous and relevant educational experiences that develop their knowledge, skills and ability to collaborate, create, communicate, think critically, and solve problems.
SCHOOL GOAL #1:
To support academic achievement, Newland Elementary will incorporate professional development, District signature practices, technology integration, and when available new California State Standards aligned instructional materials.
Data Used to Form this Goal:
Student Achievement: Smarter Balance assessments (SBAC) English language arts/literacy (ELA) and math, Scholastic Reading Inventory (SRI) Instructional Materials: access to standards aligned text books and instructional materials that support California State Standards Professional Development: staff meeting agendas, CGI, Math Expressions, Academic vocabulary Technology: technology survey, device student ratio, Chromebook cart schedules
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Student Achievement <ul style="list-style-type: none">• Lack of time for focused collaboration• More knowledge of data analysis - What to use and how to use it• More knowledge in regards to professional development in reading / writing• Lack of a consistent writing program (school and District-wide)
How the School will Evaluate the Progress of this Goal:
Student Achievement: SBAC ELA -increase percent scoring Standard Exceeded and Standard Met in all grades. SBAC Math -increase percent scoring Standard Exceeded and Standard Met in all grades Instructional Materials: access to standards-aligned text books and instructional materials that support California State Standards Professional Development: Participation rates and staff development surveys Technology: Access to increased or improve technology

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Teacher collaboration was provided in conjunction with professional development on site.	Sept 2015-June 2018	District Administrator Site Administrator Teachers	Expense embedded in other actions			
Provide professional development and implement Cognitively Guided Instruction (CGI) in all grade levels.	Sept 2015-June 2018	District Administrator Site Administrator Teachers	Teacher Fees, Substitutes, Stipends, Instructional Materials	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	7,560
Implementation of California State Standards Math materials Math Expressions and professional development	Sept 2015	Teachers Site Administrators District Administrators	No additional expense associated with this action			
Improve Infrastructure, Expand wireless access	Fall 2015	Teachers, Site Administrator, District Administrators	Hardware Installation	5000-5999: Services And Other Operating Expenditures	Other	17,612
					LCFF - Base	13,209
					LCFF - Supplemental	4,403
Increase student use of Technology	Fall 2015	Teachers, Site Administrator, District Administrators	No additional expense associated with this action			
Participate in District Reading Comittee	Jan 2016 - June 2018	Teachers, Site Administrator	Substitiutes	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	756

Planned Improvements in Student Performance

School Goal #2

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Special Populations
LEA Local Control and Accountability (LCAP) Goal:
Goal 2: To support academic success in the core program, English learners, foster youth, low income, and special education students will be provided with additional supports to ensure equal access, engagement, and high levels of achievement.
SCHOOL GOAL #2:
All students, including significant subgroups, will demonstrate achievement equal to or greater than the State average in English language arts and math thereby addressing the achievement gap.
Data Used to Form this Goal:
SBAC Subgroup Scores, SRI, DIBELS Next, Accelerated Reader, Accelerated Math, CELDT, FVSD writing benchmarks, Theme skills tests, AMAO 1 and 2
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Special Populations <ul style="list-style-type: none"> • More time needed for small group math instruction • Motivation needed for students who struggle and reach plateaus in ST Math or AR Reading • Inconsistent grade level implementation of CGI
How the School will Evaluate the Progress of this Goal:
2014/2015 established the base scores for SBAC, in 2015/2016 every group including English Learners and Low Income Students, are expected to demonstrate improved achievement. SBAC Subgroup Scores, SRI, DIBELS Next, Writing Benchmarks, CELDT, AMAO 1 and 2

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Continue to provide ELD on a daily basis for targeted students.	Sept 2015-June 2017	Teachers, Site Administration	No additional expense associated with this action			
Continue to provide and expand on Small Group learning and District signature practices on a daily basis	Sept 2015-June 2017	Teachers, Site Administrator	No additional expense associated with this action			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Support implementation of Cognitively Guided Instruction (CGI)	Sept 2015-June 2017	Administration, Site Administrator, Teachers	Expenses captured in Goal 1			
Analyze and disaggregate student achievement data in English language development, English/language arts, and mathematics in order to provide timely intervention and close the achievement gap	Sept 2015-June 2017	Teachers, Site Administrator	Renewal fees	5000-5999: Services And Other Operating Expenditures	LCFF - Base	2,590
					LCFF - Supplemental	1,636
Purchase supplemental instructional materials to support California State Standards implementation	Sept 2015-June 2017	Teachers, Site Administrator	California State Standards Steering Committee selected supplemental instructional materials	4000-4999: Books And Supplies	LCFF - Supplemental	3,956
Participate in school library program	Sept 2015-June 2017	Library Media Technician	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Base	13,800
					LCFF - Supplemental	6,230
Utilize ST Math to support English learners, low income youth, and other high needs student populations	Sept 2015-June 2017	Teachers, Site Administrator	Renewal fees	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	1,250
Devote 1 day a month to formal grade level collaboration to evaluate data	Sept 2015-June 2017	Teachers Site Administrator	No additional expense associated with this action			
Continue to administer District identified assessments (DIBELS Next, Core Phonics, FVSD Writing Benchmarks, Scholastic Reading Inventory)	Sept 2015-June 2017	Teachers, Site Administrator	Materials	4000-4999: Books And Supplies	LCFF - Base	3,500
Bilingual tutor support for ELs at the Beginning and Early Intermediate levels	Sept 2015-June 2017	Administrator, Teacher, Instructional Assistant	Classified Salary	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	4,496
After school EL writing classes	Sept 2015-June 2017	Administrator, Teacher	Additional duty	1000-1999: Certificated Personnel Salaries	Title III	1,450

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize TOSA in reading, math, and intervention	Sept 2016 June 2018	District Administrators, Site Administrators, TOSA Teachers	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	22,000
Provide teachers release time to administer, score. and analyze data through music instruction	Sept 2015- June 2017	Teacher, Site Administrators	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	32,814

Planned Improvements in Student Performance

School Goal #3

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Parent Involvement
LEA Local Control and Accountability (LCAP) Goal:
Goal 3: To support academic success, all parents will be engaged and play an active role in the school community.
SCHOOL GOAL #3:
Increase parent involvement to include a broader representation of parents on school decision-making groups, reflective of all student demographics.
Data Used to Form this Goal:
School Site Council Roster, Sign-in Sheets for Parent Opportunities, PTA roster, Parent Conference attendance, Volunteer Lists
Findings from the Analysis of this Data:
<p>Description of possible barriers related to goal: Parent Involvement</p> <ul style="list-style-type: none"> Parents are reluctant to join PTA or serve in volunteer positions (usually in Tk-2). Parents of older students tend to join the PTA board in 3rd-5th grade, rather than Tk-2nd. Language barrier with our EL parents
How the School will Evaluate the Progress of this Goal:
School Site Council documentation; English Learner Advisory documentation; District English Learner Advisory documentation; Number of parent education opportunities; meeting sign ins, agendas, and resources; expenditures for interpretation, translation, and childcare; responses to parent surveys

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide parent educational opportunities	Sept 2015-June 2017	Site Administrator	No additional expenses associated with this action			
Continue to provide a bilingual Community Liaison to support parent outreach	Sept 2015-June 2017	District Staff	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	6,454

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize technology and social media to communicate with parents, promote involvement, and solicit input	Sept 2015-June 2017	District Staff, Site Administrator	Personnel Annual service agreements	2000-2999: Classified Personnel Salaries	LCFF - Base	10,500
					Title I	500
Utilize Translation/Interpretation services when needed.	Sept 2015-June 2017	District Staff, Site Administrator	No additional expenses associated with this action	2000-2999: Classified Personnel Salaries		

Planned Improvements in Student Performance

School Goal #4

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Engagement & School Climate
LEA Local Control and Accountability (LCAP) Goal:
Goal 4: To support academic success and student attendance, students will have access to a safe, supportive, and nurturing environment that promotes engagement and school connectedness.
SCHOOL GOAL #4:
Create a learning and school climate that improves students' attendance, connection, and overall involvement in all aspects of their education.
Data Used to Form this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey results, School Climate Survey grades 3rd-5th.
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Student Engagement and School Climate <ul style="list-style-type: none"> • Staff members need to be more consistent with PBIS rewards and program components • Additional after school programs needed to allow greater access for students to become more "connected" to school • Support needed from parents to not take vacations during school time or allow students to miss school except when sick
How the School will Evaluate the Progress of this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey results, School Climate Survey grades 3rd-5th.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide student clubs	Sept 2015-June 2017	Teacher, Site Administrator	No expenses associated with this action			
Use stakeholder groups to provide input on how to improve student attendance and reduce absenteeism	Sept 2015-June 2017	Administrators, Teachers	No expenses associated with this action			
Educate parents regarding District policy related to absenteeism	Sept 2015-June 2017	Site Administrator	No expenses associated with this action			
Review District and school site discipline plans	Sept 2015-June 2017	Site Administrator	No expenses associated with this action			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide health services to support attendance for high needs student populations	Sept 2015-June 2017	School Staff Site Administrator District Staff	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base LCFF - Supplemental	20,400 4,000
Analyze suspension information to identify patterns in misconduct and/or student demographics	Sept 2015-June 2017	Site Administrator District Staff	No expenses associated with this action			
Consistent meeting of Leadership Team to build capacity at site. Continue to utilize their expertise at professional development at site.	Sept 2015-June 2017	Site Administrator District Staff	No expenses associated with this action			
Follow Health and Wellness Policy	Sept 2015-June 2017	Site Administrator, Teacher	No expenses associated with this action			

Summary of Expenditures in this Plan

Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
	LCFF - Base	13,209.00
1000-1999: Certificated Personnel Salaries	LCFF - Base	20,400.00
2000-2999: Classified Personnel Salaries	LCFF - Base	24,300.00
4000-4999: Books And Supplies	LCFF - Base	3,500.00
5000-5999: Services And Other Operating	LCFF - Base	2,590.00
	LCFF - Supplemental	16,269.00
1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	63,130.00
2000-2999: Classified Personnel Salaries	LCFF - Supplemental	10,950.00
4000-4999: Books And Supplies	LCFF - Supplemental	3,956.00
5000-5999: Services And Other Operating	LCFF - Supplemental	1,250.00
5000-5999: Services And Other Operating	Other	17,612.00
	Title I	500.00
1000-1999: Certificated Personnel Salaries	Title III	1,450.00

Summary of Expenditures in this Plan

Total Expenditures by Funding Source

Funding Source	Total Expenditures
LCFF - Base	63,999.00
LCFF - Supplemental	95,555.00
Other	17,612.00
Title I	500.00
Title III	1,450.00

Summary of Expenditures in this Plan

Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	84,980.00
2000-2999: Classified Personnel Salaries	35,250.00
4000-4999: Books And Supplies	7,456.00
5000-5999: Services And Other Operating Expenditures	21,452.00

Summary of Expenditures in this Plan

Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	43,540.00
Goal 2	93,722.00
Goal 3	17,454.00
Goal 4	24,400.00

Home/School Compact

It is important that families and schools work together to help students achieve high academic standards. Through a process that included teachers, families, and students, the following are agreed upon roles and responsibilities that we, as partners, will carry out to support student success in school and life.

Student Pledge:

THE STUDENT PLEDGE:

I realize that my education is important. I know I am the one responsible for my own success. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will return completed homework on time.
- _____ I will return corrected work to my parent(s).
- _____ I will arrive at school on time every day unless I am ill.
- _____ I will be responsible for my own behavior.
- _____ I will be a cooperative learner.

Student's Signature _____ Date _____

Parents Pledge:

THE PARENT PLEDGE:

I understand that my participation in my child's education will help his/her achievement and attitude. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will provide a quiet place for my child to study.
- _____ I will encourage my child to complete his/her homework.
- _____ I will make sure my child gets an adequate night's sleep.
- _____ I will see to it that my child arrives at school on time every day.
- _____ I will spend at least 15 minutes per day reading with my child.
- _____ I will attend Back to School Night, Parent Conferences, and Open House
- _____ I will support the school/district policies on homework, discipline and attendance.

Parent's Signature _____ Date _____

Staff Pledge:

THE TEACHER PLEDGE:

I understand the importance of the school experience to every child and my role as a teacher and model. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will teach all the necessary concepts to your child before regular homework is assigned.
- _____ I will strive to be aware of the individual needs of your child.
- _____ I will regularly communicate with you regarding your child's progress.
- _____ I will provide a safe and positive learning environment for your child.

Teacher's Signature _____ Date _____

Everyone Will...

- Be equal partners to achieve successful learning.
- Communicate clearly, regularly and respectfully regarding roles and responsibilities.

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). 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 pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Chris Mullin	X				
Natalie LaRoche		X			
Meggan Crowe		X			
Kelly Wright				X	
Renee Cassell				X	
Nicole Privet				X	
Numbers of members of each category:	1	2		3	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (**Check those that apply**):

State Compensatory Education Advisory Committee

Signature

English Learner Advisory Committee

Signature

Special Education Advisory Committee

Signature

Gifted and Talented Education Program Advisory Committee

Signature

District/School Liaison Team for schools in Program Improvement

Signature

Compensatory Education Advisory Committee

Signature

Departmental Advisory Committee (secondary)

Signature

Other committees established by the school or district (list):

Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on Jan 31, 2017.

Attested:

Chris Mullin

Typed Name of School Principal

Signature of School Principal

Date

Natalie LaRoche

Typed Name of SSC Chairperson

Signature of SSC Chairperson

Date

The Single Plan for Student Achievement

School: Isojiro Oka Elementary School
CDS Code: 30-66498-6068605
District: Fountain Valley School District
Principal: Erik Miller
Revision Date: January 30, 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: Mr. Erik Miller
Position: Principal
Phone Number: (714) 378-4260
Address: 9800 Yorktown Avenue
Huntington Beach, CA 92646
E-mail Address: MillerE@fvsd.us

The District Governing Board approved this revision of the SPSA on March 9, 2017.

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School Vision and Mission

Isojiro Oka Elementary School's Vision and Mission Statements

Mission Statement of Fountain Valley School District:

Our mission is to promote a foundation for academic excellence, mastery of basic skills, responsible citizenship, and a desire by students to achieve their highest potential through a strong partnership between school, home and within our community as students move forward in the 21st Century.

Mission Statement of Isojiro Oka Elementary School:

Oka School is committed to providing an educational foundation and environment which fosters positive self-esteem and supports mastery of essential skills so students become productive, responsible, caring member of society. Teachers, administrators, support staff, and parents are dedicated to assisting students in achieving this mission. Oka Elementary School provides a family-oriented, nurturing and safe place for students to learn, grow, and develop intellectually. Teachers, staff, and administrators continue to act on the principle that students come first. The educational programs at the school are tailored to meet the needs of the school population, so that academic growth, positive behaviors, and overall student success are brought together to set a strong foundation for each individual student's future.

School Profile

Isojiro Oka Elementary School is a 2016 California Gold Ribbon School, recognized by our state, for excellence in providing the highest quality education to our students. We are a huge source of pride within our community! Oka is part of the illustrious Fountain Valley School District, which is comprised of seven elementary schools and three middle schools. Oka is located just south of Fountain Valley in the city limits of Huntington Beach. Oka serves students in grades kindergarten through five on a traditional calendar schedule. In addition, we have four pre-school classes, and an Early Entry Kindergarten class on our campus, as well as an Extended School Program, in order to provide before and after school child care. Oka is all about offering a family-oriented, nurturing and safe place for students to learn, grow, and develop intellectually. Teachers, staff, and administrators continue to act on the principle that students come first. Our educational programs are tailored to meet the needs of our specific students, however, all students are given access to appropriate curriculum, in order to best achieve success in mastering the California State Standards.

Oka Elementary School was originally constructed in 1970 and has been modernized over the last several years. The campus is currently comprised of 24 permanent classrooms, a computer lab, a library, and a spacious playground. Recent upgrades to the school include installation of solar panels for more efficient electrical use, as well as increased WiFi internet capability to support over 215 mobile devices. The facility strongly supports teaching and learning through ample classroom and recreational space.

Students are guided by specific rules and classroom expectations that promote respect, cooperation, courtesy and acceptance of others. One essential goal is to provide students with opportunities to learn self-discipline through a system of rewards and consequences for their behavior. Trimester awards are bestowed to students who exhibit exemplary and scholarly behaviors. We also have a variety of other student recognition programs, many of which are based on the "Values in Action" program, designed and created by National Educator of the Year, Mr. Gene Bedley. This program introduces students to a variety of character traits which help them to become well-rounded citizens. Each year a new theme is introduced so that by the time a student has completed elementary school, they will have been taught all of the identified traits. The theme for the 2016-2017 school year is Positive Mental Attitude, whereby students are encouraged to demonstrate behavior that represents positive characteristics and qualities on the Oka "I Can Do it Train," which formally recognizes students in the front office.

Oka personnel consist of classroom and special education teachers, a part-time psychologist, as well as full and part-time classified staff members. Special programs include GATE (Gifted and Talented), Speech & Language (S/L), Resource Specialist Program (RSP), and two Special Day Classes (SDC). Oka is also identified as a Title I school and receives funding to support students with additional needs. We have a dedicated computer lab that can accommodate 33 students simultaneously. In addition, Oka has over 215 Chromebooks and iPads throughout our campus for student usage, and we are currently at a 2:1 student: device ratio. Each student has a daily opportunity to have a device in his/her hands, in order to support and facilitate learning. Students in grades three through five also have the opportunity to participate in a fee-based instrumental music program in either band or orchestra, while all students receive weekly vocal music instruction.

Parents and the community are very supportive of the educational program at Oka Elementary School. Parents are encouraged to

become involved in their child's education by volunteering at Oka, participating in school activities, and joining school committees and councils. In addition to community and business partnerships, Oka benefits from an extremely active Parent-Teacher Organization (PTO). The PTO sponsors numerous fundraisers, awards programs, activities, and field trips throughout the school year. This past year, the Oka PTO has been instrumental in helping provide and fund additional technology for student usage. Additional opportunities for parental and/or community involvement include, but are not limited to, the following:

ST Math
Art Masters
Best Foot Forward: Grades 1-2
Accelerated Reader: Grades 3-5
Fountain Valley Schools Foundation
Legislative Action Committee
School Site Council

We encourage open lines of communication by having a comprehensive website: oka.fvgsd.us and our PTO sends out emails to parents numerous times each month to convey information and solicit feedback. In addition, we have a monthly newsletter which highlights various features of Oka and recognizes our Students of the Month. As mentioned above, students are also recognized weekly and each trimester for their academic successes and positive behavior. Oka is a diverse campus with 455 students. The following enrollment breakdowns and demographic information are specific for the 2016-17 school year:

Kindergarten: 87
Grade 1: 62
Grade 2: 69
Grade 3: 70
Grade 4: 78
Grade 5: 59
SDC: 30

White 54%
Hispanic / Latino 22%
Vietnamese 10%
English Learners 9%
Socioeconomically Disadvantaged 21%
Students with Disabilities 13%
Gifted & Talented 3%

Oka continues to be recognized for its efforts to promote student learning and development. Teachers, staff, and administration work from the principle that students come first. The educational programs at Oka are tailored to meet the needs of our changing student population. Oka is dedicated to ensuring the academic success of every student by providing them with a comprehensive education experience that becomes an integral part of their life. All students receive instruction using core curriculum that has been adopted by the California State Board of Education and approved by the Fountain Valley School District Board of Education. Instruction is enriched through a variety of special programs and instructional strategies that work toward supporting the needs of students with diverse needs.

Comprehensive Needs Assessment Components

Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

EL and Title I surveys are administered annually by the Fountain Valley School District. In addition, students in Grades 3-6 participated in a school climate survey. Students in Grade 5 also have the opportunity to participate in the California Healthy Kids Survey. There are also various school specific surveys for students, staff, and parents that will be administered in 2016-2017.

Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The Board of Trustees and District administrators value learning and teaching. Throughout the year, District leaders make it a priority to visit every school multiple times. Each classroom is visited by the principal multiple times per week on an informal basis, as well as various teachers having formal observations during the year. Fountain Valley School District instructional visits occur from our Superintendent, three Assistant Superintendents, and Board of Trustee members throughout the year, in addition to other district leaders and directors.

Analysis of Current Instructional Program

The eight State priority areas listed below are outlined in the Local Control Accountability Plan regulations. These focus areas are used to analyze the current instructional practices for all students including English learners, socio-economically disadvantaged students, students with disabilities, and foster youth.

Basic Services

Teachers

Strengths	Needs
All teachers are highly qualified and credentialed.	Due to enrollment, Oka has had multiple combination classrooms across various grade levels each of the past six years.

Textbooks

Strengths	Needs
California State Standards aligned math materials were adopted in 2014-2015.	Not all textbooks and materials are in alignment with the California State Standards.

Facilities

Strengths	Needs
Solar panels installed and operating since early 2014. Exterior and interior lighting have been replaced with energy efficient tubes and bulbs. Sufficient play areas for students on blacktop and grass. Grounds crew and operation staff work hard to maintain campus beautification with vegetation around campus. Measure O was passed by voters in November 2016 and will provide upgrades in infrastructure. Included in this will be air circulation/cooling enhancements, new windows, and roofs, on and within school buildings.	The current lack of air circulation and room temperature is poor, especially on days when the outside temperature is hot. An insufficient number of parking spaces for the number of staff employed at the school site. Numerous sidewalks and pavement areas with significant cracks and safety hazards. Grass fields are overused (includes use by outside agencies) and are filled/patched in many areas with packed dirt, rather than actual grass.

California State Standards Implementation (all content areas)

Strengths	Needs
<p>Staff development provided in both Math and Reading, with teachers receiving multiple days of varied training, and also working with District provided TOSA.</p> <p>Site focus on growing knowledge and understanding of California State Standards in Reading.</p> <p>Administrative Training Program.</p> <p>Principal Meetings with District Leadership, Management, and Elementary Teams, each occur monthly.</p>	<p>Necessary California State Standards aligned instructional materials are not currently available in all content areas.</p> <p>Better alignment of FVSD Common Assessments (Benchmarks) with Smarter Balanced assessments.</p> <p>Further staff development opportunities.</p>

Course Access

Strengths	Needs
<p>Differentiated Instruction - Smaller group instruction for students provides a greater teacher-student connection to learning.</p> <p>Instructional consistency within each grade level.</p> <p>Protected morning time block for ELA instruction in Grades K-2, and often in Grades 3-5.</p>	<p>Instructional consistency across grade levels varies depending on the specific grade level.</p> <p>Various schedule conflicts impact dedicated ELA morning block time for many classes at some point during the instructional week.</p> <p>Lack of support staff to best provide assistance for students of special populations exists when attempting to successfully meet all of their identified needs.</p>

Pupil Outcomes

(Refer to the School and Student Performance Data section for multi-year scores.)

California Assessment of Student Performance and Progress (CAASPP)

Smarter Balanced Assessments

Strengths	Needs
<p>Overall, 67% of students met or exceeded standards in math, an increase of 9% from last year.</p> <p>Overall, 64% of students met or exceeded standards in English / Language Arts, an increase of 2% from last year.</p>	<p>Gaps still exist between all students and subgroups in ELA and Math, as 33-36% of students did not meet standards.</p>

California English Language Development Test (CELDT)

Strengths	Needs
<p>Most ELs scored at the highest levels, Early Advanced and Advanced.</p>	<p>Very few students, except at kindergarten, are at the lowest two levels, which can make it more difficult to meet their needs.</p>

California English Language Development Test

AMAO 1

Strengths	Needs
The percent of students expected to meet an incremental annual growth target increases each year. For the 2014-2015 school year, the AMAO 1 target was 60.5%. Oka EL students exceeded the target, reaching 76.9%.	A little less than one-quarter of identified students did not meet incremental annual growth targets.

AMAO 2

Strengths	Needs
The percent of students expected to meet an incremental annual growth target increases each year. For the 2014-2015 school year, the AMAO 2 - Less than 5 year target was 24.2%. Oka ELs exceeded the target at 55.8%. The AMAO 2 - More than 5 year target was 50.9%. Oka did not have enough ELs to report progress	A few students remain with more than 5 years of instruction, who have not reclassified.

Reclassification Rates

Strengths	Needs
For the 2015-16 school year, the reclassification rate was 7%. This rate has consistently varied significantly on a year-year basis. Oka is on target to have a significant increase for next school year.	There are still a significant number of students who have not yet met the criteria for reclassification.

California Physical Fitness Test

Strengths	Needs
<p>Wellness Wednesdays and promoting a variety of activities for students in our PE program.</p> <p>Teachers adhering to the number of required minutes for PE during the week.</p> <p>98% of students met at least 2 or more of the 6 standards assessed. 42.5% of students met all 6 standards.</p> <p>Abdominal Strength and Trunk Extension were the highest areas where Oka students met standards.</p>	<p>37% of students did not achieve 5 or all 6 of the standards, slightly above the comparable average of other schools in our District.</p> <p>Flexibility (59%) was the standard with the lowest student proficiency, while Body Composition (67%) was the second lowest rate.</p> <p>Oka was slightly below the District average of standard achievement but within 1-2% of the 5th-grade average.</p>

Other Student Outcomes

Universal Literacy Screeners

Strengths	Needs
Data is used throughout all grade levels. Data is used to help students in small group placement for instruction. SRI has been implemented for teacher usage in grades 4th through 5th. Early results have provided relevant and meaningful data.	At times, results can overestimate the strength of students. Comprehension assessment of students' reading can be vague.

Engagement

Parent Involvement

Strengths	Needs
Strong and committed parent group, some who volunteer multiple hours per day, and multiple times per week.	Increase the overall number of active participants in the Oka PTO.

Student Engagement

Attendance

Strengths	Needs
Oka has exceeded a student attendance rate of 96% in each of the past four years and is on pace to maintain that for the 2016-2017 school year.	Oka has the lowest attendance rate of all schools within our district, despite it being over 96%.

Chronic Absenteeism

Strengths	Needs
Oka has initiated and placed over 40 students on Attendance Contracts during the past two years. This has resulted in a 70% success rate in reducing the number of absences and tardies for those identified students. SARB continues to be used for those students who struggle to get to school regularly and on-time. Continue with Oka's "On-Time Attendance" Incentive program, whereby students can earn extra recess time for not being late to school.	Continue to reduce the number of student absences and tardies, especially those who are chronic. Oka has over 5% of students who are deemed chronically absent.

School Climate

Suspensions

Strengths	Needs
<p>Continue to have a low overall rate of student suspensions at Oka. This current school year has resulted in 1 in-house suspension.</p> <p>Greater utilization of in-school suspension instead of an out-of-school suspension for identified students.</p> <p>Values in Action Character Education Program is a vital component of the Oka culture.</p> <p>Provide multiple assemblies/presentations to promote positive student behavior.</p>	<p>Suspension continues to be used when deemed appropriate for identified students. There has only been one student suspended during this school year.</p>

Expulsions

Strengths	Needs
No expulsions at Oka in the past five years.	None

Survey (California Healthy Kids Survey Results and school surveys)

Strengths	Needs
<p>Based on FVSD Data:</p> <p>86% of students report feeling safe at school, an increase of 33% from two years ago.</p> <p>71% of students report having a high level of school connectedness, an increase of 5% from two years ago.</p>	<p>Based on FVSD Data:</p> <p>Alcohol use was reported by 15% of students, significantly higher than any other category. while E-Cigarette use was at 2%.</p> <p>Only 17% of students reported High Levels of Meaningful Participation in school.</p>

Description of Barriers and Related School Goals

BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #1: Student Achievement

- More consistency in teacher collaboration is needed for greater effectiveness, in the area of Language Arts.
- Lack of specific data analysis. Further knowledge and training is needed to help staff make more effective use of data.
- More alignment is needed between grade levels to attain greater levels of professional development and growth in reading and writing.
- Lack of current instructional materials and training in Language Arts, especially reading, impacts teachers, especially for those new to the classroom or their grade level.
- Lack of consistency for a District identified writing program.

BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #2: Special Populations

- Lack of meaningful and ongoing professional development opportunities in Language Arts that provide adequate sustainability over time, especially those which focus on identified special student populations.
- Teachers are currently implementing Cognitively Guided Instruction in the area of math, however, it is inconsistent within and across grade levels, especially for identified students receiving special education services.
- Lack of appropriately aligned materials to California State Standards.
- Additional time and teacher availability for interventions are needed to support students with before or after school remediation class opportunities.
- Lack of consistent writing program across Fountain Valley School District.

BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #3: Parent Involvement

- Parent resistance to get more involved with PTO or volunteering on campus in different areas.
- Parent involvement lessens as students move into upper grades.
- Language barriers for some parents to get more involved.

BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #4 Student Engagement and School Climate

- Inconsistent staff participation in Oka's Value in Action program. All participate, however, a small number participate only minimally.
- Continue to provide new and additional after school programs and lunchtime activities, to allow for greater connectivity to school.

School and Student Performance Data

CAASPP Results (All Students)

English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	55	70	55	69	55	69	100.0	98.6
Grade 4	78	59	78	58	78	58	100.0	98.3
Grade 5	85	73	80	68	80	68	94.1	93.2
All Grades	218	202	213	195	213	195	97.7	96.5

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2455.7	2457.6	35	30	25	39	29	19	11	12
Grade 4	2491.0	2498.5	32	40	31	22	21	21	17	17
Grade 5	2520.5	2536.9	29	37	34	25	21	24	16	15
All Grades	N/A	N/A	31	35	31	29	23	21	15	14

Reading Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	31	30	51	55	18	14
Grade 4	37	29	46	48	17	22
Grade 5	26	37	53	43	21	21
All Grades	31	32	50	49	19	19

Writing Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	29	35	62	55	9	10
Grade 4	29	34	55	52	15	14
Grade 5	36	44	39	35	25	21
All Grades	32	38	51	47	17	15

Listening Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	36	17	55	71	9	12
Grade 4	28	22	56	67	15	10
Grade 5	19	26	69	63	13	10
All Grades	27	22	61	67	13	11

Research/Inquiry Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	27	25	55	67	18	9
Grade 4	21	28	68	62	12	10
Grade 5	39	38	50	54	11	7
All Grades	29	30	58	61	13	9

Conclusions based on this data:

1. Students performed with greater success in writing than anticipated, due to the lack of a consistent writing program both at Oka and within FVSD.
2. Reading is the area with the most opportunity for growth, regarding students meeting or exceeding standards.
3. Our socio-economically disadvantaged students still have a significant gap in achievement between their peers who are not in the same subgroup category.

School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	55	70	55	69	55	69	100.0	98.6
Grade 4	78	59	78	58	78	58	100.0	98.3
Grade 5	85	73	80	68	80	68	94.1	93.2
All Grades	218	202	213	195	213	195	97.7	96.5

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2463.0	2475.9	24	36	38	39	27	20	11	4
Grade 4	2501.2	2496.1	28	22	33	36	27	33	12	9
Grade 5	2524.2	2552.6	24	38	29	28	29	25	19	9
All Grades	N/A	N/A	25	33	33	34	28	26	14	7

Concepts & Procedures Applying mathematical concepts and procedures							
Grade Level	% Above Standard		% At or Near Standard		% Below Standard		
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 3	40	46	44	41	16	13	
Grade 4	45	40	36	41	19	19	
Grade 5	41	47	36	32	23	21	
All Grades	42	45	38	38	20	17	

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	36	38	47	55	16	7
Grade 4	33	28	47	45	19	28
Grade 5	23	28	44	53	34	19
All Grades	30	31	46	51	24	17

Communicating Reasoning Demonstrating ability to support mathematical conclusions						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	35	52	56	43	9	4
Grade 4	37	28	38	52	24	21
Grade 5	25	31	48	59	28	10
All Grades	32	37	46	51	22	11

Conclusions based on this data:

1. Problem Solving and Modeling Data Analysis is the area of greatest concern for students as they look to achieve success in math.
2. Students continue to need a significant number of increased opportunities for exposure and instruction that requires the use of language and reasoning embedded from questions into their answer responses.
3. Our socio-economically disadvantaged students still have a significant gap in achievement between their peers who are not in the same subgroup category.

School and Student Performance Data

CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K					***	***									
1	14	25	***	71	25	***	14	50							
2		17	***	33	33	***	50	33	***	17	17				
3	50		25	33	33	38	17	50	13			13		17	13
4	31	56	40	31	33	40	31	11	20				8		
5	50	54	71	25	38	29	25							8	
Total	31	36	42	38	36	38	26	21	12	2	3	4	2	5	4

Conclusions based on this data:

1. In general, students score at the Intermediate level or higher, within two years of receiving instruction within our school.
2. Students have more difficulty moving from Early Advanced to Advanced, and eventual reclassification than moving from any other level.

School and Student Performance Data

CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K	13	8		27	33	63	33	8		13	25	25	13	25	13
1	14	20	***	71	40	***	14	40							
2		14	25	33	43	25	50	29	25	17	14				25
3	50		25	33	33	38	17	50	13			13		17	13
4	31	56	40	31	33	40	31	11	20				8		
5	40	54	71	20	38	29	20						20	8	
Total	26	29	32	34	37	41	28	17	9	5	8	9	7	10	9

Conclusions based on this data:

1. Students who are Intermediate or lower need more support, especially for those students in grades 3 and above.
2. More students are reaching the Advanced / Early Advanced level sooner and fewer students are in the lower levels of Intermediate or below.

School and Student Performance Data

Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	42	39	26
Percent with Prior Year Data	100.0%	100%	100.0%
Number in Cohort	42	39	26
Number Met	33	30	21
Percent Met	78.6%	76.9%	80.8%
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	Yes

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	43	5	31	12	23	7
Number Met	24	--	17	11	13	--
Percent Met	55.8%	--	54.8%	91.7%	56.5%	--
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	--	Yes	Yes	Yes	--

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		--	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		--	
Met Percent Proficient or Above		--	

Conclusions based on this data:

1. We continue to achieve above federal targets, however student annual achievement levels can still improve.
2. Although the number of students in our identified cohort has reduced, we still have a significant subgroup of students who require additional focus.

School and Student Performance Data

Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	666	698	769
Percent with Prior Year Data	100.0		100
Number in Cohort	666	698	769
Number Met	550	585	599
Percent Met	82.6	83.8	77.9
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	N/A

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	643	149	653	174	687	219
Number Met	359	119	377	144	357	178
Percent Met	55.8	79.9	57.7	82.8	52	81.3
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	Yes	Yes	Yes	N/A	N/A

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate	Yes	100	
Met Percent Proficient or Above	No	N/A	
Mathematics			
Met Participation Rate	Yes	98	
Met Percent Proficient or Above	No	N/A	
Met Target for AMAO 3	No		N/A

Conclusions based on this data:

1. ELs in Fountain Valley School District continue to demonstrate achievement in AMAO 1 and AMAO 2.

Planned Improvements in Student Performance

School Goal #1

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Achievement
LEA Local Control and Accountability (LCAP) Goal:
Goal 1: To support academic success, students will participate in a rigorous academic program and demonstrate continued growth in all content areas, with an emphasis on collaboration, communication, critical thinking, and problem solving.
SCHOOL GOAL #1:
To support student achievement, Oka Elementary School will participate in school and district signature practices that incorporate professional development, technology integration, and when available new California State Standards aligned instructional materials.
Data Used to Form this Goal:
Student Achievement: Smarter Balanced assessments (SBAC) English Language Arts (ELA) and Math, Scholastic Reading Inventory (SRI) DIBELS Next Professional Development Schedule and Calendar District Writing Benchmarks CELDT Results AMAO 1 AMAO 2 Technology Usage through Formal/Informal Classroom Observation, Technology Surveys Equitable and Flexible Technology Schedule that allows for all students to have access to wired and wireless devices on a weekly basis. Instructional Materials aligned with California State Standards
Findings from the Analysis of this Data:
BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #1: Student Achievement <ul style="list-style-type: none">• More consistency in teacher collaboration is needed for greater effectiveness, in the area of Language Arts.• Lack of specific data analysis. Further knowledge and training is needed to help staff make more effective use of data.• More alignment is needed between grade levels to attain greater levels of professional development and growth in reading and writing.• Lack of current instructional materials and training in Language Arts, especially reading, impacts teachers, especially for those new to the classroom or their grade level.• Lack of consistency for a District identified writing program.

How the School will Evaluate the Progress of this Goal:

SBAC ELA - Increase by 2%, the number of students scoring Standard Exceeded and Standard Met in all grades assessed.
 SBAC Math - Increase by 3%, the number of students scoring Standard Exceeded and Standard Met in all grades assessed.
 Professional Development Attendance.
 Technology: technology survey, device student ratio, Chromebook cart schedules.
 Diverse committee membership of teachers to support school and district vision of district priorities.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Teacher collaboration is provided in conjunction with professional development.	09/2015 - 06/2018	Teachers Site & District Administrators	Expense embedded in other actions			
Cognitively Guided Instruction (CGI) training and professional development.	09/2015 - 06/2018	Teachers Site & District Administrators	Substitues Stipends Instructional Materials Trainer Fees	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	6,426
Active participation on FVSD Reading Committee by teachers to align practices with district signature initiatives.	04/2016-06/2017	Teachers, Administrators	Substitutes	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	1,512
Continued SMARTBoard implementation and professional development.	09/2016-06/2017	Teachers, Administrators	Substitues Stipends Instructional Materials Trainer Fees	1000-1999: Certificated Personnel Salaries	Title I	2,892
Implement California State Standards math materials through Math Expressions and participate in professional development.	09/2015 - 06/2017	Teachers, Administrators	No additional expense associated with this action			
Train teachers to better utilize data in preparing instruction to best guide practices and student achievement.	09/2016-06/2017	Teachers, Administrators	No additional expense associated with this action			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide students weekly music instruction with a credentialed music instructor, in order to support teachers administering, scoring, and analyzing district identified common assessments.	09/2016-06/2017	Teachers, Administrators	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	32,814
Participate in classroom and/or site visits of District signature practices that support California State Standards	09/2016-06/2017	Teachers Administrators	No additional expense, embedded in professional development			
Improve infrastructure and expand wireless access to support student devices on all areas of school campus.	09/2016-06/2017	District Staff, Administrators	Hardware Installation	5000-5999: Services And Other Operating Expenditures	Other	13,838
					LCFF - Base	10,378
					LCFF - Supplemental	3,450
Increase student technology usage through enhanced access and additional devices, as well as weekly on-site technology support staff.	09/2016-06/2017	Administrator, Teachers, District Staff	Devices	5000-5999: Services And Other Operating Expenditures	Title I	12,500
Obtain additional resources for teachers in the area of Language Arts, with a specific focus on Junior Great Books. In addition, provide training for teachers in best practices and implementation.	04/2016-06/2017	Teachers, Administrator	Materials, Substitutes	4000-4999: Books And Supplies	Title I	13,000

Planned Improvements in Student Performance

School Goal #2

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Special Populations
LEA Local Control and Accountability (LCAP) Goal:
Goal 2: To support academic success in the core program, English learners, foster youth, low income, and special education students will be provided with additional supports to ensure equal access, engagement, and high levels of achievement.
SCHOOL GOAL #2:
All students, including significant subgroups, will demonstrate achievement equal to or greater than the State average in English language arts and math thereby addressing the achievement gap.
Data Used to Form this Goal:
CAASPP/SBAC Assessment Results DIBELS Next SRI Scholastic Reading Inventory District Writing Benchmarks CELDT Results
Findings from the Analysis of this Data:
BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #2: Special Populations <ul style="list-style-type: none">• Lack of meaningful and ongoing professional development opportunities in Language Arts that provide adequate sustainability over time, especially those which focus on identified special student populations.• Teachers are currently implementing CGI Cognitively Guided Instruction in the area of math, however, it is inconsistent within and across grade levels, especially for identified students receiving special education services.• Lack of appropriately aligned materials to California State Standards.• Additional time and teacher availability for interventions are needed to support students with before or after school remediation class opportunities.• Lack of consistent writing program across Fountain Valley School District.
How the School will Evaluate the Progress of this Goal:
Continue to administer District identified assessments that include: Scholastic Reading Inventory (SRI), DIBELS Next, FVSD Writing Benchmarks, CELDT, and CAASPP/SBAC subgroup scores from 2015 and 2016 (2014-2015 established the baseline scores) which will provide data to analyze students within special populations.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Support English / Language Arts with additional Volumes of Junior Great Books	09/2016 - 06/2017	Administrator	Books and Materials	4000-4999: Books And Supplies	Title I	5,700
Support implementation of Cognitively Guided Instruction (CGI) in math.	09/2015 - 06/2017	Teachers, Staff, Administrators	Expense captured in Goal 1			
Provide multiple software programs to teachers and students supporting curriculum, remediation, and instruction with a particular focus on Language Arts and Math.	09/2016 - 06/2017	Teachers, Administrators	Web based subscriptions for programs to facilitate greater visual supports in math, and comprehension development in Language Arts.	5000-5999: Services And Other Operating Expenditures	Title I	7,893
Participate in classroom and/or site visits of District signature practices that support California State Standards	09/2016 - 06/2017	Teachers, Administrators	Expenses outlined in Goal 1			
Participate in District provided California State Standards Professional Development	09/2016 - 06/2017	Teachers, Administrators	Expenses outlined in Goal 1			
Analyze and disaggregate student achievement data in English language development, English/language arts, and mathematics in order to provide timely intervention and close the achievement gap	09/2013 - 06/2017	Teachers, Administrators	Renewal Fees	5000-5999: Services And Other Operating Expenditures	LCFF - Base LCFF - Supplemental	2,590 1,636
Purchase supplemental instructional materials to support California State Standards.	09/2013-06/2017	Teachers, Administrators	Informational text	4000-4999: Books And Supplies	LCFF - Supplemental	3,555
Participate in school library program	09/2013-06/2017	Library Media Technician	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Base LCFF - Supplemental	13,800 6,230

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize ST Math to support English learners, low income youth, and other high needs student populations	09/2013-06/2017	Teachers	Renewal Fees	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental Title I	2,000 2,500
Utilize Modified Schedule on Thursday afternoons for 75 minutes of teacher planning and articulation. In addition, use "Friday Collaboration" for 55 minutes of dedicated time to promote teacher interaction and dialogue. Each occur approximately two times per month.	09/2013-06/2017	Teachers, Staff, Administrator	No additional expense associated with this action.			
EL After School Writing Program. Provide identified students 12 hours of additional support in an after school writing class that will be taught by an Oka teacher. There are a total of three 12 hour sessions, each spread over a six week time frame.	11/2016-05/2017	Teachers, Administrators	Teacher Stipends	1000-1999: Certificated Personnel Salaries	Title III	1,450
Provide additional technology hardware and resources to facilitate a greater level of student learning.	09/2016-11/2016	Teachers, Administrators	Expense captured in Goal 1			
Bilingual tutor support for Beginning and Early Intermediate EL students to facilitate content mastery.	09/2014-06/2017		Personnel	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	100
Continue to administer District identified assessments and literacy screeners (DIBELS Next, CORE Phonics, FVSD Writing Benchmarks, and SRI).	09/2014-06/2017	Teachers, Administrators	Duplication Cost, Online subscriptions	5000-5999: Services And Other Operating Expenditures	LCFF - Base	3,500
Utilize all three District TOSA leaders for Language Arts and Math to increase support for students of special populations and those needing intervention.	09/2016 - 06/2017	Teachers, Staff, Administrators, TOSA	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	22,000

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Analyze data from multiple measures including CELDT, CAASPP/SBAC, and District assessments to better guide instructional planning and assess student achievement and growth.	09/2016 - 06/2017	Administrators, Teachers	No additional expense associated with this action			
Increase technology resources for student achievement with on-line programs and materials including: Accelerated Reader / Renaissance Learning; Brain-Pop; SMART Software.	09/2016 - 06/2017	Administrators, Teachers	Software License	4000-4999: Books And Supplies	Title I	7,993

Planned Improvements in Student Performance

School Goal #3

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Parent Involvement
LEA Local Control and Accountability (LCAP) Goal:
Goal 3: To support academic success, all parents will be engaged and play an active role in the school community.
SCHOOL GOAL #3:
Increase involvement of parents from traditionally underrepresented subgroups with regard to school activities and home school communication.
Data Used to Form this Goal:
Meeting Sign-In Sheets for School Site Council Meeting Sign-In Sheets for PTO Volunteer Log/Sign-In Sheet for Volunteers Parent-Teacher Conference Attendance
Findings from the Analysis of this Data:
BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #3: Parent Involvement <ul style="list-style-type: none"> • Parent resistance to get more involved with PTO or volunteering on campus in different areas. • Parent involvement lessens as students move into upper grades. • Language barriers for some parents to get more involved.
How the School will Evaluate the Progress of this Goal:
School Site Council documentation; English Learner Advisory documentation; District English Learner Advisory documentation; Number of parent education opportunities; meeting sign-ins, agendas, and resources; expenditures for interpretation, translation, and childcare; responses to parent surveys.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Increase Home / School Communication through multiple measures and modes.	09/2015 - 06/2017	Teachers, Staff, Administrators	No additional expenses associated with this action.			
Continue to provide a bilingual Community Liaison to support parent outreach	09/2015 - 06/2017	District Staff	Personnel	2000-2999: Classified Personnel Salaries	LCFF-EL	6,454

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize technology and social media to communicate with parents, promote involvement, and solicit input	09/2015 - 06/2017	District Staff	Personnel and Annual Service Agreements	2000-2999: Classified Personnel Salaries	LCFF - Base Title I	10,500 500
Provide translation services as needed or required.	09/2015 - 06/2017	District Staff	Expense captured in Action 1			
Host Family Events on and around the Oka campus, to provide events such as Family Science Night, Family Movie Night, Family Learning Night, Dine-Out Programs, BTSN, and Open House.	09/2015 - 06/2017	Administrators	No additional expenses associated with this action.			

Planned Improvements in Student Performance

School Goal #4

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Engagement and School Climate
LEA Local Control and Accountability (LCAP) Goal:
Goal 4: To support academic success, students will have access to a safe, supportive, and nurturing environment that promotes engagement and school connectedness.
SCHOOL GOAL #4:
Create a learning environment and school climate that improves student attendance, a greater connection to school, and provides an overall positive involvement in all aspects of their education.
Data Used to Form this Goal:
<ul style="list-style-type: none">• Establish consistent parent communication that alerts of attendance concerns.• Provide additional administrative support to students at risk of suspension.• Utilize student leadership to further engage student participation in extracurricular activities.• Healthy Kids Survey Participation: 5th Grade• School Climate Survey Participation: 3rd - 5th Grade• Values in Action - Positive Behavior Program• Trimester Awards & Student of the Month - Student Recognition• No Tardy Incentive - Additional Student Recess Reward for On-Time Attendance
Findings from the Analysis of this Data:
BARRIERS to ACHIEVE SUCCESS in OKA'S Goal #4 Student Engagement and School Climate <ul style="list-style-type: none">• Inconsistent staff participation in Oka's Value in Action program. All participate, however a small number participate only minimally.• Continue to provide new and additional after school programs and lunchtime activities, to allow for greater connectivity to school.
How the School will Evaluate the Progress of this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, Healthy Kids, and School Climate survey results.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Weekly Recognition of student successes through Values in Action Program; Student of the Month awards; Trimester Awards for Behavior Recognition and Academic Achievement	09/2016 - On Going	Administrator Staff	No additional expense associated with the action.			
Communicate absent and/or tardy concerns to parents and establish attendance contracts for students who continue to struggle coming to school.	09/2016 - On Going	Staff	No additional expense associated with the action.			
Students with zero tardy days during an attendance reporting period receive a bonus recess one time per month.	09/2016 - On Going	Staff	No additional expense associated with the action.			
Provide health services to support attendance for high needs student populations	09/2013-06/2017	Staff, Administrators, District Staff	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base LCFF - Supplemental	20,400 4,000
Analyze suspension information to identify patterns in misconduct and/or student demographics	09/2013-06/2017	Staff, Administrators, District Staff	No additional expense associated with the action.			
Educate parents regarding the legal ramifications of attendance.	09/2015-06/2017	Staff, Administrators	No additional expense associated with the action.			
Utilize existing stakeholder groups to gather information and provide better direction, including PTO and SSC.	09/2015-06/2017	Staff, Administrator	No additional expense associated with the action.			
Further development and deepen the influence school wide, of the Oka Leadership Team. Team consists of 8 teacher members, taking a total of two full release days, spread across four different dates.	09/2016 - 06/2017	Staff, Administrator	Personnel	1000-1999: Certificated Personnel Salaries	Title I	2,031

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Student Health & Wellness Information - Friday Assemblies.	09/2016 - 06/2017	Administrator, Staff	No additional expense associated with this action			
Student Leadership - Increase and continued utilization of students to promote engagement and connectedness to Oka.	09/2016 - 06/2017	Staff, Administrator	No additional expense associated with this action			

Summary of Expenditures in this Plan

Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
	LCFF - Base	10,378.00
1000-1999: Certificated Personnel Salaries	LCFF - Base	20,400.00
2000-2999: Classified Personnel Salaries	LCFF - Base	24,300.00
5000-5999: Services And Other Operating	LCFF - Base	6,090.00
	LCFF - Supplemental	15,316.00
1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	62,752.00
2000-2999: Classified Personnel Salaries	LCFF - Supplemental	100.00
4000-4999: Books And Supplies	LCFF - Supplemental	3,555.00
5000-5999: Services And Other Operating	LCFF - Supplemental	2,000.00
2000-2999: Classified Personnel Salaries	LCFF-EL	6,454.00
5000-5999: Services And Other Operating	Other	13,838.00
	Title I	3,000.00
1000-1999: Certificated Personnel Salaries	Title I	4,923.00
4000-4999: Books And Supplies	Title I	26,693.00
5000-5999: Services And Other Operating	Title I	20,393.00
	Title III	1,450.00

Summary of Expenditures in this Plan

Total Expenditures by Funding Source

Funding Source	Total Expenditures
LCFF - Base	61,168.00
LCFF - Supplemental	83,723.00
LCFF-EL	6,454.00
Other	13,838.00
Title I	55,009.00
Title III	1,450.00

Summary of Expenditures in this Plan

Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	88,075.00
2000-2999: Classified Personnel Salaries	30,854.00
4000-4999: Books And Supplies	30,248.00
5000-5999: Services And Other Operating Expenditures	42,321.00

Summary of Expenditures in this Plan

Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	96,810.00
Goal 2	80,947.00
Goal 3	17,454.00
Goal 4	26,431.00

Home/School Compact

It is important that families and schools work together to help students achieve high academic standards. Through a process that included teachers, families, and students, the following are agreed upon roles and responsibilities that we, as partners, will carry out to support student success in school and life.

Student Pledge:

THE STUDENT PLEDGE:

I realize that my education is important. I know I am the one responsible for my own success. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will return completed homework on time.
- _____ I will return corrected work to my parent(s).
- _____ I will arrive at school on time every day, unless I am ill.
- _____ I will be responsible for my own behavior and follow school behavior expectations.
- _____ I will be a cooperative learner and strive to put my best effort into everything I do at Oka Elementary.

Student Signature _____ Date _____

Parents Pledge:

I understand that my participation in my child's education will help his/her achievement and attitude. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will provide a quiet place for my child to study at home.
- _____ I will encourage my child to complete his/her homework nightly.
- _____ I will make sure my child gets an adequate night's sleep to be successful for school.
- _____ I will see to it that my child arrives at school on time every day.
- _____ I will spend at least 15 minutes per day reading with my child.
- _____ I will attend Back to School Night, Parent Conferences, and Open House
- _____ I will support the school/district policies on homework, discipline and attendance.

Parent Signature _____ Date _____

Staff Pledge:

THE TEACHER PLEDGE:

I understand the importance of the school experience to every child and my role as a teacher and model. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will teach all the necessary concepts to your child before regular homework is assigned.
- _____ I will strive to be aware of the individual needs of your child.
- _____ I will communicate with you regarding your child's academic progress, approximately every six weeks via Progress Reports or Report Cards.
- _____ I will provide a safe and positive learning environment for your child.

Teacher Signature _____ Date _____

Everyone Will...

- Be equal partners to achieve successful learning.

- Communicate clearly, regularly and respectfully regarding roles and responsibilities.

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). 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 pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Mr. Erik Miller	X				
Ms. Melissa Kimmons			X		
Mrs. Teri Emerson		X			
Ms. Carla Miali		X			
Mr. Shane Holt				X	
Mrs. Alexis DeVries				X	
Mrs. Laura Lamude				X	
Mrs. Melissa Gramata				X	
Numbers of members of each category:	1	2	1	4	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (**Check those that apply**):

State Compensatory Education Advisory Committee

X English Learner Advisory Committee

Special Education Advisory Committee

Gifted and Talented Education Program Advisory Committee

District/School Liaison Team for schools in Program Improvement

Compensatory Education Advisory Committee

Departmental Advisory Committee (secondary)

Other committees established by the school or district (list):

Signature

Signature

Signature

Signature

Signature

Signature

Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on January 30, 2017.

Attested:

Erik Miller

Typed Name of School Principal

Erik Miller

Signature of School Principal

01/30/2017

Date

Melissa Gramata

Typed Name of SSC Chairperson

Melissa Gramata

Signature of SSC Chairperson

1/30/17

Date

The Single Plan for Student Achievement

School: Urbain H. Plavan Elementary School
CDS Code: 30-66498-6085278
District: Fountain Valley School District
Principal: Julie Ballesteros
Revision Date: January 24, 2016

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: Julie Ballesteros
Position: Principal
Phone Number: (714) 378-4230
Address: 9675 Warner Ave.
Fountain Valley, CA 92708
E-mail Address: BallesterosJ@fvsd.us

The District Governing Board approved this revision of the SPSA on March 9, 2017.

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School Vision and Mission

Urbain H. Plavan Elementary School's Vision and Mission Statements

The Plavan community, which consists of students, teachers, support staff, and parents are committed to creating a learning environment that promotes success for everyone.

Academically the Plavan community will:

- Create an environment where all students are given opportunities to be successful to the best of their abilities
- Implement consistent, academic programs that will be cohesive across all grade levels
- Take ownership and responsibility for teaching and learning
- Share in critical thinking, communication, collaboration, and creativity through our school-wide programs and curriculum in preparation for 21st-century learning
- Utilize technology as a learning tool for acquiring, analyzing, and applying information in preparation for college and career readiness

Socially & Emotionally the Plavan community will:

- Take part in a shared responsibility as we support each other as a team
- Follow our school-wide R.O.A.R. standards
- Foster a love of learning that focuses on the whole child
- Build a positive working relationship between all members of our community
- Show mutual respect towards our common goal of student achievement & well being
- Demonstrate cultural sensitivity and respect towards real-world issues and challenges
- Display problem-solving abilities in working with others

School Profile

SCHOOL PROFILE

Urbain H. Plavan School is a TK-5 elementary school located in the city of Fountain Valley in Orange County. Our high-quality instructional program is designed to meet the varied needs of our student population. All students receive core curriculum instruction as identified by the Fountain Valley School District and California State Standards. Instruction is enriched through a variety of special programs and instructional strategies. We offer a cluster program for identified gifted students, transitional mainstream classroom instruction for English Learners (EL), and special services for identified special education students. Our staff is committed to high standards for all students that will prepare them for their future.

Teachers, staff, and administrator act on the principle that students come first. The educational programs at the school are tailored to meet the needs of the changing school population. Plavan School is dedicated to ensuring the academic success of every student, providing them with a comprehensive educational experience that becomes an integral part of their lives.

SCHOOL DEMOGRAPHIC CHARACTERISTICS based on CALPADS 1.1 and Aeries SIS.

Due to the change in definition of Hispanic, the number is an estimate

Plavan Total Enrollment:	513
English Language Learners	25%
Gifted and Talented	2%
Socio-economically Disadvantage	23%
Special Education	6%
R-FEP	13%
Vietnamese	47%

Hispanic/Latino	18%
White, not Hispanic	21.3%

Comprehensive Needs Assessment Components

Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

EL and Title I surveys are administered annually by the District.

Students in 3rd through 5th grades participated in an annual school climate survey.

School specific surveys are administered to students, staff, and parents.

Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The principal conducts informal classroom observations 2-3 times per week in every classroom. The principal uses these visits to guide staff development planning, evaluate effective teaching strategies and log best practices to be shared among peers. Certificated tenured teachers are formally observed every other year. The principal conducts a formal pre-observation meeting, a formal observation and a follow-up meeting with a written summary.

The Board of Trustees and District administrators value learning and teaching. Throughout the year, District leaders make it a priority to visit every school multiple times. The Superintendent, Assistant Superintendents of Business, Educational Services, and Personnel and the Board of the Trustees also visit the school site on a regular basis.

Schools within our district use release time to observe instructional strategies used at our site.

Analysis of Current Instructional Program

The eight State priority areas listed below are outlined in the Local Control Accountability Plan regulations. These focus areas are used to analyze the current instructional practices for all students including English learners, socio-economically disadvantaged students, students with disabilities, and foster youth.

Basic Services

Teachers

Strengths	Needs
<ul style="list-style-type: none"> All teachers are highly qualified/credentialed; none teaching outside the credentialed area. 	<ul style="list-style-type: none"> Time to work with California State Standards.

Textbooks

Strengths	Needs
<ul style="list-style-type: none"> California State math textbook adoption took place in the 2015-2016 school year. Non-fiction magazines supplement the core reading program: Time 4 Kids, Scholastic Weekly Reader, ReadWorks 	<ul style="list-style-type: none"> Current ELA materials are not aligned to the California State Standards More non-fiction informational text needed in library and classrooms.

Facilities

Strengths	Needs
<ul style="list-style-type: none"> Regular garden maintenance by our District grounds workers Overall an excellent campus for our students to play with access to playground equipment and open grass areas Consistent cleaning process maintained. Solar panels Deep cleaning of entire school with additional custodial hours New air conditioning units were installed to conserve energy Solar lighting tubes were installed in media center to enhance lighting and conserve energy 	<ul style="list-style-type: none"> Custodial cleaning and on-going maintenance of cleaning needs improvement; such as deep cleaning of carpet/air vents and dusting more often Blacktop aging with cracks and sink holes Repainting of games on playground Upgraded student furniture to make flexible groupings throughout the day easier Library shelving to accommodate all books the need to break down library throughout the year.

California State Standards Implementation (all content areas)

Strengths	Needs
<ul style="list-style-type: none"> CCSS staff development in Math: Expressions and CGI Cotsen Principal Trainings Site focus on reading instruction, assessments, and CGI 	<ul style="list-style-type: none"> More instructional resources to support California State Standards Adoption of ELA curriculum supporting California State Standards Collaboration time for teachers to deepen their understanding of California State Standards (planning time, visiting other schools/districts)

Course Access

Strengths	Needs
<ul style="list-style-type: none"> ELA/Math/ block consistent across grade levels ST Math key component of math curriculum Greater emphasis nonfiction, informational text Differentiated Instruction, small group, implementation Special Ed schedules developed to maximize student learning 	<ul style="list-style-type: none"> Grade level consistency Cross grade level articulation meetings on a regular basis.

Pupil Outcomes

(Refer to the School and Student Performance Data section for multi-year scores.)

California Assessment of Student Performance and Progress (CAASPP)

Smarter Balanced Assessments

Strengths	Needs
<ul style="list-style-type: none"> Standards Exceeded and Standards Met ELA scores increase of 11% to 70% Standards Exceeded and Standards Met Math scores increase of 4% to 70% 	<ul style="list-style-type: none"> Increase percent of ALL students meeting and or exceeding standards in ELA and Math.

California English Language Development Test (CELDT)

Strengths	Needs
<ul style="list-style-type: none"> 69 % performed overall Early Advanced or Advanced 28% performed overall Early Intermediate or Intermediate 	<ul style="list-style-type: none"> Continue to maintain annual increase in growth

California English Language Development Test AMAO 1

Strengths	Needs
<ul style="list-style-type: none"> 76.2 % met AMAO1 target in 2016 	<ul style="list-style-type: none"> Increase in growth and percent of students meeting AMAO1 target

AMAO 2

Strengths	Needs
<ul style="list-style-type: none"> 52.8% met AMAO2 target in 2016 	<ul style="list-style-type: none"> Continue to maintain annual increase in growth

Reclassification Rates

Strengths	Needs
<ul style="list-style-type: none"> 13.0 % met R-FEP requirements for 2016 	<ul style="list-style-type: none"> Increase percent of student reclassification rates.

California Physical Fitness Test

Strengths	Needs
<ul style="list-style-type: none"> Aerobic Capacity: 84.5% met standard Body Composition: 73.2% met standard Abdominal Strength: 92.8%met standard Trunk Extension: 92.8% met standard Upper Body Strength: 82.5% met standard Flexibility: 79.4% met standard Wellness Wednesdays Focused Physical Education Lessons and Equipment 	<ul style="list-style-type: none"> Parental and community support with educating students on the importance of physical education and increasing physical activity. Utilize PTO funds to purchase additional physical education equipment.

Other Student Outcomes

Universal Literacy Screeners

Strengths	Needs
<ul style="list-style-type: none"> DIBELS Next across all grade levels DIBELS Next used to identify students who may need support/intervention Teachers College Reading Assessment used to identify students who may need support/intervention grades K-5 SRI for 4th and 5th-grade students 	<ul style="list-style-type: none"> Time to assess all students in the beginning and throughout the year. Specific intervention plans to address student needs.

Engagement

Parent Involvement

Strengths	Needs
<ul style="list-style-type: none"> Strong classroom involvement Consistent parent support School Site Council ELAC PTO 	<ul style="list-style-type: none"> Better communication in different languages. Provide a wide variety of volunteer opportunities.

Student Engagement

Attendance

Strengths	Needs
<ul style="list-style-type: none"> Consistent with district average of 96.88% Monthly attendance letter and phone calls Monthly parent education Monthly attendance incentives 	<ul style="list-style-type: none"> Continue parent and student education about attendance to promote increased attendance. Better accountability for parents with absences and tardies.

Chronic Absenteeism

Strengths	Needs
<ul style="list-style-type: none"> Below district average. Monthly attendance letter and phone calls Monthly parent education Monthly attendance incentives SART and SARB meetings 	Continue parent and student education about the impact of extended vacations and extended absences.

School Climate

Suspensions

Strengths	Needs
<ul style="list-style-type: none"> Decrease in student suspensions Progressive Discipline; strong classroom management PBIS Student relationships 	<ul style="list-style-type: none"> Increase of consistent participation in PBIS Develop new incentives for positive behavior

Expulsions

Strengths	Needs
<ul style="list-style-type: none"> No expulsions 	

Strengths	Needs
<ul style="list-style-type: none">The overall district wide data displayed an increased percent of students feeling safe, connected to school and high levels of meaningful participation in school.	<ul style="list-style-type: none">Increase the percent of students that perceive caring relationships with adults in a positive manner.

Description of Barriers and Related School Goals

Description of possible barriers related to goal: Student Achievement

- Lack of time for effective and consistent collaboration within grade levels as well as articulation across grade levels
- Teachers are currently implementing CGI in mathematics. Implementation is inconsistent among grade levels. Lack of professional development on California State Standards-aligned strategies
- Motivation needed for students who struggle and reach plateaus in ST Math
- More knowledge needed to effective data analysis: what to use and how to use it.
- More for professional growth the area of reading and writing to provide consistency of instructional practices
- Lack of time for on-going professional development for California State Standards
- Lack of a consistent writing program (school and District-wide)

Description of possible barriers related to goal: Special Populations

- Inconsistent instructional practices and interventions for English Learners.
- More intervention classes needed for after school support for our EL and Special Education students

Description of possible barriers related to goal: Parent Involvement

- Parents are reluctant to join the PTO or serve in volunteer positions
- Parents of older students tend to join the PTO board in 3rd-5th grades
- Language barrier with our EL parents

Description of possible barriers related to goal: Student Engagement and School Climate

- Staff members need to be more consistent with PBIS rewards and program components
- Additional after school programs needed to allow greater access for students to become more "connected" to school.
- Support needed from parents to not take vacations during the school year and allow students to remain at home only when sick.

School and Student Performance Data

CAASPP Results (All Students)

English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	81	68	78	66	78	66	96.3	97.1
Grade 4	95	75	95	71	95	71	100.0	94.7
Grade 5	94	96	91	93	91	93	96.8	96.9
All Grades	270	239	264	230	264	230	97.8	96.2

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2440.2	2448.5	28	29	28	35	24	18	19	18
Grade 4	2489.4	2514.6	40	45	25	25	15	18	20	11
Grade 5	2519.0	2568.6	25	48	32	26	24	13	19	13
All Grades	N/A	N/A	31	42	28	28	21	16	19	14

Reading Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	33	24	42	53	24	23
Grade 4	32	37	43	51	25	13
Grade 5	27	48	45	34	27	17
All Grades	31	38	44	45	26	17

Writing Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	23	39	59	42	17	18
Grade 4	28	44	55	45	17	11
Grade 5	33	57	47	31	20	12
All Grades	28	48	53	39	18	13

Listening Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	17	23	72	68	12	9
Grade 4	28	38	63	58	8	4
Grade 5	24	34	62	61	14	4
All Grades	23	32	65	62	11	6

Research/Inquiry Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	24	33	59	45	17	21
Grade 4	23	32	45	52	13	15
Grade 5	27	62	63	28	10	10
All Grades	25	45	55	40	13	15

Conclusions based on this data:

1. 70% of Plavan students scored Standard Exceeded or Standard Met.
2. 83% of Plavan students scored Above Standard or At Near Standard in Reading.
3. 87% of Plavan students scored Above Standard or At Near Standard in Writing.

School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	81	68	78	66	78	66	96.3	97.1
Grade 4	95	75	95	71	95	71	100.0	94.7
Grade 5	94	96	91	95	91	95	96.8	99
All Grades	270	239	264	232	264	232	97.8	97.1

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2462.6	2464.9	29	29	40	44	15	14	15	14
Grade 4	2501.3	2525.6	21	37	43	39	26	20	9	4
Grade 5	2543.1	2541.1	38	37	24	27	22	18	15	18
All Grades	N/A	N/A	30	34	36	36	22	17	13	13

Concepts & Procedures Applying mathematical concepts and procedures							
Grade Level	% Above Standard		% At or Near Standard		% Below Standard		
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 3	55	48	26	39	19	12	
Grade 4	39	56	40	31	21	13	
Grade 5	49	44	25	31	25	25	
All Grades	47	49	31	33	22	18	

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	44	45	41	36	15	18
Grade 4	32	39	49	52	19	8
Grade 5	31	31	49	45	20	24
All Grades	35	38	47	45	18	18

Communicating Reasoning Demonstrating ability to support mathematical conclusions						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	45	35	42	53	13	12
Grade 4	36	42	54	49	11	8
Grade 5	31	35	51	55	19	11
All Grades	37	37	49	53	14	10

Conclusions based on this data:

1. 70% of Plavan students scored Standard Exceeded of Standard Met in math.
2. Communicating Reasoning is an area of strength for all grades.
3. Concepts and Procedures/Problem Solving & Modeling are the primary areas of focus for 5th grade.

School and Student Performance Data

CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K		***	11	***	***	33	***	***	22			22			11
1	4	45	17	43	30	50	39	20	28	9	5	6	4		
2	19	28	25	50	36	38	23	24	33	4	12	4	4		
3	18	23	33	38	58	21	38	13	21	6	3	25		3	
4	27	48	36	55	32	52	18	19	8						4
5	30	38	45	60	63	41			14	10					
Total	18	36	30	47	43	39	29	17	20	5	4	8	2	1	2

Conclusions based on this data:

1. The number of Advanced students decreased in first, second, and fourth grade, while the number of Early Advanced in these grade levels increased.
2. 89% of students scored Intermediate or higher

School and Student Performance Data

CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K	4	10	3	20	33	25	44	37	39	12	13	14	20	7	19
1	8	43	17	44	30	52	36	22	26	8	4	4	4		
2	18	29	25	50	36	32	21	21	29	4	11	7	7	4	7
3	18	25	35	38	56	23	38	13	19	6	3	23		3	
4	26	48	35	52	33	54	22	18	8						4
5	42	33	42	50	56	42		6	13	8				6	4
Total	17	31	25	41	40	37	30	20	23	6	5	9	5	3	7

Conclusions based on this data:

1. Percentages increased between 2014-15 and 2015-16 in Advanced, Early Intermediate and Beginning
2. Percentages decreased between 2014-15 and 2015-16 in Early Advanced and Intermediate.
3. Of the 34 students who scored at the Beginning level, only 8 were in third grade or above.

School and Student Performance Data

Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	118	126	122
Percent with Prior Year Data	100.0%	100%	100.0%
Number in Cohort	118	126	122
Number Met	89	109	93
Percent Met	75.4%	86.5%	76.2%
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	Yes

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	129	8	127	19	122	22
Number Met	65	--	81	17	65	18
Percent Met	50.4%	--	63.8%	89.5%	53.3%	81.8%
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	--	Yes	Yes	Yes	Yes

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		Yes	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		Yes	
Met Percent Proficient or Above		--	

Conclusions based on this data:

1. Plavan ELs met the target for AMAO 1 but decreased almost 10 %
2. Plavan ELs met the target for both AMAO 2s but decreased 8 % - 10 %

School and Student Performance Data

Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	666	698	769
Percent with Prior Year Data	100.0		100
Number in Cohort	666	698	769
Number Met	550	585	599
Percent Met	82.6	83.8	77.9
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	N/A

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	643	149	653	174	687	219
Number Met	359	119	377	144	357	178
Percent Met	55.8	79.9	57.7	82.8	52	81.3
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	Yes	Yes	Yes	N/A	N/A

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate	Yes	100	
Met Percent Proficient or Above	No	N/A	
Mathematics			
Met Participation Rate	Yes	98	
Met Percent Proficient or Above	No	N/A	
Met Target for AMAO 3	No		N/A

Conclusions based on this data:

1. FVSD ELs exceeded AMAO 1 and AMAO 2 targets between 15% and 28%.

Planned Improvements in Student Performance

School Goal #1

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Achievement
LEA Local Control and Accountability (LCAP) Goal:
Goal #1 To support academic success, students will participate in a rigorous academic program and demonstrate continued growth in all content areas, with an emphasis on collaboration, communication, critical thinking and problem solving.
SCHOOL GOAL #1:
To support academic achievement, Plavan will incorporate professional development, technology integration, school and District signatures practices and when available new standards aligned instructional materials.
Data Used to Form this Goal:
<ul style="list-style-type: none">• Student Achievement: Smarter Balanced Assessments (SBAC) English Language Arts (ELA) and Math, Scholastic Reading Inventory (SRI)• Instructional Materials: Access to standards-aligned instructional materials that support the California State Standards• Professional Development: CGI, Math Expressions, and Jr. Great Books.• Technology: Technology survey, device to student ratio, Chromebook cart schedule
Findings from the Analysis of this Data:
<ul style="list-style-type: none">• Lack of time for effective and consistent collaboration within grade levels as well as articulation across grade levels• Teachers are currently implementing CGI in mathematics. Implementation is inconsistent among grade levels. Lack of professional development on California State Standards-aligned strategies• Motivation needed for students who struggle and reach plateaus in ST Math• More knowledge needed to effective data analysis: what to use and how to use it.• More for professional growth the area of reading and writing to provide consistency of instructional practices• Lack of time for on-going professional development for California State Standards• Lack of a consistent writing program (school and District-wide)

How the School will Evaluate the Progress of this Goal:

- Student Achievement: SBAC ELA - increase percent scoring Standard Exceeded and Standard Met in all grades. SBAC Math - increase percent scoring Standard Exceeded and Standard Met in all grades
- Access to instructional materials and technology - increase/improve materials and technology available for students
- Participation in high quality and relevant professional development

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide teachers release time to administer, score, and analyze data through certificated music instruction	9/2015-6/2018	Teachers, Site Administrator	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	32,814
Professional development and implementation of Cognitively Guided Instruction (CGI) in all grade levels	9/2015-6/2018	Teachers, Site Administrator	Substitutes, Consultants	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	7,182
Increase opportunities for teacher collaboration and data analysis by including it in professional development, student free days, Thursday staff meetings, and Friday PLC time	9/2015-6/2018	Teachers, Site administrators	No additional expense associated with this action			
Implement California State Standards Math materials Math Expressions and participate in professional development	9/2015-6/2018	Teachers, Site Administrators, District Administrators	No additional expense associated with this action			
Increase the variety of leveled informational text in classroom libraries so children may access text on their instructional level.	3/2016-6/2017	Teachers, site adminstartors	Purchase of leveled informational text reading books	4000-4999: Books And Supplies	Title I	25,500
One on one student reading assessment and data analysis	9/2015-6/2017	Teachers	Subsitutes	1000-1999: Certificated Personnel Salaries	Title I	7,000

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Improve infrastructure/expand wireless access	9/2015-6/2018	District Administrators, Site Administrator, Technology Team	Hardware, Installation	5000-5999: Services And Other Operating Expenditures	Other LCFF - Base LCFF - Supplemental	16,983 12,737 4,246
Smart Board Technology Professional Development	9/2015-12/2016	Teachers, Site Administrator, District	Substitutes, Consultants	5000-5999: Services And Other Operating Expenditures	Title I	750
Participate in District Reading Committee and reading professional development	January 2016-June 2018	Teachers, Site Administrator,	Substitutes	1000-1999: Certificated Personnel Salaries	Other	1,512
Increase student use of technology with increased access through grade level Chrome carts.	9/2016-6/2018	Teachers, Site Administrator, Technology Team	Chrome Carts	5000-5999: Services And Other Operating Expenditures	Title I	26,000
Participate in school library program		Library Media Technician	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Base LCFF - Supplemental	13,800 6,230

Planned Improvements in Student Performance

School Goal #2

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Special Populations
LEA Local Control and Accountability (LCAP) Goal:
Goal 2: To support academic success in the core program, English learners, foster youth, low income, and special education students will be provided with additional supports to ensure equal access, engagement, and high levels of achievement.
SCHOOL GOAL #2:
All students, including significant subgroups, will demonstrate achievement equal to or greater than the State average in English language arts and math thereby addressing the achievement gap.
Data Used to Form this Goal:
<ul style="list-style-type: none">• SBAC Subgroup Scores• CELDT• AMAO I & II• Progress Monitoring• Teachers College Literacy Screener• DIBELS Next• SRI (Scholastic Reading Inventory)• FVSD writing benchmarks
Findings from the Analysis of this Data:
<ul style="list-style-type: none">• Inconsistent instructional practices and interventions for English learners.• More intervention classes needed for after school support for our EL and Special Education students.

How the School will Evaluate the Progress of this Goal:

Progress monitoring will continue to be used to ensure students have the greatest opportunity to meet grade level expectations on state tests.

- Teachers College Literacy Screener
- DIBELS Next
- SRI
- Writing Benchmarks
- CELDT
- AMAO I / II

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Bilingual tutor support for Beginning and Early Intermediate English learners to facilitate content mastery	9/2015 -6/2018	Teachers, Site Administrator, Support Staff, District Administrators	Classified Salaries	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	21,010
Participate in District provided California State Standards Professional Development	9/2015-6/2017	Teachers, Site and District Adminisistrators	Expense outlined in Goal 1			
Provide targeted intervention to support ELs	9/2015-6/2017	Administrations, Teachers	Personnel	1000-1999: Certificated Personnel Salaries	Title III	7,050
Purchase supplemental informational text to support California State Standards implementation	9/2015-6/2017	Teachers, Site Administrators	instructional materials	4000-4999: Books And Supplies	LCFF - Supplemental	4,051
Collaboration in grade levels on District signature practices and California State Standards instruction to further support student learning	9/2015-6/2018	Teachers, Site Administrators	No additional expense associated with this action			
Utilize ST Math to support English learners, low income youth, and other high needs student populations	9/2015-6/2018	Teachers, Site Administrators	Renewal fees	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	1,250
One on one student reading assessment and data analysis	9/2016-6/2018	Teachers	No Additional			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Continue to administer District identified assessments (DIBELS Next, CORE Phonics, FVSD Writing Benchmarks, Scholastic Reading Inventory)	9/2015-6/2018	Teachers, Site and District Administrators	Materials	5000-5999: Services And Other Operating Expenditures	LCFF - Base	3,500
Site based professional development : Smart Board instruction education	9/2015-6/2016	Teachers, Site Administrators	No additional expense associated with this action			
Utilize Smartboards to support English Learners, low income youth, other high needs student populations and increase overall student engagement.	6/2015-6/2018	Teachers, Site administrators	No additional expense			
Analyze and disaggregate student achievement data in English language development, English language arts and mathematics in order to provide timely intervention and close the achievement gap	9/2015-6/2018	Teacher, Site and District Administrators	Annual service renewal	5000-5999: Services And Other Operating Expenditures	LCFF - Base LCFF - Supplemental	2,590 1,636
Teachers will use data to drive instruction	9/2015- 6/2018	Teachers, Site Administrators	No expense associated with this action			
Participate in classroom and/or site visits of District signature practices that support California State Standards	9/2015-6/2018	Teachers, Site Administrators	No additional expense associated with this action			
Utilize Chromebooks to provide greater access to students that struggle to meet grade level achievement	9/2014- 6/2018	Teachers, Site Administrators	No additional cost associated with this action			
Utilize Junior Great Books to support at risk students by providing greater access to text evidence, authors purpose and communication.	9/2014-6/2018	Teachers, Site Administrators	Additional student books	4000-4999: Books And Supplies	Title I	600.00
Utilize web based instructional program to support greater access to the curriculum.	9/2015-6/2018	Teachers, Site Administrators	Brain Pop subscription	5000-5999: Services And Other Operating Expenditures	Donations	1,300

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize TOSAs in reading, math and intervention	9/2016 - 6/2018	District Administrators, Site Administrator, TOSAs	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	22,000
Utilize RAZ Kids and Spelling City to support English Learners, low income youth, other high needs student populations and increase overall student reading comprehension	9/2015-6/2018	Teachers	Annual renewal fee	7000-7439: Other Outgo	Parent Teacher Association/Parent Faculty Club (PTA/PFC/PTSO, PTO, etc.)	1,000
Collaboration in grade levels on district signature practices and California State Standards instruction to further support student learning in student learning	Sept 2016 - June 2018	Teachers, Site Administrator	No additional expense associated with this action			
Utilize Math Manipulatives to support greater access to k-5 math curriculum	9/2015-9/2018	teachers	Math Manipulatives	4000-4999: Books And Supplies	Title I	400
Utilize Teachers College Literacy screener to target student individual needs	9/2015-6/2018	teachers, site administrator	Teachers College Reading Assessment kits	4000-4999: Books And Supplies	Title I	1,500

Planned Improvements in Student Performance

School Goal #3

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Parent Involvement
LEA Local Control and Accountability (LCAP) Goal:
Goal 3: To support academic success, all parents will be engaged and play an active role in the school community.
SCHOOL GOAL #3:
Increase parent involvement to include a broader representation of parents on school decision-making groups, reflective of all student demographics.
Data Used to Form this Goal:
School Site Council documentation, English Learner Advisory documentation, District English Learner Advisory documentation, school level parent education and volunteer documentation.
Findings from the Analysis of this Data:
<ul style="list-style-type: none"> Parents are reluctant to join the PTO or serve in volunteer positions. Parents of older students tend to join the PTO board in 3rd-5th grades. Language barrier with our EL parents.
How the School will Evaluate the Progress of this Goal:
School Site Council documentation; English Learner Advisory documentation; District English Learner Advisory documentation; Number of parent education opportunities; Meeting sign ins, agendas, and resources; Expenditures for interpretation, translation, and childcare; Responses to parent surveys.

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide parent volunteer trainings on site in the areas of clerical and small group instruction	9/2015-6/2018	Teachers, Administrators	No expense associated with this action			
Continue to provide a bilingual Community Liaison to support parent outreach	9/2015 - 6/2018	District Staff	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	6,454

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize technology and social media to communicate with parents, promote involvement, and solicit input	9/2015 - 6/2018	District Staff, Site Administrators	Personnel Annual service agreements	2000-2999: Classified Personnel Salaries	LCFF - Base	10,500
					Title I	500
Organize family nights to bring families together and build community relationships	9/2013 - 6/2018	Teachers, Site Administrator, PTO Members	No expense associated with this action			
Provide written parent communication in English and Vietnamese	9/2015- 6/2018	District and Site Translators	Expense captured in Action 2			
Organize parent nights to educate parents on how to support their child's education.	9/2015 - 6/2018	Teachers, Site Administrators, PTO Members	No expenses associated with this action			
Publicize meetings via newsletters, flyers, and phone system	9/2015 - 6/2018	Teachers, Site Administrators, PTO Members	Duplications expenses	5000-5999: Services And Other Operating Expenditures	Donations	300

Planned Improvements in Student Performance

School Goal #4

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Engagement & School Climate
LEA Local Control and Accountability (LCAP) Goal:
Goal 4: To support academic success, students will have access to a safe, supportive, and nurturing environment which promotes engagement and school connectedness.
SCHOOL GOAL #4:
Create a learning environment and school climate which improves students' attendance, connection, and overall involvement in all aspects of their education.
Data Used to Form this Goal:
<ul style="list-style-type: none">• Daily attendance rates• Chronic absenteeism information• Suspensions• California Healthy Kids Survey• PBIS evaluation data• Student Annual Climate Survey
Findings from the Analysis of this Data:
<ul style="list-style-type: none">• Staff members need to be more consistent with PBIS rewards and program components.• Additional after school programs needed to allow greater access for students to become more "connected" to school.• Support needed from parents to not take vacations during the school year and allow students to remain at home only when sick.
How the School will Evaluate the Progress of this Goal:
Maintain or improve daily attendance rates to remain consistent with the district average Maintain or improve chronic absenteeism rates to remain under with the district average Maintain a low number of suspensions Healthy Kids Survey results, School Climate Survey

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Expand and update our current PBIS plan. Increase motivation and incentives for positive behavior	9/2015-6/2018	Teachers, Site Administrator	No expense associated with this action			
Educate parents regarding legalities related to absenteeism	9/2013-6/2018	Teachers, Site Administrator	No additional expense associated with the action			
Provide health services to support attendance for high needs student populations	9/2013-6/2018	School Staff, Site Administrator, District Staff	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base	20,400
					LCFF - Supplemental	4,000
Continue to build leadership team to support school goals of students achievement and professional development	9/2016-6/2018	Site administrators and teacher leaders	substitutes	1000-1999: Certificated Personnel Salaries	Other	3,672
Create school site awards for excellent attendance	9/2014-6/2018	Site Administrator, Office Staff, Teachers	No expense associated with this action			
Use stakeholder groups to provide input and suggestions on how to improve student attendance rates, reduce chronic absenteeism, suspensions and increase student participation.	9/2014-6/2018	Site Administrator	No expense associated with this action			
Monthly attendance reports run and letters sent to parents	9/2015-6/2018	SAA, Teachers, Site Principal	No additional expense associated with this action			
Investigate before and after school clubs for academics and enrichment activities	9/2015-6/2018	Teachers, PTO, Staff, Site Administrator	No additional expense associated with this action			
Follow Health and Wellness policy and activities	9/2015-6/2018	Teachers, PTO, Staff, Site Administrator	No additional expense associated with this action			

Summary of Expenditures in this Plan

Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
5000-5999: Services And Other Operating	Donations	1,600.00
	LCFF - Base	12,737.00
1000-1999: Certificated Personnel Salaries	LCFF - Base	20,400.00
2000-2999: Classified Personnel Salaries	LCFF - Base	24,300.00
5000-5999: Services And Other Operating	LCFF - Base	6,090.00
	LCFF - Supplemental	16,112.00
1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	61,996.00
2000-2999: Classified Personnel Salaries	LCFF - Supplemental	27,464.00
4000-4999: Books And Supplies	LCFF - Supplemental	4,051.00
5000-5999: Services And Other Operating	LCFF - Supplemental	1,250.00
1000-1999: Certificated Personnel Salaries	Other	5,184.00
5000-5999: Services And Other Operating	Other	16,983.00
7000-7439: Other Outgo	Parent Teacher Association/Parent Faculty	1,000.00
	Title I	500.00
1000-1999: Certificated Personnel Salaries	Title I	7,000.00
4000-4999: Books And Supplies	Title I	28,000.00
5000-5999: Services And Other Operating	Title I	26,750.00
1000-1999: Certificated Personnel Salaries	Title III	7,050.00

Summary of Expenditures in this Plan

Total Expenditures by Funding Source

Funding Source	Total Expenditures
Donations	1,600.00
LCFF - Base	63,527.00
LCFF - Supplemental	110,873.00
Other	22,167.00
Parent Teacher Association/Parent Faculty Club	1,000.00
Title I	62,250.00
Title III	7,050.00

Summary of Expenditures in this Plan

Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	101,630.00
2000-2999: Classified Personnel Salaries	51,764.00
4000-4999: Books And Supplies	32,051.00
5000-5999: Services And Other Operating Expenditures	52,673.00
7000-7439: Other Outgo	1,000.00

Summary of Expenditures in this Plan

Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	154,754.00
Goal 2	67,887.00
Goal 3	17,754.00
Goal 4	28,072.00

Home/School Compact

It is important that families and schools work together to help students achieve high academic standards. Through a process that included teachers, families, and students, the following are agreed upon roles and responsibilities that we, as partners, will carry out to support student success in school and life.

Student Pledge:

I realize that my education is important. I know I am the one responsible for my own success. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will return completed homework on time.
- _____ I will return corrected work to my parent(s).
- _____ I will arrive at school on time every day unless I am ill.
- _____ I will be responsible for my own behavior.
- _____ I will be a cooperative learner.

Student's Signature: _____ Date _____

Parents Pledge:

I understand that my participation in my child's education will help his/her achievement and attitude. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will provide a quiet place for my child to study.
- _____ I will encourage my child to complete his/her homework.
- _____ I will make sure my child gets an adequate night's sleep.
- _____ I will see to it that my child arrives at school on time every day.
- _____ I will spend at least 15 minutes per day reading with my child.
- _____ I will attend Back to School Night, Parent Conferences, and Open House
- _____ I will support the school/district policies on homework, discipline and attendance.

Parent's Signature : _____ Date _____

Staff Pledge:

I understand the importance of the school experience to every child and my role as a teacher and model. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will teach all the necessary concepts to your child before regular homework is assigned.
- _____ I will strive to be aware of the individual needs of your child.
- _____ I will regularly communicate with you regarding your child's progress.
- _____ I will provide a safe and positive learning environment for your child.

Teacher's Signature _____ Date _____

Everyone Will...

- Be equal partners to achieve successful learning.
- Communicate clearly, regularly and respectfully regarding roles and responsibilities.

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). 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 pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Julie Ballesteros	X				
Lauren Voss		X			
Lindsey Moothart		X			
Robyn Liger				X	
Grace Hile				X	
Pernilla Scott				X	
Numbers of members of each category:	1	2		3	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan **(Check those that apply)**:

State Compensatory Education Advisory Committee

X English Learner Advisory Committee

Special Education Advisory Committee

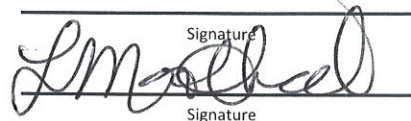
Gifted and Talented Education Program Advisory Committee

District/School Liaison Team for schools in Program Improvement

Compensatory Education Advisory Committee

Departmental Advisory Committee (secondary)

Other committees established by the school or district (list):

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on January 24, 2017.

Attested:

Julie Ballesteros

Typed Name of School Principal

Signature of School Principal


1/24/17
Date

Lauren Voss

Typed Name of SSC Chairperson

Signature of SSC Chairperson


1/24/17
Date

The Single Plan for Student Achievement

School: Samuel E. Talbert Middle School
CDS Code: 30-66498-6071096
District: Fountain Valley School District
Principal: Jennifer Morgan
Revision Date: January 17, 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: Jennifer Morgan
Position: Principal
Phone Number: (714) 378-4220
Address: 9101 Brabham Drive
Huntington Beach, CA 92646
E-mail Address: Morganj@fvsd.us

The District Governing Board approved this revision of the SPSA on March 9, 2017.

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School Vision and Mission

Samuel E. Talbert Middle School's Vision and Mission Statements

A. Vision Statement

Talbert believes in STUDENTS: collaboration, engagement, innovation, problem solving, and rigor for ALL.

B. Mission Statement

Talbert Middle School's mission is to prepare students to become articulate, thoughtful, productive, and contributing citizens of the future. To prepare students for the future, we must provide a safe, stimulating, inspiring educational environment which challenges each student's capacity to grow intellectually while at the same time respects and supports his or her need to grow socially and emotionally. Our mission is to provide a program where students will:

- Use and apply higher level thinking skills.
- Become an integral, important part of the school and community; connected in a positive way not only to their peers but also to the staff and school as a whole.
- Take responsibility for their learning and think independently.
- Develop the ability to make appropriate moral and ethical judgments as befits a citizen in a democratic society.
- Learn and apply the characteristics of a "Good Learner."

School Profile

Talbert Middle School is a 6-8 school located in Huntington Beach, Orange County. Our instructional program is designed to meet the varied needs of our student population. All students receive core curriculum instruction as identified by the Fountain Valley School District and California State Standards. Instruction is enriched through a variety of special programs and instructional strategies. We offer an Honors program for GATE identified and accelerated students. We also offer special services for identified special education students such as co-lab ELA and math classes and our Language Live program. Additionally, Talbert's STEAM (Science, Technology, Engineering, Arts, and Math) program provides approximately 70 students exceptional real life experiences in the fields of science and engineering. Through high level instruction and best practices, Talbert teachers offer exceptional instruction to prepare students for the future.

At Talbert, students come first! What sets our school apart from others is the ability to challenge and nurture our students during their middle school experience in an environment that meets the needs of our kids. We have several opportunities to connect kids to school such as Homeroom sports, after school clubs, after school sports, and lunchtime activities. Talbert offers many leadership opportunities as well through participation in our ASB, PAL, Yearbook, and STEAM programs. For students who need additional support, we offer math and reading interventions throughout the school day, as well as, Homework Club after school. Furthermore, we are proud to recognize and reward students for their academic and behavioral achievements through a variety of programs including "Got REAL?" and Students of Excellence.

Communication between school and home is facilitated through School Loop, an on-line parent portal that allows parents to monitor the progress of their child 24 hours/day.

The educational programs at the school are tailored to meet the needs of a changing school population. Talbert Middle School is dedicated to ensuring the academic success of every student, providing them with a comprehensive educational experience that becomes an integral part of their lives.

In addition to our general education staff of fully credentialed teachers, Talbert has one speech and language pathologist, two half time psychologists and a full time school counselor. Talbert teachers attend professional development on a regular basis and the staff is committed to providing the best learning opportunities to students.

School Demographic Statistics

Data listed below is from Aeries October 28, 2016

Total Enrollment: approximately 720 students

Student Enrollment - Racial and Ethnic Subgroups

- Vietnamese 12.5%
- Hispanic 18%
- White 57%

Special Education Enrollment: 10%

Socially Disadvantaged Students Enrollment: 12%

English Language Learners: 4%

Talbert not only offers students a range of academic programs, but extracurricular activities as well. Below is a list of some of the activities students can get involved in:

- Spirit Days
- Classroom Competitions
- Noon League Games
- Assemblies and Pep Rallies
- Dances
- Clubs - Globe Club; Cube Club; Choir; Composition Club; Surf; Talent Show Club
- Student Council
- Cheerleading
- Sports Teams

We also have a very active Parent Teacher Organization who supports our school in many ways, including:

- Fundraisers
- Campus Volunteers
- Classroom Enhancement Funds
- Technology Funds
- Assemblies and Field Trips
- Library Books
- Student Awards and Recognition
- PE Equipment
- Family Nights and Dine Outs
- Parent Boot Camp/Education Series
- Science Dissection Supplies
- After School Clubs and Homework Help Funding
- Intramural Sports Competitions
- Lunchtime Sports Leagues

While Talbert School enjoys high levels of student achievement, the staff, parents and administration are all committed to working together for continuous improvement and ways to maximize student learning and development.

Comprehensive Needs Assessment Components

Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

EL surveys are administered annually by the District.

A school climate survey is administered to 6th and 7th graders annually.

Students were surveyed in September and again in June on Visible Learning instructional initiatives. The data will measure implementation of Visible Learning Year 1.

Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

Administration observes classrooms on a daily basis. Furthermore, upper management and the Fountain Valley Board of Trustees visit Talbert Middle School often to walk the campus and observe classroom instruction. It is also common to have visitors, such as, Edison High School visit our STEAM program.

Analysis of Current Instructional Program

The eight State priority areas listed below are outlined in the Local Control Accountability Plan regulations. These focus areas are used to analyze the current instructional practices for all students including English learners, socio-economically disadvantaged students, students with disabilities, and foster youth.

Conditions of Learning

Basic Services

Teachers

Strengths	Needs
All teachers are teaching under a full credential and within their subject area/s of competence.	Maintain 100% compliance rate in this area.

Textbooks

Strengths	Needs
All students are given their own individual books for classroom/home use. All materials are aligned with State standards and approved by the Board of Trustees. New math textbooks were adopted and provided in the 2015-2016 school year.	Materials are aging and need to be replenished on an ongoing basis. ELA materials aligned with California State Standards are needed.

Facilities

Strengths	Needs
Safe, clean environment for students. Strong coverage from custodial staff, and adequate number of hours employed.	One of the pathways between quads need to be widened as a result of growth in enrollment. This need has been noted and will possibly be addressed during modernization.

California State Standards Implementation (all content areas)

Strengths	Needs
The District adopted new textbooks last year, supporting California math standards. The math department is working with the Irvine Math Project on developing conceptual math units. The ELA department as a district selected one new novel for grades 6, 7, and 8 and will develop a common unit to support the novel. As a district, the science teachers are preparing for implementation of Next Generation Science Standards. They will decide whether to select traditional or integrated science as the department moves forward on NGSS implementation.	Long-term, new instructional materials are needed in history and science.

Course Access

Strengths	Needs
All students have access to core—ELA/Math/SCI/HSS. Talbert does a great job supporting special education students in the general education setting through Co-lab ELA and math classes. Additionally, Talbert offers the Language Live reading program to students on an IEP who read below grade level. Lastly, in an effort to set all students up for success in core content classes, the support staff is implementing Executive Functioning training for all 6th graders.	Continue to train teachers and support staff in how to best support Special Education students in the general education setting. Students are to be placed in the least restrictive environment with modifications to support special needs.

Pupil Outcomes

(Refer to the School and Student Performance Data section for multi-year scores.)

California Assessment of Student Performance and Progress (CAASPP)

Smarter Balanced Assessments

Strengths	Needs
Last year was the first year that SBAC scores were published. The testing rate was 98.7% school wide. In ELA, 65% of students were Standard Met/Standard Exceeded. Math was lower at 54% Standard Met/Standard Exceeded. Talbert is above State and county averages.	More rigor in instructional practices and test preparation to propel Talbert to the district averages of 74% Standard Met/Standard Exceeded in ELA and 68% Standard Met/Standard Exceeded in Math

California English Language Development Test (CELDT)

Strengths	Needs
The English Learner population increased 37% last year. Talbert had 30 English Learners in the 2015-2016 school year.	Zero students were reclassified.

California English Language Development Test

AMAO 1

Strengths	Needs
77.5% of our EL students met the AMAO requirements. The state requirement to meet the goal was 62%.	Instructional support specifically for English learners continues to be a need.

AMAO 2

Strengths	Needs
Talbert had 6 students that were English learners less than 5 years and 25% of those students met their AMAO 2 goal. 68% of the students greater than 5 years met the AMAO 2 criteria in comparison to the state goal of 52.8%.	Specific targeted intervention is needed for long-term English Learners.

Reclassification Rates

Strengths	Needs
0% of Talbert English learners were redesignated in comparison to an 8% District reclassification rate.	ELD services continue to need to be provided within the school day or after school.

California Physical Fitness Test

Strengths	Needs
77% of students met at least 5 out of 6 standards on the physical fitness test. Talbert is at the district average for trunk extension and 2% higher on body composition than the District average.	On the physical fitness test, Talbert scores 7% lower than the District average on aerobic capacity and 25% lower on upper body strength.

Other Student Outcomes

Universal Literacy Screeners

Strengths	Needs
Beginning in the 2016-2017 school year, SRI will be administered to all 6th and 7th graders three times a year.	There is currently no plan to assess 8th graders.

Engagement

Parent Involvement

Strengths	Needs
Strong cadre of committed, involved parents take on a majority of events/school needs. New parents have volunteered to work school events through the use of a sign-up online application.	Continue to increase a wider range of support by marketing parent opportunities for involvement.

Student Engagement

Attendance

Strengths	Needs
Student attendance has remained steady at 96.62%	Continue to educate parents on the long-term effects of high absenteeism through meetings and newsletters. Continue to send attendance letters monthly as well as utilize the SARB process.

Chronic Absenteeism

Strengths	Needs
Talbert had a chronic absenteeism rate of 4.37% in the 2015-2016 school year. The rate rose slightly from 4.31% in the 2013-2014 school year. The District average is 4.26%.	Educate parents on the financial and educational impact of absences, as well as enforce stricter guidelines for student tardies.

School Climate

Suspensions

Strengths	Needs
Talbert had 48 suspensions in the 2015-2016 school year. The bullying prevention classes provided by the school counselor and Saturday School has helped keep the suspension rate low.	Talbert has the highest suspension rate in the District and we will continue to look for alternatives to out-of-house suspensions.

Expulsions

Strengths	Needs
Student expulsions have been used effectively to comply with zero tolerance laws and to maximize security on campus.	Continue with fair, consistent, fully articulated progressive discipline policy.

Survey (California Healthy Kids Survey Results and school surveys)

Strengths	Needs
<ul style="list-style-type: none">78% of students perceive school as safe or very safeSchool Connectedness Scale = 65%	55% of students reported dealing with harassment or bullying. A new after school bullying education program administered by the school counselor has been put in place for offenders. Furthermore, a bullying tip line has been added to the school website (Districtwide).

Description of Barriers and Related School Goals

Description of possible barriers related to goal: Student Achievement

- Lack of time for collaboration within departments and grade levels
- Need for additional professional growth and development in subject specific areas
- Need for ongoing professional development with regards to the California State Standards
- Need for State standard aligned SBE materials

Description of possible barriers related to goal: Special Populations

- Need to make learning more meaningful for students
- Need to increase student responsibility for learning
- Need to strengthen our preventative communication efforts with parents regarding frequent absences
- Instructional materials and staff development on supporting English Learners

Description of possible barriers related to goal: Parent Involvement

- Traditional decrease in parent involvement from elementary to middle school
- Long term planning for PTO events
- Increase communication with parents by PTO through School Loop, PTO meetings, and PTO Facebook

Description of possible barriers related to goal: Student Engagement

- Need to strengthen our preventative communication efforts with parents regarding frequent absences
- Need a more clearly laid out attendance notification and site contract system
- Need to implement Visible Learning, with a goal of helping students take responsibility for their learning

School and Student Performance Data

CAASPP Results (All Students)

English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	238	242	237	238	236	238	99.6	98.3
Grade 7	227	230	225	228	225	228	99.1	99.1
Grade 8	260	240	255	237	255	237	98.1	98.8
All Grades	725	712	717	703	716	703	98.9	98.7

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	2549.6	2562.9	20	29	43	36	24	24	12	11
Grade 7	2577.1	2586.6	22	26	39	40	27	22	13	12
Grade 8	2609.2	2599.0	26	27	44	35	23	22	7	15
All Grades	N/A	N/A	23	28	42	37	25	23	10	13

Reading Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	25	29	54	53	21	19
Grade 7	38	34	43	47	20	19
Grade 8	40	40	49	38	12	22
All Grades	34	34	48	46	17	20

Writing Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	32	40	53	46	15	14
Grade 7	33	46	52	41	15	12
Grade 8	42	38	47	44	11	18
All Grades	36	41	51	44	13	15

Listening Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	20	24	73	70	7	6
Grade 7	24	22	69	69	7	9
Grade 8	18	24	74	65	9	11
All Grades	20	23	72	68	8	9

Research/Inquiry Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	30	42	58	48	11	9
Grade 7	33	36	53	51	14	12
Grade 8	41	37	48	50	11	13
All Grades	35	39	53	50	12	12

Conclusions based on this data:

1. More than half of students (65%) scored Standard Exceeded/Standard Met in English Language Arts/Literacy.
2. Only 13% scored Standard Not Met.

School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	238	242	237	239	235	238	99.6	98.8
Grade 7	227	230	225	228	225	228	99.1	99.1
Grade 8	260	240	255	237	255	237	98.1	98.8
All Grades	725	712	717	704	715	703	98.9	98.9

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	2548.1	2564.5	18	29	36	26	31	36	14	10
Grade 7	2580.4	2578.6	33	27	24	30	26	30	17	14
Grade 8	2571.0	2598.1	24	35	18	18	31	26	27	21
All Grades	N/A	N/A	25	30	26	24	29	30	19	15

Concepts & Procedures Applying mathematical concepts and procedures							
Grade Level	% Above Standard		% At or Near Standard		% Below Standard		
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	
Grade 6	26	37	50	39	24	24	
Grade 7	38	37	37	42	24	21	
Grade 8	28	41	36	31	35	28	
All Grades	31	38	41	37	28	24	

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	23	32	56	54	21	13
Grade 7	37	31	53	55	10	14
Grade 8	30	36	53	48	17	16
All Grades	30	33	54	52	16	14

Communicating Reasoning Demonstrating ability to support mathematical conclusions						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 6	20	27	64	58	16	15
Grade 7	34	32	57	54	9	15
Grade 8	25	30	50	52	24	17
All Grades	26	30	57	55	17	16

Conclusions based on this data:

1. 54% scored Standard Met/Standard Exceeded in Mathematics.
2. 15%, down from 19% in 2015-2016, scored as Standard Not Met.
3. Reasoning about one-variable equations/inequalities is a strength in Grade 6. Grade 7 excels in investigating chance processes and probability models, while drawing comparative inferences about two populations is a challenge. For Grade 8, solving real world math problems based on the volume of cylinders, cones, and spheres is a marked strength.

School and Student Performance Data

CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
6	44	33	36	22	17	36	11	33	23	11	17		11		5
7	43	25	13	29	50	63	14		25		13		14	13	
8		***	30	50		40	33	***	30				17		
Total	32	29	30	32	29	43	18	24	25	5	12		14	6	3

Conclusions based on this data:

1. 73% of the Annual results were at the highest levels (Advanced and Early Advanced).
2. Only 3% scored at the Beginning or Early Intermediate levels on the CELDT.

School and Student Performance Data

CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
6	44	38	35	22	25	35	11	25	22	11	13		11		9
7	38	30	13	38	40	63	13		25		10		13	20	
8		***	36	43		36	29	***	27				29		
Total	29	33	31	33	29	40	17	19	24	4	10		17	10	5

Conclusions based on this data:

1. 71% of all ELs at Talbert were at the highest levels, Advanced and Early Advanced. This is an increase of 9% from the previous year.
2. Only 5% of all ELs performed at the Beginning or Intermediate levels.

School and Student Performance Data

Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	22	17	40
Percent with Prior Year Data	100.0%	100%	100.0%
Number in Cohort	22	17	40
Number Met	--	12	31
Percent Met	--	70.6%	77.5%
NCLB Target	59.0	60.5	62.0%
Met Target	--	Yes	Yes

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	3	20	4	14	6	34
Number Met	--	--	--	8	--	23
Percent Met	--	--	--	57.1%	--	67.6%
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	--	--	--	Yes	--	Yes

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		--	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		--	
Met Percent Proficient or Above		--	

Conclusions based on this data:

1. Talbert ELs exceeded the targets for AMAO 1 and AMAO 2 (5 or more).
2. There were too few students to report AMAO 2 (Less than 5)

School and Student Performance Data

Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	666	698	769
Percent with Prior Year Data	100.0		100
Number in Cohort	666	698	769
Number Met	550	585	599
Percent Met	82.6	83.8	77.9
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	N/A

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	643	149	653	174	687	219
Number Met	359	119	377	144	357	178
Percent Met	55.8	79.9	57.7	82.8	52	81.3
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	Yes	Yes	Yes	N/A	N/A

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate	Yes	100	
Met Percent Proficient or Above	No	N/A	
Mathematics			
Met Participation Rate	Yes	98	
Met Percent Proficient or Above	No	N/A	
Met Target for AMAO 3	No		N/A

Conclusions based on this data:

1. ELs in Fountain Valley School District met all AMAOs.
2. ELs in Fountain Valley School District demonstrated improvement on all AMAOs from 2013-2014 to 2015-2016.

Planned Improvements in Student Performance

School Goal #1

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Achievement
LEA Local Control and Accountability (LCAP) Goal:
Goal 1: To support academic success, students will participate in a rigorous academic program and demonstrate continued growth in all content areas, with an emphasis on collaboration, communication, critical thinking, and problem solving.
SCHOOL GOAL #1:
To support Student achievement, Talbert Middle School will incorporate professional development, technology integration, school and District signature practices, and when available new standards aligned instructional materials.
Data Used to Form this Goal:
Smarter Balanced Assessments (SBAC) Scholastic Reading Inventory (SRI) Number of teachers attending professional development sessions Observation notes Classroom visits Site/tech/leadership meeting notes/agendas Lab sign-up schedules Elective course syllabi from tech classes STEAM exit interviews Music/drama programs Science Fair & National History Day participation
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Student Achievement <ul style="list-style-type: none">• Lack of time for collaboration within departments and grade levels• Need for additional professional growth and development in subject specific areas• Need for ongoing professional development with regards to the California State Standards• Need for State standard aligned SBE materials
How the School will Evaluate the Progress of this Goal:
Student Achievement: SBAC ELA and Math - Increase percent scoring Standard Met and Standard Exceeded in all grades Professional Development: Professional Development participation; staff meeting agendas; instruction in the classroom in core subject areas Technology: device student ratio; Chrome Book cart schedules; computer based instruction (google docs); course syllabi

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize California State Standards math materials and participate in Irvine Math Project professional development.	September 2015-June 2018	District Administrators, Site Administrator, Teachers	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	8,064
Continue to implement California State Standards in ELA. Professional development by Carol Jago in the area of reading and writing as well as a district-wide novel selection for grades 6, 7, and 8 are a focus this year.	September 2016-June 2017	Teachers, Site Administrators, District Administrators	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	5,670
Release days are also provided for the School Leadership Team.	September 2015-June 2018	Site Administrators, leadership teams	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	Other	1,386
Implementation of District signature practices- <ul style="list-style-type: none"> Irvine Math Project Carol Jago PD & common novel selection/unit Irvine History Project Selection of traditional or integrated science 	September 2016-June 2017	District administrators	No additional costs.			
Department collaboration- Teachers meet for monthly department meetings. Additionally, teachers collaborate during site planning days as well as staff development days.	September 2015-June 2018	Site administrators, teachers	No additional costs. Staff development days built into the district calendar.			
Implement Visible Learning at Talbert Middle School	Fall 2016-Spring 2018	Teachers, Site Administrators	Release days	1000-1999: Certificated Personnel Salaries	Other	1260

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Continue to offer a high quality STEAM program.	Fall 2013-Spring 2018	Teachers, Site Administrators	Release days funding for field trips and instructional materials	1000-1999: Certificated Personnel Salaries	Other	1008
Develop middle school literature units for grade level selected novels.	September 2016-June 2018	District Administrators	Expense captured earlier.			
Provide staff development for history teachers through Irvine History Project.	September 2016-June 2017	District Administrators	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	3,024
Provide staff development for science teachers on NGSS.	September 2016-June 2017	District administrators	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	3,646
Provide new mounted projectors to all teachers without a Smart Board.	December 2016-June 2017	District IT Department	Technology and labor	5000-5999: Services And Other Operating Expenditures	LCFF - Base	25,875
					LCFF - Supplemental	8,625
Continue BYOD student program at Talbert.	September 2014-June 2018	School administrators, teachers	No additional costs			
Improve infrastructure/ expand wireless access	September 2016-June 2018	District IT department	District labor and materials	5000-5999: Services And Other Operating Expenditures	Other	20,757
					LCFF - Base	15,568
					LCFF - Supplemental	5,189
Provide co-teaching opportunities in ELA and Math to support struggling students.	September 2014-June 2018	District and site administrators, teachers	Expense captured in Goal 2			
Provide music instruction to Talbert students to increase student connection as well as decrease intervention class sizes.	September 2014-June 2018	Site Administrator	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base	40,000
					LCFF - Supplemental	37,952

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize supplemental resources such as the Scholastic readers which support ELA non-fiction reading	September 2015-June 2018	District administration	Non-fiction reading materials	4000-4999: Books And Supplies	LCFF - Supplemental	5,604
Participate in the school library program	September 2014-June 2018	Site Administration	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Base	13,800
					LCFF - Supplemental	6,236
Provide the Accelerated Reading program for ELA students to increase interest and growth in reading. (The PTO will fund half of the program for the 2017-2018 school year.)	September 2016-June 2018	Site Administrator, ELA teachers	Accelerated Reader program	0001-0999: Unrestricted: Locally Defined	General Fund	10,000
Participate in district common assessments such as the SRI literacy screener.	September 2015-June 2018	District and site administration, teachers	Subscriptions Duplication	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	3,500
Increase SBAC scores in ELA and math by 6%.	June 2017	Site administration and teachers	No costs incurred.			

Planned Improvements in Student Performance

School Goal #2

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Special Populations
LEA Local Control and Accountability (LCAP) Goal:
Goal 2: To support academic success in the core program, English learners, foster youth, low income, and special education students will be provided with additional supports to ensure equal access, engagement, and high levels of achievement.
SCHOOL GOAL #2:
All students, including significant subgroups, will demonstrate achievement equal to or greater than the State average in English language arts and math, while reducing the achievement gap between subgroups.
Data Used to Form this Goal:
SBAC results, CELDT test results, grades, AMAO1 and 2, and SRI results
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Special Populations <ul style="list-style-type: none"> • Need to make learning more meaningful for students • Need to increase student responsibility for learning • Need to strengthen our preventative communication efforts with parents regarding frequent absences • Instructional materials and staff development on supporting English Learners
How the School will Evaluate the Progress of this Goal:
SBAC, CELDT, AYP, SRI

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
At-risk students will be provided a co-taught class for ELA and/or math with a resource professional pushed in services	September 2013-June 2018	Site Administrators, Co-teachers	Expense captured in a different action			
Support special populations with district professional development in signature practices: IMP, IHP, new novel selection supported by Carol Jago, and NGSS.	September 2016-June 2018	District administration; site administration; teachers	Expense captured in Goal 1			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Teacher collaboration provided in conjunction with staff development.	September 2014-June 2018	Site Administrators, Co-teachers	Expense captured in Goal 1			
Provide targeted math support classes for at-risk students en lieu of electives.	September 2014-June 2018	Math Teachers, Site Administrators	No additional expenses associated with this action			
Provide opportunities for reading and writing support en lieu of a standard elective. The Language Live! program provides support for struggling SPED students.	September 2014-June 2018	Writing Teachers, Site Administrators	No additional expenses associated with this action			
Provide study hall opportunities twice a week for 6th graders and once a week for 7th & 8th graders during elective periods	September 2014-June 2018	Teachers, Site Administrators	No additional expenses associated with this action			
Analyze and disaggregate student achievement data in English language development, English/language arts, and mathematics in order to provide timely intervention and close the achievement gap.	September 2013-June 2018	Teachers, Site Administrators	Expense captured in Goal 1			
Purchase supplemental instructional materials to support California State Standards implementation	September 2014-June 2018	Teachers, Site Administrators	Expense captured in Goal 1			
Participate in school library program.	September 2013-June 2018	Library Media Technician	Expense captured in Goal 1			
Provide Resource Specialists to support the co-teaching service delivery model	September 2014-June 2018	Teachers & Site Administrators	No school expense associated with this action			
Provide release time for team planning for co-teaching teams.	September 2014-June 2018	Teachers & Site Administrators	Substitutes Stipends	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	3,009
					Other	3,009

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Implement the SRI program for all students to increase reading levels campus wide.	September 2016-June 2018	Site administrators; teachers	No additional expenses associated with this action			9,000
Assess students in a format similar to SBAC	September 2014-June 2018	Teachers	No additional expenses associated with this action			
Utilize district TOSAs to support instruction.	September 2016-June 2018	District and site administrators	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	22,000

Planned Improvements in Student Performance

School Goal #3

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Parent Involvement
LEA Local Control and Accountability (LCAP) Goal:
Goal 3: To support academic success, all parents will be engaged and play an active role in the school community.
SCHOOL GOAL #3:
Increase participation of parents in traditionally under-represented subgroups (i.e., parent ed nights, participation in PTO, SSC, school activities, conferences).
Data Used to Form this Goal:
SSC roster, PTA roster, parent education nights attendance, PTA sign-ins and volunteer lists, parent conference attendance
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Parent Involvement <ul style="list-style-type: none"> • Traditional decrease in parent involvement from elementary to middle school • Long term planning for PTO events • Increase communication with parents by PTO through School Loop, PTO meetings, and PTO Facebook
How the School will Evaluate the Progress of this Goal:
School Site Council documentation; Number of parent education opportunities; meeting sign ins, agendas, and resources; expenditures for interpretation, translation, and childcare; responses to parent surveys

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
The school counselor and administration will offer parent education nights based on student needs	September 2013-June 2018	School Counselor; Site Administrators	No additional expenses associated with this action			
Utilize technology and social media to communicate with parents, promote involvement, and solicit input	September 2013-June 2018	Site Administrators, Teachers, Support Staff, PTO unit	Personnel, annual service agreement	2000-2999: Classified Personnel Salaries	LCFF - Base Title I	10,500 500

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Continue to provide a bilingual Community Liaison to support parent outreach	September 2013-June 2018	District Staff	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	6,454
Continue to provide parent education opportunities on relevant topics (i.e. self harm, drug awareness, ELAC, bullying)	September 2013-June 2018	Counselors, Administrators, School Staff	No additional expense associated with this action			
Continue to encourage and market parent events such as Family Movie Nights, Back to School Night, Open House, STEAM parent meetings, Got REAL assemblies, Lunch on the Lawn, PTO meetings, SSC meetings, school dances, parent conferences, etc.	September 2013-June 2018	Counselors, Administrators, School Staff	No additional expense associated with this action			
Increase parent communication and parent support for the STEAM program at Talbert.	September 2016-June 2018	Site administrators, STEAM teachers	No additional expense associated with this action.			

Planned Improvements in Student Performance

School Goal #4

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Engagement
LEA Local Control and Accountability (LCAP) Goal:
Goal 4: To support academic success, students will have access to a safe, supportive, and nurturing environment that promotes engagement and school connectedness.
SCHOOL GOAL #4:
Create a learning environment and school climate which improves student attendance, connection and overall involvement in all aspects of their education.
Data Used to Form this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey, teacher survey, student survey
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Student Engagement <ul style="list-style-type: none"> • Need to strengthen our preventative communication efforts with parents regarding frequent absences • Need a more clearly laid out attendance notification and site contract system • Need to implement Visible Learning, with a goal of helping students take responsibility for their learning
How the School will Evaluate the Progress of this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey results, student focus group

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Analyze suspension information to identify patterns in misconduct as well as explore alternatives to suspension.	September 2013-June 2018	Site Administrators, District Administrators	No additional expense associated with this action			
Provide health services to support attendance for high needs student populations.	August 2013-June 2018	School Staff, District Staff	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base	24,000
					LCFF - Supplemental	4,000

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Provide opportunities for students to participate in campus activities within the school day (i.e., reading club at lunch; noon time sports; lunch time activities)	August 2013-June 2018	Teachers, Site Administrators	No additional expense associated with this action			
Educate parents regarding legalities related to absenteeism through monthly newsletters, and weekly emails.	August 2013-June 2018	Site Administrators	No additional expense associated with this action			
Provide counseling support for high needs student populations.	September 2014-June 2018	Personnel	Certificated Salary	1000-1999: Certificated Personnel Salaries	LCFF - Base	42,795
					LCFF - Supplemental	35,598
Provide parent and student education in the areas of social and emotional needs. (i.e., drug awareness, bullying).	September 2014-June 2018.	School counselor	Speaker fees	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	1,000
Provide leadership opportunities such as ASB, PAL (Peer Assistance Leadership), school clubs, and STEAM program.	September 2014-June 2018	Teachers and Site Administrators	No additional expense associated with this action			
After school clubs (i.e., Science Club; Rubik's Cube Club; Oceanography; Knitting) and district sports.	September 2014-June 2018	Teachers	Teacher Stipend supported by PTO	1000-1999: Certificated Personnel Salaries	Parent Teacher Association/Parent Faculty Club (PTA/PFC/PTSO, PTO, etc.)	7,500
Homeroom competition for attendance rates	September 2016-June 2018	Site Administrators	No additional costs			
Utilize the School Leadership Team to build school culture.	September 2015-June 2018	Site administrators, School Leadership Team, district and school support for release days for SLT	Expense captured in Goal 1			
Review and implement the Health and Wellness Awareness Policy.	September 2016-June 2018	Site administrators, Health & Wellness teacher representative	No additional costs.			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Implement site three year plan for Visible Learning.	September 2016-June 2019	Site administration, teachers.	No additional costs.			

Summary of Expenditures in this Plan

Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
		9,000.00
0001-0999: Unrestricted: Locally Defined	General Fund	10,000.00
	LCFF - Base	15,568.00
1000-1999: Certificated Personnel Salaries	LCFF - Base	106,795.00
2000-2999: Classified Personnel Salaries	LCFF - Base	24,300.00
5000-5999: Services And Other Operating	LCFF - Base	25,875.00
	LCFF - Supplemental	97,600.00
1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	45,413.00
2000-2999: Classified Personnel Salaries	LCFF - Supplemental	6,454.00
4000-4999: Books And Supplies	LCFF - Supplemental	5,604.00
5000-5999: Services And Other Operating	LCFF - Supplemental	4,500.00
	Other	3,009.00
1000-1999: Certificated Personnel Salaries	Other	3,654.00
5000-5999: Services And Other Operating	Other	20,757.00
1000-1999: Certificated Personnel Salaries	Parent Teacher Association/Parent Faculty	7,500.00
	Title I	500.00

Summary of Expenditures in this Plan

Total Expenditures by Funding Source

Funding Source	Total Expenditures
	9,000.00
General Fund	10,000.00
LCFF - Base	172,538.00
LCFF - Supplemental	159,571.00
Other	27,420.00
Parent Teacher Association/Parent Faculty Club	7,500.00
Title I	500.00

Summary of Expenditures in this Plan

Total Expenditures by Object Type

Object Type	Total Expenditures
	9,000.00
0001-0999: Unrestricted: Locally Defined	10,000.00
1000-1999: Certificated Personnel Salaries	163,362.00
2000-2999: Classified Personnel Salaries	30,754.00
4000-4999: Books And Supplies	5,604.00
5000-5999: Services And Other Operating Expenditures	51,132.00

Summary of Expenditures in this Plan

Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	217,164.00
Goal 2	37,018.00
Goal 3	17,454.00
Goal 4	114,893.00

Home/School Compact

It is important that families and schools work together to help students achieve high academic standards. Through a process that included teachers, families, and students, the following are agreed upon roles and responsibilities that we, as partners, will carry out to support student success in school and life.

Student Pledge:

Students Will...

- _ Come to school with a positive attitude and maintain self respect and discipline.
- _ Come prepared and ready for daily work.
- _ Complete all class and homework assignments.
- _ Accept responsibility for learning, effort, and behavior.
- _ Ask teachers, parents, and peers for help when needed.
- _ Make sure that you read every day at least 20 to 60 minutes

Parents Pledge:

Parents Will....

- _ Show interest in academic work by signing tests, assignments and report cards.
- _ Check homework for completion and accuracy and sign off.
- _ When possible, check school loop and email teachers questions.
- _ Ensure students make up any missing work.
- _ Ensure attendance and punctuality.
- _ Ensure your child is adhering to school and district rules.
- _ Balance praise and reward to support student effort.
- _ Ensure your child reads every day according to district guidelines.
- _ Actively participate in school activities such as parent boot camp, PTO or activities.

Staff Pledge:

Talbert Staff Will...

- _ Provide quality curriculum and instruction that enables all children to meet the standards.
- _ Develop opportunities for each student to meet their maximum potential.
- _ Provide appropriate materials and resources for students to meet 21st Century goals.
- _ Inform students and parents frequently of program and progress.
- _ Provide a safe and secure learning environment for every student.
- _ Maintain highly qualified teachers.
- _ Maintain efficient and effective public relations with parents and community.

Everyone Will...

- Be equal partners to achieve successful learning.
- Communicate clearly, regularly and respectfully regarding roles and responsibilities.

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). 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 pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Jennifer Morgan	X				
Megan LaBare			X		
Ashly Robinson		X			
Linda Woo		X			
William McPhaul					X
Sydney Rincon					X
Gabriella Rodriguez					X
Kim Dowdy				X	
Laura Cavenar				X	
Daryl Hansen				X	
Mark Holman			X		
Page Hertzberg		X			
Numbers of members of each category:	1	2	1	3	3

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

- 1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
- 2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
- 3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan (Check those that apply):

<input type="checkbox"/>	State Compensatory Education Advisory Committee	_____ Signature
<input type="checkbox"/>	English Learner Advisory Committee	_____ Signature
<input type="checkbox"/>	Special Education Advisory Committee	_____ Signature
<input type="checkbox"/>	Gifted and Talented Education Program Advisory Committee	_____ Signature
<input type="checkbox"/>	District/School Liaison Team for schools in Program Improvement	_____ Signature
<input type="checkbox"/>	Compensatory Education Advisory Committee	_____ Signature
<input type="checkbox"/>	Departmental Advisory Committee (secondary)	_____ Signature
<input checked="" type="checkbox"/>	Other committees established by the school or district (list):	<u>Danell Hanson</u> Signature

- 4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
- 5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
- 6. This SPSA was adopted by the SSC at a public meeting on January 17, 2017.

Attested:

Jennifer Morgan

Typed Name of School Principal

Laura Cavener

Typed Name of SSC Chairperson

JMorgan
Signature of School Principal

Laura Cavener
Signature of SSC Chairperson

1/17/17
Date

1/30/17
Date

The Single Plan for Student Achievement

School: Hisamatsu Tamura Elementary School
CDS Code: 30-66498-6027924
District: Fountain Valley School District
Principal: Kathy Davis
Revision Date: February 1, 2017

The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students. California Education Code sections 41507, 41572, and 64001 and the federal Elementary and Secondary Education Act (ESEA) require each school to consolidate all school plans for programs funded through the ConApp and ESEA Program Improvement into the SPSA.

For additional information on school programs and how you may become involved locally, please contact the following person:

Contact Person: Kathy Davis
Position: Principal
Phone Number: (714) 375-6226
Address: 17340 Santa Suzanne Street
Fountain Valley, CA 92708
E-mail Address: Davisk@fvsd.us

The District Governing Board approved this revision of the SPSA on March 9, 2017.

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School Vision and Mission

Hisamatsu Tamura Elementary School's Vision and Mission Statements

Our Mission:

Tamura's Mission, along with the Fountain Valley School District's, is to promote a foundation for academic excellence, mastery of basic skills, responsible citizenship, and a desire by students to achieve their highest potential through a partnership with home and community.

Our Vision:

Working as a partnership, the Tamura staff is committed to developing the academic, social-emotional, and physical well-being of ALL children. We believe that ALL students can learn with depth and complexity when there are high expectations, rigorous standards, and caring, involved teachers. As educators, we work together to constantly refine and improve our teaching practices, monitor student achievement, and differentiate instruction based on individual student needs. We actively engage our parents and community in our efforts to make an exceptional place for students to learn. We believe we teach the whole child. We expect academic achievement, personal responsibility, honesty, cultural sensitivity, and respect for all people, property, and the environment.

Tamura students will:

- Achieve academic excellence in English-language arts, mathematics, and the sciences.
- Be critical and creative thinkers, demonstrate effective problem-solving and decision-making skills that deal with real-world issues and challenges.
- Communicate effectively in listening, speaking, reading, and writing in a technologically advanced society.
- Use technology as a tool for learning, for acquiring, analyzing, and using information, and for accessing the wider world of people and ideas.
- Learn to work cooperatively, collaboratively, and independently, making choices and taking responsibility for learning.
- Demonstrate integrity, compassion, self-discipline, and interpersonal skills.

School Profile

Tamura Elementary School serves approximately 620 students. Tamura is located in Fountain Valley, California in the Fountain Valley School District.

Student Enrollment - School Demographic Characteristics, data from November 2016

English Learners 21.8%
Gifted and Talented Education 3.3%
Special Education 6.2%
SED Socio-Economically Disadvantaged 14.8%
Hispanic 14.9%
Vietnamese 42.6%
White (not Hispanic) 27.6%
15/16 R-FEP Students DataQuest 6.6%

Our parent community is strong and active in supporting our instructional program and students receive enriched opportunities as a result of their countless dedicated hours. Tamura School uses all available resources in the community to assist students in their emotional and academic development. Parents take advantage of the ample opportunities to be involved in activities that benefit students.

Parent Teacher Organization (PTO)
School Site Council
Fountain Valley Schools Foundation
Classroom Volunteers
Mind Institute ST Math
Action Committee for Education (ACE)
FIBO Art
Intergenerational Volunteer Program
Jog-A-Thon/ Jump-for-Heart
EL Tutoring Program
GLAD
Business/Community Partnerships
Accelerated Reading
Positive Behavioral Intervention Supports (PBIS)
Chess Club
Band
Extended School Program

The dedication of committed leaders, teachers and staff—combined with an inimitable parent community—sets up a child-centered arena where every student succeeds. We produce students who succeed in a comprehensive, Standards-based curriculum and experience a positive transition from Transitional Kindergarten to middle school and beyond. Tamura Elementary is a dynamic school in the beautiful Orange County city of Fountain Valley. We are one of seven elementary schools and three middle schools serving over six thousand students districtwide. The school facility is attractive, well cared-for, and situated within a residential area in the northern part of our district. There are 23 classrooms which are allocated for general and special education classes, as well as support services. Assemblies, student programs, and large activities are conducted in a spacious multi-purpose room complete with stage and state-of-the-art lighting and sound system. Tamura School faces many of the same challenges and opportunities confronting schools throughout much of Southern California. Declining enrollment and the special needs of our at-risk populations have resulted in challenges to and changes in tradition. As a result of these challenges, Tamura has begun to embrace and aggressively enlist our community—drawing in members from all corners to enhance our school programs. Currently, over thirty percent of our population are transfer students—students who have chosen to come to Tamura because of our demonstrated record of excellence. Tamura has a highly qualified, talented, and enthusiastic teaching staff. Our instructional team is comprised of 23 full-time classroom teachers who work collaboratively to develop and implement programs that excite, motivate, and engage all learners. Our teachers care deeply about all aspects of the school program, participate in shared decision-making, and engage in professional development activities which enable them to meet student needs, enhance their instruction, and perform with distinction. Our support staff of non-teaching personnel who work together to nurture the intellectual, physical, and emotional capacities of each child. They are well-trained, experienced, and enthusiastic about meeting student needs. Our students come from a cross-section of cultural, racial, and ethnic backgrounds, as well as an array of abilities— from learning disabled to intellectually gifted. The parents and community members are an active part of Tamura’s team. They act as classroom and/or program volunteers, guest speakers, and school committee members—helping to lead our students through the school—life!

Comprehensive Needs Assessment Components

Data Analysis

Please refer to the School and Student Performance Data section where an analysis is provided.

Surveys

This section provides a description of surveys (i.e., Student, Parent, Teacher) used during the school-year, and a summary of results from the survey(s).

EL and Title I surveys are administered annually by the District.

Students in grades 3rd through 5th grade participate in an annual school climate survey.

School specific surveys for students, staff, and parents are administered on an ongoing basis.

Classroom Observations

This section provides a description of types and frequency of classroom observations conducted during the school-year and a summary of findings.

The Board of Trustees and District administrators value learning and teaching. Throughout the year, District leaders make it a priority to visit every school multiple times. Site visits by the Superintendent, Asst. Superintendents of Personnel, Educational Services and Business and the Board of Trustees are conducted throughout the year. The principal conducts classroom visits on a regular basis both formally and informally. Schools within our district use release time to observe the instructional strategies used at our site.

Analysis of Current Instructional Program

The eight State priority areas listed below are outlined in the Local Control Accountability Plan regulations. These focus areas are used to analyze the current instructional practices for all students including English learners, socio-economically disadvantaged students, students with disabilities, and foster youth.

Basic Services

Teachers

Strengths	Needs
<ul style="list-style-type: none">All highly qualified/credentialed teachers; none teaching outside the credentialed area	<ul style="list-style-type: none">Time to work with California State Standards and continue to work with Differentiated Instruction during grade level meetings, prep time and staff development.

Textbooks

Strengths	Needs
<ul style="list-style-type: none">Textbooks for all subject areas are present on site or at the DistrictCalifornia State Math textbook adoption happened the 2015/16 school year	<ul style="list-style-type: none">Current ELA materials are not aligned to the California State StandardsNon-fiction informational text needed in library and classrooms

Facilities

Strengths	Needs
<ul style="list-style-type: none">Excellent grounds maintenance by our District grounds staffAn excellent campus for our students to play on with access to playground equipment and open grass areasSolar panels40 hours deep cleaning for school site in the summerSolar tubes were installed to enhance natural lighting	<ul style="list-style-type: none">Custodial cleaning and on-going maintenance of cleaning needs improvement such as heavy or deep cleaning carpets, vents, etc. more oftenBlacktop and concrete aging (Deferred Maintenance Plan-Budgeting)Repainting of games on playgroundAir conditioningExtra light bulbs for projectors that are kept on campusNew teacher chairsUpgraded student furniture to make flexible groupings throughout the day easier

California State Standards Implementation (all content areas)

Strengths	Needs
<ul style="list-style-type: none"> Staff development in Math Expressions and CGI Cotsen Principal trainings Site focus on reading instruction, assessments, CGI, and Depth & Complexity 	<ul style="list-style-type: none"> More Common Core instructional resources Adequate alignment of benchmark tests and report cards Materials: Jr. Great Books, Number Talk Books, math manipulatives, class sets of small white boards Collaboration time for teachers to deepen their understanding of California State Standards (planning time, visiting other schools/districts) Training: First, best instruction Online Subscriptions: Sumdog, Brainpop, Raz kids

Course Access

Strengths	Needs
<ul style="list-style-type: none"> ELA/Math block consistent across grade levels Differentiated, small group instruction Greater emphasis on nonfiction, informational text Special education schedules developed to maximize student learning 	<ul style="list-style-type: none"> Grade level consistency in differentiated, small group instruction Limited bilingual tutor hours prohibits schedule that maximizes learning Cross grade articulation meetings on a regular basis

Pupil Outcomes

(Refer to the School and Student Performance Data section for multi-year scores.)

California Assessment of Student Performance and Progress (CAASPP)

Smarter Balanced Assessments

Strengths	Needs
<ul style="list-style-type: none"> Standards Exceeded and Standards Met scores remained the same over the 2014/15 and 2015/16 in ELA Standards Exceeded and Standards Met scores increased by 10% to 70% between 2014/15 and 2015/16 in Math 	<ul style="list-style-type: none"> Increase % of all students meeting and/or exceeding standards in ELA and Math

California English Language Development Test (CELDT)

Strengths	Needs
<ul style="list-style-type: none"> 92 out of 99 are Intermediate or higher 79 out of 99 are Early Advanced or Advanced 	

California English Language Development Test

AMAO 1

Strengths	Needs
<ul style="list-style-type: none"> 81.5% met AMAO, target in 2016 was 62% 	

AMAO 2

Strengths	Needs
<ul style="list-style-type: none">65.3% met AMAO 2 for less than 5 years (target was 25.4%) and 85.7% met AMAO 2 5 years or more (target was 52.8%).	

Reclassification Rates

Strengths	Needs
<ul style="list-style-type: none">R-FEP rate was 6.6%	

California Physical Fitness Test

Strengths	Needs
<ul style="list-style-type: none">Aerobic Capacity: 73.2% met standardBody Composition: 75.0% met standardAbdominal Strength: 95.5% met standardTrunk Extension: 100.0% met standardUpper Body Strength: 89.3% met standardFlexibility: 83.89% met standardWellness WednesdaysNoon Leagues	<ul style="list-style-type: none">Goal of 100% meeting 5 of 6 standardsParental and community support with educating students on the importance of physical education and increasing physical activity

Other Student Outcomes

Universal Literacy Screeners

Strengths	Needs
<ul style="list-style-type: none">DIBELS Next across all grade levelsDIBELS Next & Teachers College assessments used to identify students who may need support/intervention in K-2 gradesSRI used in 4th and 5th gradesSmall group instruction and placement based on literacy screener scores	<ul style="list-style-type: none">Time to assess all students in the beginning of the year, as well, as throughout the yearSpecific interventions plans to address student needs

Engagement

Parent Involvement

Strengths	Needs
<ul style="list-style-type: none">School wide parent involvement, such as, classroom support, School Site Council, ELAC, Lunar New Year, Accelerated Reader and PTO	<ul style="list-style-type: none">Better communicationUse of technologyDiversity

Student Engagement

Attendance

Strengths	Needs
<ul style="list-style-type: none">Working on exceeding the District average of 96.88%Monthly attendance letters	<ul style="list-style-type: none">Better accountability for parents with absences and tardies

Chronic Absenteeism

Strengths	Needs
<ul style="list-style-type: none">• Monthly attendance letters• SART meetings• Parent Education• SARB	<ul style="list-style-type: none">• Better accountability for parents with absences and tardies

School Climate

Suspensions

Strengths	Needs
<ul style="list-style-type: none">• PBIS and strong relationships• Progressive Discipline; strong classroom management	<ul style="list-style-type: none">• Increased participation in PBIS

Expulsions

Strengths	Needs
<ul style="list-style-type: none">• No expulsions reported in the last 3 years• PBIS and relationships	

Survey (California Healthy Kids Survey Results and school surveys)

Strengths	Needs
<ul style="list-style-type: none">• High percentage of students connected to school was 71% for FVSD• Tobacco use was 2% and Drug Use was reported at 15% for FVSD• The overall district-wide data displayed an increased percent of students feeling safe, connected to the school and high levels of meaningful participation in school.	<ul style="list-style-type: none">• Continued education for students• Increase the percent of students that perceive caring relationships with adults in a positive manner.

Description of Barriers and Related School Goals

Description of possible barriers related to goal: Student Achievement

- Lack of time for collaboration within grade levels as well as articulation across grade levels.
- More knowledge of data analysis needed: what to use and how to use it.
- Roadmap for professional development in reading to add consistency of instructional practices.
- Lack of time for on-going professional development for California State Standards.
- * Lack of consistent writing program.

Description of possible barriers related to goal: Special Populations

- A discrepancy exists between low-income and special education students and their non-impacted peers on the Smarter Balanced assessments.
- Inconsistent instructional practices and interventions for English Learners.
- Motivation needed for students who struggle and reach plateaus in ST Math.

Description of possible barriers related to goal: Parent Involvement

- Parents are reluctant to join PTO or serve in volunteer positions (usually in TK-2). Parents of older students tend to join the PTO board in 3rd-5th grade, rather than TK-2.
- Language barrier with our EL parents.
- Lack of involvement opportunity convenient to parent schedules.

Description of possible barriers related to goal: Student Engagement and School Climate

- Staff members need to be more consistent with PBIS rewards and program components.
- More after school programs, both academic and enrichment, needed to allow more access for students to become more "connected" to school. More paid programs: computer driven, foreign language, enrichment, etc.
- Support from parents to not take vacations during school time or allow students to remain at home except when sick.

School and Student Performance Data

CAASPP Results (All Students)

English Language Arts/Literacy

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	100	112	99	107	99	107	99.0	95.5
Grade 4	105	101	104	99	104	99	99.0	98
Grade 5	99	113	99	110	99	110	100.0	97.3
All Grades	304	326	302	316	302	316	99.3	96.9

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2458.5	2453.6	33	34	28	26	29	27	9	13
Grade 4	2502.4	2527.1	35	51	34	29	19	11	13	9
Grade 5	2545.9	2540.7	33	34	43	35	13	16	10	15
All Grades	N/A	N/A	34	39	35	30	21	18	11	13

Reading Demonstrating understanding of literary and non-fictional texts						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	34	33	51	46	15	21
Grade 4	38	40	45	49	17	10
Grade 5	37	35	49	51	12	15
All Grades	36	36	48	49	15	16

Writing Producing clear and purposeful writing						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	34	36	54	49	12	15
Grade 4	34	53	54	37	13	10
Grade 5	42	46	45	37	11	16
All Grades	37	45	51	41	12	14

Listening Demonstrating effective communication skills						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	23	24	70	71	7	5
Grade 4	23	29	69	69	8	2
Grade 5	29	19	63	72	7	9
All Grades	25	24	67	71	7	5

Research/Inquiry Investigating, analyzing, and presenting information						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	29	33	59	44	12	23
Grade 4	23	42	44	48	12	9
Grade 5	44	46	51	45	5	9
All Grades	32	41	51	46	10	14

Conclusions based on this data:

1. Overall, 69% schoolwide Standards Met or Exceeded, 18% scored Standard Nearly Met , and 13% Standard Not Met for ELA.
2. Approximately 85% of our students in 3rd to 5th grade scored At/Near or Above Standard in Reading and 15% were Below Standard.
3. Approximately 86% of our students in 3rd to 5th grade scored At/Near or Above Standard in Writing and 14% were Below Standard.

School and Student Performance Data

CAASPP Results (All Students)

Mathematics

Overall Participation for All Students								
Grade Level	# of Students Enrolled		# of Students Tested		# of Students with Scores		% of Enrolled Students Tested	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	100	112	99	108	98	108	99.0	96.4
Grade 4	105	101	105	99	78	99	100.0	98
Grade 5	99	113	99	113	99	113	100.0	100
All Grades	304	326	303	320	275	320	99.7	98.2

* The “% of Enrolled Students Tested” showing in this table is not the same as “Participation Rate” for federal accountability purposes.

Overall Achievement for All Students										
Grade Level	Mean Scale Score		% Standard Exceeded		% Standard Met		% Standard Nearly Met		% Standard Not Met	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	2476.9	2473.9	31	36	46	33	15	19	6	11
Grade 4	2502.1	2549.6	18	58	28	25	23	14	6	3
Grade 5	2538.9	2534.8	26	39	31	19	35	21	7	21
All Grades	N/A	N/A	25	44	35	26	24	18	6	12

Concepts & Procedures Applying mathematical concepts and procedures						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	59	48	29	39	11	13
Grade 4	41	72	40	21	19	7
Grade 5	29	49	57	26	14	26
All Grades	43	56	42	29	15	16

Problem Solving & Modeling/Data Analysis Using appropriate tools and strategies to solve real world and mathematical problems						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	41	47	47	39	11	14
Grade 4	28	62	56	30	15	8
Grade 5	24	29	63	46	13	25
All Grades	31	45	55	39	13	16

Communicating Reasoning Demonstrating ability to support mathematical conclusions						
Grade Level	% Above Standard		% At or Near Standard		% Below Standard	
	2014-15	2015-16	2014-15	2015-16	2014-15	2015-16
Grade 3	39	47	54	38	6	15
Grade 4	37	58	47	36	15	6
Grade 5	33	32	53	43	14	25
All Grades	36	45	52	39	12	16

Conclusions based on this data:

1. Overall, 85% schoolwide Above Standard or At Near Standard and 15% were below Standard for Math Concepts and Procedures.
2. Overall, 84% schoolwide Above Standard or At Near Standard and 16% were below Standard for Math Problem solving & Modeling/Data Analysis.
3. Overall, 84% schoolwide Above Standard or At Near Standard and 16% were below Standard for Math Communicating Reasoning.

School and Student Performance Data

CELDT (Annual Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT Annual Assessment														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K	25	14	20	63	43	60	13	43	20						
1	47	55	18	47	41	59	7	3	18			6			
2	39	67	31	43	26	44	17	7	22			3			
3	46	60	21	35	24	68	15	16	4	4					7
4	47	45	21	47	40	53	7	15	11			5			11
5	67	50	28	33	50	56			11						6
Total	44	54	24	44	34	55	11	11	13	1		3			4

Conclusions based on this data:

1. Most students scored Intermediate or higher.

School and Student Performance Data

CELDT (All Assessment) Results

Grade	Percent of Students by Proficiency Level on CELDT All Assessments (Initial and Annual Combined)														
	Advanced			Early Advanced			Intermediate			Early Intermediate			Beginning		
	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16	13-14	14-15	15-16
K	9	13	11	27	26	26	30	38	22	20	10	15	14	13	26
1	47	50	15	47	44	60	7	3	15			5		3	5
2	38	67	33	42	26	39	17	7	19	4		6			3
3	44	60	23	33	24	65	15	16	3	4			4		10
4	47	43	21	47	43	53	7	14	11			5			11
5	67	40	27	33	40	45			9		10	5		10	14
Total	34	44	23	37	32	47	16	16	14	8	3	6	5	5	11

Conclusions based on this data:

1. About three-fourths (73%) of all English learners were at the highest levels of language acquisition (Early Advanced and Advanced).
2. Beginning percentages increased significantly between 2014-15 and 2015-16 and Advanced decreased.

School and Student Performance Data

Title III Accountability (School Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	108	116	119
Percent with Prior Year Data	100.0%	100%	100.0%
Number in Cohort	108	116	119
Number Met	97	108	97
Percent Met	89.8%	93.1%	81.5%
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	Yes

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	129	7	130	9	124	14
Number Met	84	--	93	--	81	12
Percent Met	65.1%	--	71.5%	--	65.3%	85.7%
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	--	Yes	--	Yes	Yes

AMAO 3	Adequate Yearly Progress for English Learner Subgroup		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate		Yes	
Met Percent Proficient or Above		--	
Mathematics			
Met Participation Rate		No	
Met Percent Proficient or Above		--	

Conclusions based on this data:

1. Tamura far exceeded the AMAO 1 target of 62.0% with 81.5% of English learners demonstrating growth.
2. Tamura ELs exceeded Federal targets for AMAO 2 less than 5 years in English instruction (65.3% vs 25.4%).

School and Student Performance Data

Title III Accountability (District Data)

AMAO 1	Annual Growth		
	2013-14	2014-15	2015-16
Number of Annual Testers	666	698	769
Percent with Prior Year Data	100.0		100
Number in Cohort	666	698	769
Number Met	550	585	599
Percent Met	82.6	83.8	77.9
NCLB Target	59.0	60.5	62.0%
Met Target	Yes	Yes	N/A

AMAO 2	Attaining English Proficiency					
	2013-14		2014-15		2015-16	
	Years of EL instruction		Years of EL instruction		Years of EL instruction	
	Less Than 5	5 Or More	Less Than 5	5 Or More	Less Than 5	5 Or More
Number in Cohort	643	149	653	174	687	219
Number Met	359	119	377	144	357	178
Percent Met	55.8	79.9	57.7	82.8	52	81.3
NCLB Target	22.8	49.0	24.2	50.9	25.4%	52.8%
Met Target	Yes	Yes	Yes	Yes	N/A	N/A

AMAO 3	Adequate Yearly Progress for English Learner Subgroup at the LEA Level		
	2013-14	2014-15	2015-16
English-Language Arts			
Met Participation Rate	Yes	100	
Met Percent Proficient or Above	No	N/A	
Mathematics			
Met Participation Rate	Yes	98	
Met Percent Proficient or Above	No	N/A	
Met Target for AMAO 3	No		N/A

Conclusions based on this data:

1. English learners in FVSD exceeded AMAO 1 target of 62.0% with 77.9%.
2. English learners in FVSD exceeded both targets for AMAO 2 (Target 25.4%, FVSD 52.0% and Target 52.8%, FVSD 81.3%)

Planned Improvements in Student Performance

School Goal #1

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Achievement
LEA Local Control and Accountability (LCAP) Goal:
Goal 1. To support academic success and prepare students for College and Career, students will have access to 21st Century learning tools, including technology; and engage in rigorous and relevant educational experiences that develop their knowledge, skills and ability to collaborate, create, communicate, think critically, and solve problems.
SCHOOL GOAL #1:
To support academic achievement, Tamura will incorporate professional development, technology integration, school and District signature practices and when available new California State Standards aligned instructional materials.
Data Used to Form this Goal:
Student Achievement: Smarter Balanced Assessments (SBAC) English Language Arts (ELA) and Math, Scholastic Reading Inventory (SRI) Instructional Materials: Access to standards-aligned instructional materials that support the California State Standards Professional Development: CGI, Math Expressions, Jr. Great Books, and Academic Vocabulary Technology: Technology survey, device to student ratio, Chromebook cart schedule
Findings from the Analysis of this Data:
<ul style="list-style-type: none">• Lack of time for collaboration within grade levels as well as articulation across grade levels• More knowledge of data analysis: what to use and how to use it• Roadmap for professional development in reading to add to the consistency of instructional practices• Lack of time for on-going professional development for California State Standards• Lack of consistent writing program
How the School will Evaluate the Progress of this Goal:
<ul style="list-style-type: none">• Student Achievement: SBAC ELA - increase percent scoring Standard Exceeded and Standard Met in all grades SBAC Math - increase percent scoring Standard Exceeded and Standard Met in all grades• Access to instructional materials and technology - Increase/improve materials and technology available for students• Participation in high quality and relevant professional development

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Participate in classroom and/or site visits of District signature practices that support California State Standards	09/2013 - 06/2016	Teachers, Site Administrators, District Administrator	No additional expense associated with this action			
Site based professional development and implement Cognitively Guided Instruction (CGI) in all grade levels	09/2015 - 06/2018	Teachers, Site Administrators	Substitutes, Consultant	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	8,694
Implement and participate in California State Standards aligned materials Math Expressions professional development 09/2015 - 06/2016	09/2015 - 06/2018	Teachers, Site Administrators, District Administrators	No additional expense associated with this action			
Increase student use of technology	09/2015 - 06/2018	District Administrators	No additional expense associated with this action			
Site based professional development for reading and assessments	9/2014 - 6/2018	Teachers, Site Administrator	Substitutes Consultants	1000-1999: Certificated Personnel Salaries 5000-5999: Services And Other Operating Expenditures	General Fund	7,026
Participate in District Reading committee and reading professional development	1/2016 - 6/2018	Administrators, teachers	Substitutes	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	6,552
Improve infrastructure/expand wireless access	9/2015-6/2018	District Administrators, Site Administrator, Technology Team	Hardware, Installation	5000-5999: Services And Other Operating Expenditures	Other	17,612
					LCFF - Base	13,209
					LCFF - Supplemental	4,403

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Increase opportunities for teacher collaboration by including it in professional development, student free days, Thursday staff meetings, and Friday PLC time.	9/2016- 6/2018	Administrators, teachers	No additional expense associated with this action.			

Planned Improvements in Student Performance

School Goal #2

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Special Populations
LEA Local Control and Accountability (LCAP) Goal:
Goal 2: To support academic success in the core program, English learners, foster youth, low income, and special education students will be provided with additional supports to ensure equal access, engagement, and high levels of achievement.
SCHOOL GOAL #2:
All students, including significant subgroups, will demonstrate achievement equal to or greater than the State average in English language arts and math thereby addressing the achievement gap.
Data Used to Form this Goal:
<ul style="list-style-type: none">• SBAC Subgroup Scores• CELDT• AMAO 1 & 2 <p>Progress Monitoring</p> <ul style="list-style-type: none">• DIBELS NEXT/Teachers College• SRI (Scholastic Reading Inventory)• FVSD writing benchmarks
Findings from the Analysis of this Data:
<ul style="list-style-type: none">• Inconsistent instructional practices and interventions for English Learners• Motivation needed for students who struggle and reach plateaus in ST Math• A discrepancy exists between low income and special education students and their non-impacted peers on the Smarter Balanced assessments.

How the School will Evaluate the Progress of this Goal:

2015/2016 established the base scores for SBAC. In 2015/2016 every group including English learners and low income student are expected to demonstrate improved achievement. Progress monitoring using District assessments will continue to be used to ensure students have the greatest opportunity to meet grade level expectations on state tests.

- DIBELS/Teachers College
- SRI
- Writing Benchmarks
- CELDT
- AMAO 1 & 2

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Bilingual tutor support for Beginning and Early Intermediate English Learners to facilitate content mastery	09/2015 - 06/2017	Teachers, Support Staff, Site Administrator, District Administrator	Classified salaries	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	19,132
Participate in District provided California State Standards Professional Development	09/2015 - 06/2017	Teachers, Site and District Administrators	Expenses outlined in Goal 1			
Site based professional development	09/2015 - 06/2017	Teachers, Site Administrators	No additional expense associated with this action			
Participate in classroom and/or site visits of District signature practices that support California State Standards	09/2015 - 06/2017	Teachers, Site Administrators	Expenses outlined in Goal 1			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Analyze and disaggregate student achievement data in English language development, English/language arts, and mathematics in order to provide timely intervention and close the achievement gap	09/2015 - 06/2017	Teachers, Site Administrator	Annual renewal fees	5000-5999: Services And Other Operating Expenditures	LCFF - Base LCFF - Supplemental	2,590 1,636
Collaboration in grade levels on District signature practices and California State Standards instruction to further support student learning	09/2015 - 06/2017	Teachers, Site Administrator	Expenses outlined in Goal 1 - District signature practices			
Purchase supplemental informational text instructional materials to support California State Standards implementation	09/2015 - 06/2017	Teachers, Site Administrator	Materials	4000-4999: Books And Supplies	LCFF - Supplemental	4,792
Participate in school library program	09/2015 - 06/2017	Library Media Technician	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Base LCFF - Supplemental	13,800 6,230
Utilize ST Math to support English learners, low income youth, and other high needs student populations	09/2015 - 06/2017	Teachers renewal fees		5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	2,500
Implement Academic Vocabulary Toolkit	09/2015 - 06/2017	Teachers, Site Administrators	No additional expense associated with this action	5000-5999: Services And Other Operating Expenditures	LCFF - Supplemental	

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Continue to administer District identified assessments (CORE Phonics, FVSD Writing Benchmarks, Scholastic Reading Inventory)	09/2015 - 06/2017	Teachers, Site Administrators	Materials, online subscriptions	4000-4999: Books And Supplies	LCFF - Base	3,500
Support implementation of Cognitively Guided Instruction (CGI)	09/2015 - 06/2017	Teachers, Site, Administrators, District Administrators	Expense captured in Goal 1			
After school writing program for ELs	09/2015 - 06/2017	Administrator, Teachers	Stipends	1000-1999: Certificated Personnel Salaries	Title III	6,800
Utilize TOSAs in reading, math and intervention	9/2016- 6/2018	District Administrators, Site administrator, TOSAs	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	22,000
Provide teachers release time to administer, score, and analyze data through certificated music instruction	9/2016-6/2018	Teachers, Site Administrator	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	32,814

Planned Improvements in Student Performance

School Goal #3

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Parent Involvement
LEA Local Control and Accountability (LCAP) Goal:
Goal 3. To support academic success, all parents will be engaged and play an active role in the school community.
SCHOOL GOAL #3:
Increase participation of parents of at-risk students at school events (i.e. parents ed nights, participation in PTO, SSC, school activities, conferences).
Data Used to Form this Goal:
SSC roster, PTO roster, volunteer lists, parent conference attendance, English Learner Advisory Committee (ELAC) documentation
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Parent Involvement <ul style="list-style-type: none"> • Parents are reluctant to join the PTO or serve in volunteer positions. • Parents of older students tend to join the PTO board in 3rd-5th grade. • Language barrier with our EL parents.
How the School will Evaluate the Progress of this Goal:
School Site Council documentation; English Learner Advisory documentation; District English Learner Advisory documentation; Number of parent education opportunities; meeting sign ins, agendas, and resources; expenditures for interpretation, translation, and childcare; responses to parent surveys

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Expand parent education nights and include childcare	9/2016- 9/2018	Teachers, PTO, Site Administrator	No additional expense associated with this action			
Publicize meetings via newsletters, flyers and phone system	9/2016 - 6/2018	PTO Executive Board, Site Principal	Duplication expenses	5000-5999: Services And Other Operating Expenditures	Parent Teacher Association/Parent Faculty Club (PTA/PFC/PTSO, PTO, etc.)	180
Continue to provide a bilingual Community Liaison to support parent outreach	09/2013 - 06/2018	District Staff	Personnel	2000-2999: Classified Personnel Salaries	LCFF - Supplemental	6,454

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Utilize technology and social media to communicate with parents, promote involvement, and solicit input	09/2013 - 06/2018	District Staff, Site Administrator	Personnel and service agreements	2000-2999: Classified Personnel Salaries	LCFF - Base Title I	10,500 500
Continue to provide home/school communication through newsletters, flyers, Peachjar, and phone system	09/2013 - 06/2018	Teachers, Site Administration	No additional expenses associated with this action			
Provide translation services as needed or required	09/2014 - 06/2018	District Staff	Expenses captured in Goal 2 and in an earlier Action in Goal 3			

Planned Improvements in Student Performance

School Goal #4

The School Site Council analyzed the eight State priority areas and adopted the following school goals, related actions and expenditures to support pupil outcomes.

CATEGORY/PRIORITY AREA(S): Student Engagement & School Climate
LEA Local Control and Accountability (LCAP) Goal:
Goal 4. To support academic success, students will have access to a safe supportive, and nurturing environment that promotes engagement and school connectedness.
SCHOOL GOAL #4:
Create a learning and school climate that improves students' attendance, connection, and overall involvement in all aspects of their education.
Data Used to Form this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey, PBIS, School Climate survey - grades 3-5
Findings from the Analysis of this Data:
Description of possible barriers related to goal: Student Engagement and School Climate <ul style="list-style-type: none"> • Staff member need to be more consistent with PBIS rewards and program components • More after school programs needed to allow more access for students to become more "connected" to school • Support needed from parents to not take vacations during school time or allow students to remain at home except when sick
How the School will Evaluate the Progress of this Goal:
Daily attendance rates, chronic absenteeism information, suspensions, California Healthy Kids Survey results, School Climate survey results

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Educate parents regarding District absenteeism policy	09/2013 - 06/2017	Site Administrator, Support Staff	No additional expense associated with this action			
Assemble stakeholder groups to provide input and suggestions on how to improve student attendance rates and reduce chronic absenteeism	09/2013 - 06/2018	Site Administrator, Teachers, Parents	No additional expense associated with this action			

Actions to be Taken to Reach This Goal	Timeline	Person(s) Responsible	Proposed Expenditure(s)			
			Description	Type	Funding Source	Amount
Implement Positive Behavior Intervention Systems (PBIS) in order to reduce classroom disruptions and create a positive environment for student learning	09/2013 - 06/2017	Teachers, Site Administrators	No additional expense associated with this action			
Expand and update our current PBIS plan. Our current 3T program is still needing to be used to its fullest extent	09/2013 - 06/2018	Teachers, Site Administrators	No additional expense associated with this action			
Provide health services to support attendance for high needs student populations	09/2013 - 06/2017	School Staff, Site Administrator, District Staff	Personnel	1000-1999: Certificated Personnel Salaries	LCFF - Base LCFF - Supplemental	20,400 4,000
Analyze suspension information to identify patterns in misconduct and/or student demographics	09/2014 - 06/2017	Site Administrator, District Staff	No additional expense associated with the action			
Consistent meeting of Leadership Team to build capacity at site. continue to utilize their expertise at professional development at site.	9/2015 - 6/2018	Teachers, Site Administrator	No additional expense associated with the action			
Follow Health and Wellness policy and activities	9/2015 - 6/2018	Teachers, Site Administrator, Support Staff, PTO	No additional expense associated with the action			
continue with Noon Leagues to increase student engagement/connectedness	9/2015- 6/2018	Teachers, Students, Site Administrator	No additional expense associated with the action			
Monthly attendance reports run and letters sent to parents	9/2015 - 6/2018	Office staff, Site Administrators, Teachers	No additional expense associated with the action			

Summary of Expenditures in this Plan

Total Expenditures by Object Type and Funding Source

Object Type	Funding Source	Total Expenditures
1000-1999: Certificated Personnel Salaries	General Fund	7,026.00
	LCFF - Base	13,209.00
1000-1999: Certificated Personnel Salaries	LCFF - Base	20,400.00
2000-2999: Classified Personnel Salaries	LCFF - Base	24,300.00
4000-4999: Books And Supplies	LCFF - Base	3,500.00
5000-5999: Services And Other Operating	LCFF - Base	2,590.00
	LCFF - Supplemental	16,269.00
1000-1999: Certificated Personnel Salaries	LCFF - Supplemental	70,060.00
2000-2999: Classified Personnel Salaries	LCFF - Supplemental	25,586.00
4000-4999: Books And Supplies	LCFF - Supplemental	4,792.00
5000-5999: Services And Other Operating	LCFF - Supplemental	2,500.00
5000-5999: Services And Other Operating	Other	17,612.00
5000-5999: Services And Other Operating	Parent Teacher Association/Parent Faculty	180.00
	Title I	500.00
1000-1999: Certificated Personnel Salaries	Title III	6,800.00

Summary of Expenditures in this Plan

Total Expenditures by Funding Source

Funding Source	Total Expenditures
General Fund	7,026.00
LCFF - Base	63,999.00
LCFF - Supplemental	119,207.00
Other	17,612.00
Parent Teacher Association/Parent Faculty Club	180.00
Title I	500.00
Title III	6,800.00

Summary of Expenditures in this Plan

Total Expenditures by Object Type

Object Type	Total Expenditures
1000-1999: Certificated Personnel Salaries	104,286.00
2000-2999: Classified Personnel Salaries	49,886.00
4000-4999: Books And Supplies	8,292.00
5000-5999: Services And Other Operating Expenditures	22,882.00

Summary of Expenditures in this Plan

Total Expenditures by Goal

Goal Number	Total Expenditures
Goal 1	57,496.00
Goal 2	115,794.00
Goal 3	17,634.00
Goal 4	24,400.00

Home/School Compact

It is important that families and schools work together to help students achieve high academic standards. Through a process that included teachers, families, and students, the following are agreed upon roles and responsibilities that we, as partners, will carry out to support student success in school and life.

Student Pledge:

THE STUDENT PLEDGE:

I realize that my education is important. I know I am the one responsible for my own success. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will return completed homework on time.
- _____ I will return corrected work to my parent(s).
- _____ I will arrive at school on time every day unless I am ill.
- _____ I will be responsible, be respectful, be safe, and be my best.

Parents Pledge:

THE PARENT PLEDGE:

I understand that my participation in my child's education will help his/her achievement and attitude. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will provide a quiet place for my child to study.
- _____ I will encourage my child to complete his/her homework.
- _____ I will make sure my child gets an adequate night's sleep.
- _____ I will see to it that my child arrives at school on time every day.
- _____ I will spend at least 20 minutes per day reading with my child.
- _____ I will attend Back to School Night, Parent Conferences, and Open House
- _____ I will support the school/district policies on homework, discipline and attendance.
- _____ I will strive to be aware of the individual needs of my child.

Staff Pledge:

THE TEACHER PLEDGE:

I understand the importance of the school experience to every child and my role as a teacher and model. Therefore, I agree to carry out the following responsibilities to the best of my ability:

- _____ I will teach all the necessary concepts to your child before regular homework is assigned.
- _____ I will strive to be aware of the individual needs of your child.
- _____ I will regularly communicate with you regarding your child's progress.
- _____ I will provide a safe and positive learning environment for your child.

Everyone Will...

- Be equal partners to achieve successful learning.
- Communicate clearly, regularly and respectfully regarding roles and responsibilities.

School Site Council Membership

California Education Code describes the required composition of the School Site Council (SSC). 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 pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. The current make-up of the SSC is as follows:

Name of Members	Principal	Classroom Teacher	Other School Staff	Parent or Community Member	Secondary Students
Kathy Davis	X				
Michelle Carr		X			
Bonnie Tucker		X			
Cheryl Hall			X		
Andrea Carmody				X	
Louise Proli				X	
Iris Gloria				X	
Debi Mirghavami				X	
Numbers of members of each category:	1	2	1	4	

At elementary schools, the school site council must be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel, and (b) parents of students attending the school or other community members. Classroom teachers must comprise a majority of persons represented under section (a). At secondary schools there must be, in addition, equal numbers of parents or other community members selected by parents, and students. Members must be selected by their peer group.

Recommendations and Assurances

The school site council (SSC) recommends this school plan and Proposed Expenditure(s) to the district governing board for approval and assures the board of the following:

1. The SSC is correctly constituted and was formed in accordance with district governing board policy and state law.
2. The SSC reviewed its responsibilities under state law and district governing board policies, including those board policies relating to material changes in the Single Plan for Student Achievement (SPSA) requiring board approval.
3. The SSC sought and considered all recommendations from the following groups or committees before adopting this plan **(Check those that apply):**

State Compensatory Education Advisory Committee

X English Learner Advisory Committee

Special Education Advisory Committee

Gifted and Talented Education Program Advisory Committee

District/School Liaison Team for schools in Program Improvement

Compensatory Education Advisory Committee

Departmental Advisory Committee (secondary)

Other committees established by the school or district (list):

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

4. The SSC reviewed the content requirements for school plans of programs included in this SPSA and believes all such content requirements have been met, including those found in district governing board policies and in the local educational agency plan.
5. This SPSA is based on a thorough analysis of student academic performance. The actions proposed herein form a sound, comprehensive, coordinated plan to reach stated school goals to improve student academic performance.
6. This SPSA was adopted by the SSC at a public meeting on February 1, 2017.

Attested:

Kathy Davis

Typed Name of School Principal

Kathy Davis

Signature of School Principal

Feb. 1, 2017

Date

Debi Mirghavami

Typed Name of SSC Chairperson

Debi Mirghavami

Signature of SSC Chairperson

01 FEB 2017

Date



Fountain Valley School District
Curriculum and Instruction

M E M O R A N D U M

TO: Board of Trustees
FROM: Christine Fullerton, Assistant Superintendent Business Services
Parham Sadegh, IT Supervisor
SUBJECT: **AWARD A CONTRACT TO HP, INC. TO PURCHASE
CHROMEBOOKS THROUGH THE FULLFILLMENT PARTNER,
SEHI COMPUTER PRODUCTS, INC.**
DATE: March 6, 2017

Background:

Since December 2013, the FVSD (Fountain Valley School District) has purchased over 2,800 Chromebooks to fulfill the requirements of the Smarter Balanced Assessment Consortium (SBAC), California Assessment of Student Performance and Progress (CAASPP), STEM (Science, Technology, Engineering and Math), Common Core State Standards (CCSS), and the District's own in-house testing, Scholastic Reading Inventory (SRI), as well as general use by students. Chromebooks facilitate collaboration between students and can easily be shared among many students. They are also secure, easy to use and inexpensive. The IT Department anticipates purchasing additional Chromebooks throughout the 2016-2017 as well as the 2017-2018 school years.

The State of Minnesota, in association with the National Association of State Procurement Officials (NASPO) and the Western States Contracting Alliance (WCSA), which is an alliance consisting of many states throughout the United States that provide its members with better purchasing power and discounted prices, awarded Master Agreement No. MNWNC-115 to Hewlett Packard Company, effective April 1, 2015 through March 31, 2020, for computer equipment (desktops, laptops, tablets, servers and storage, including related peripherals and services). On July 7, 2015, an Assignment Agreement was executed by Minnesota to reflect Hewlett Packard Company's desire to separate itself into two different companies, HP, Inc. dba HP Computing and Printing, Inc. (desktops, laptops, and tablets) resulting in a new Master Agreement No. MNNVP-133, and Hewlett Packard Enterprise (servers and storage) resulting in a new Master Agreement No. MNNVP-134.

The State of California, Department of General Services, approved the usage of these agreements on September 29, 2015 through the California Participating Addendum No. 7-17-70-34-001 for desktops, laptops, and tablets and California Addendum No. 7-15-70-34-002 for servers and storage. Pursuant to Public Contract Code sections 10298, 10299,

and 12100 et seq., the District can utilize contracts awarded by the California Department of General Services. District staff has determined that computer equipment (HP Chromebooks) identified in the Master Agreement No. MNNVP-133 awarded to HP, Inc. and California Participating Addendum No. 7-15-70-34-001 meets the needs of the District. District staff has reviewed the terms and conditions of the agreements, has assessed the prices to be fair, reasonable, and competitive and finds it is in the best interest of the District to award a contract to HP, Inc. for the purchase of the HP Chromebooks on an as-needed basis. The savings to the District are significant and the use of these agreements would expedite delivery of needed HP Chromebooks to District schools. In addition, as allowed under the California Participating Addendum No. 7-15-70-34-001, Sehi Computer Products, Inc. in an authorized HP, Inc. fulfillment partner able to receive purchase orders, invoice, and receive payments on behalf of HP, Inc. The approval applies to purchases of HP Chromebooks made within the term of the agreement and is contingent upon verification of the availability of funds for each purchase.

Fiscal Impact:

Chromebooks are purchased throughout the fiscal year using both Site and District funds as available.

Recommendation:

It is recommended that the Board of Trustees awards the contract to HP, Inc. for the purchase of Chromebooks pursuant to Master Agreement No. MNNVP-133 awarded by the State of Minnesota in association with NASPO/WSCA and approved for usage in California pursuant to California Participating Addendum No. 7-15-70-34-001, utilizing approved HP, Inc. fulfillment partner, Sehi Computer Products, Inc.



Fountain Valley School District
PERSONNEL DEPARTMENT

M E M O R A N D U M

TO: Board of Trustees
FROM: Ross Hessler, Director - Human Resources
SUBJECT: **APPROVAL OF CONTRACT WITH EDUCATIONAL
MANAGEMENT SOLUTIONS**
DATE: March 6, 2017

Background:

School districts perform classification studies of their classified employees in order to determine that the work of employees is accurately depicted in their job descriptions and that they are compensated appropriately for that work. In addition, studies provide legally compliant descriptions in terms of the Americans with Disabilities Act (ADA), Equal Employment Opportunity Commission (EEOC), and Fair Labor Standards Act (FLSA).

Outside of a district-wide study, requests for review are made periodically by individual employees, or a class of employees, to determine if the work is properly classified. These reviews are conducted by the Human Resources Director. He has done about 40 studies in the last 17 years, including those which resulted in the creation of new classifications. However, the last district-wide classification study was conducted in 1996. It is generally recommended that studies be performed more regularly, with the typical district target at about 10 year intervals between studies.

An RFP was sent out in the fall of 2015 and from the proposals received, the Personnel Commission heard presentations by three consultants in January, 2017. At its meeting on February 9, 2017, the Commission voted unanimously to select the consulting firm Educational Management Solutions (EMS) to perform a classification and compensation study for the District's classified staff.

EMS will use a point factor system to analyze positions and provide training to a "steering committee," as well as Personnel Commission staff, on their methodology. This will help in conducting future studies in a similar manner.

Fiscal Impact:

The total cost for EMS to perform the classification study is \$48,995.

Recommendation:

It is recommended that the Board of Trustees approves the contact with Educational Management Solutions in the amount of \$48,995.

Contract Agreement

This Agreement made and entered into by and between Fountain Valley School District(School) and Educational Management Solutions LLC (Contractor) on March 9, 2017 agrees as follows:

WHEREAS the Contractor has experience in specific knowledge and skills in the development, organization and uses of aspects of human resources services and/or school systems and the School desires to retain the services of Contractor to provide consultation and support services to the School's operations.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

- I. **Term of Agreement.** This Agreement is full force and effect commencing on March 9, 2017, until terminated on June 30, 2018 or pursuant to the provisions of Section X.
- II. **Scope of Services.** The Scope of Services to be performed by Contractor shall include a Job Classification Study as further referenced in *the attached Project Proposal*.
- III. **Amount and Method of Payment.** In consideration of the performance of the Scope of Services set forth in this Agreement, the School shall pay to Contractor the amount \$48,995 including travel related expenses in expenses as further referenced in the project proposal and made part of this Agreement. Payment shall only be made for services upon approval by the School's designated representative. Invoice shall identify project, activity, and payment amount.
- IV. **Indemnification:** Contractor shall indemnify and hold the School harmless from and against any and all liability, loss, damage, cause of action, cost or expense, including reasonable attorneys' fees, arising out of or in any way connected with any negligent or intentional act or omission or any other actionable conduct by Contractor, its officers, employees, agents and/or subcontractors. To the extent permitted by California law, the School shall indemnify and hold Contractor harmless from and against any and all liability, loss, damage, cause of action, cost or expense, including reasonable attorneys' fees, arising out of or in any way connected with any negligent or intentional act or omission or any other actionable conduct by the School, its officers, employees, agents and/or subcontractors (except Contractor).
- V. **Relationship of Parties.** In providing the services described in this Agreement, Contractor shall act as an independent contractor and not as an employee of the School. The relationship between Contractor and School is, and at all times shall remain, solely as an independent contractor relationship, and shall not be, or be construed to be, a joint venture, partnership or other relationship of any nature. In accordance with that relationship, Contractor shall assume all responsibility for any federal and state income tax withholding, social security, disability, and any other deductions from income that Contractor is properly required to make as an independent contractor.

The Contractor shall be subject to and shall comply with all Federal, State and local laws and regulations applicable with respect to its performance under this Agreement including, but not limited to: licensing, employment and purchasing practices, and wages, hours and conditions of employment, including nondiscrimination.
- VI. **Limitations on Authority.** Contractor shall not incur any obligations or expenses on behalf of the School, nor shall Contractor have any power or authority to negotiate or enter into any contract with any person on behalf of the School. Further, Contractor shall not represent to any person that they have the authority to incur any obligations or to enter into or negotiate any contracts on behalf of the School.
- VII. **Background Clearance.** Due to the nature of the business and requirements of the School any individual providing services under authorization of the Contractor has successfully passed a background clearance.
- VIII. **Confidentiality of Information.** During the term of this Agreement and any extensions thereof, the School may make available to Contractor confidential information necessary for the Contractor to provide the required scope of services including but not limited to salary information, contractual agreements and/or other documents, as consideration therefore, Contractor expressly warrants:

- A. It is agreed and understood that such information furnished to the Contractor by the School or their officers, employees or agents, or information received by the Contractor during the performance of services under this Agreement is confidential information, and will not be disclosed by the Contractor by any means to other persons or entities.
- B. Upon termination of this Agreement, for any reason, Contractor shall promptly return to School all documents and any other information deemed by the School to be of a confidential nature, and Contractor shall not make copies or facsimiles of same for use or the use of others.
- IX. **Non-Assignment of Work.** This Agreement and the services and obligations to be performed hereunder by Contractor may not be assigned by Contractor. Any attempt at assignment shall be void and unenforceable and shall cause the immediate termination of this Agreement notwithstanding the conditions stated in Section X.
- X. **Termination of Engagement.** The Contractor's services may be terminated by either party without cause upon 30 days written notice to the other party. Upon termination of this Agreement, all of the obligations of the parties shall terminate immediately, except that the School shall, subject to Section III, pay any earned but unpaid compensation to Contractor as soon as practicable.
- XI. **Binding Agreement.** This Agreement shall be binding on, and shall inure to the benefit of, the parties to it and their respective heirs, legal representatives, successors, and assigns. Notwithstanding the above, it is agreed that this Agreement, and the rights, duties and obligations created hereunder are personal to Contractor and may not be assigned by Contractor is indicated in Section IX above.
- XII. **Governing Law.** The interpretation and enforcement of this Agreement shall be governed by the laws of the State of California.
- XIII. **Modification.** No waiver, alteration, modification, or termination of this Agreement shall be valid unless made in writing and signed by the authorized parties hereof.
- XIV. **Enforcement.** If any provision or portion of this Agreement is held unreasonable, unlawful or unenforceable by account of competent jurisdiction, the provision will be deemed to be modified to the extent necessary for the provision to be legally enforceable to the fullest extent permitted by applicable law. Any court of competent jurisdiction may enforce any provision of this section or modify any provision in order that the provision can be enforced by the court to the fullest extent permitted by applicable law.
- XV. **Captions.** The headings or captions contained in the Agreement are not a part of the Agreement and shall have no effect upon the construction or interpretation of any part thereof.
- XVI. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.
- XVII. **Integration.** This is the final expression of all items of the Agreement between Contractor and School. There are no promises, statements, verbal understandings, or agreements of any kind, pertaining to this Agreement other than specified herein.

Contact Persons and Addresses:

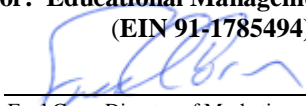
Contractor: Educational Management Solutions

Client: Fountain Valley School District

IN WITNESS WHEREOF, it is deemed that the parties hereto have executed this Agreement on the date and year above written.

For: Educational Management Solutions
(EIN 91-1785494)

For: Fountain Valley School District

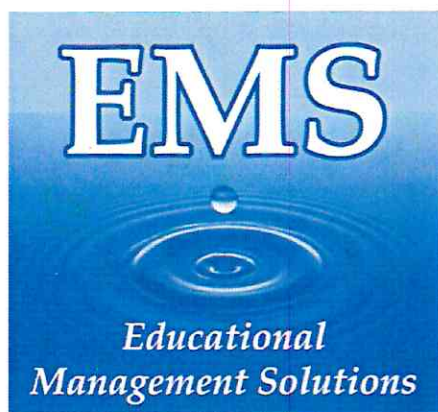


Fred Corn, Director of Marketing

Name

Date: 3/1/2017

Date: _____



Educational Management Solutions

Helping
Schools Navigate
the Ever
Changing World
of Human
Resources



Proposal

Comprehensive Classification and Compensation Study
Job Description, Legal Compliance and Strategic Compensation Design
For

Fountain Valley School District

Preparing today's youth for tomorrow's future

EMS California Office
P.O. Box 1290 – Murphys, CA 95247
(855) 840-2100 www.emsaccess.com

Your partner in building effective HR Solutions

<p style="text-align: center;">Fountain Valley School District Comprehensive Classification and Compensation Study</p>
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Submitted By
Fred Corn
Educational Management Solutions
Murphys California
(855) 840-2100

Branch Offices: CA, CT, KS, MD, MO, NM, WA, WY

Introduction / Qualifications

Educational Management Solutions

A recognized leader in consulting, training and software solutions specifically targeted to meet the Human Resource needs of school systems across the Nation. Exclusively working with public school systems since 1997, EMS clients have included hundreds of school systems throughout the United States. EMS has an unmatched breadth of expertise gained from previous work in both the private and public sectors. Further, we have combined this experience in personnel management, compensation planning, employment regulations, and workers compensation with leading edge computer technology to provide school systems solutions in the development, analysis, management and uses of job information.

<u>Name:</u>	Educational Management Solutions
<u>Structure:</u>	Limited Liability Company (LLC)
<u>Home Office Address:</u>	119 W Iron 2 nd Floor Salina, KS 67401
<u>California Office:</u>	P.O. Box 1290 Murphys, CA 95247
<u>Contact Information:</u>	Email – support@emsacces.com Phone – 1 (209) 728-2100
<u>Date Established:</u>	1992
<u>Submitted By:</u>	Fred Corn & Matt Spencer

**Accurate, defensible
and understandable
job information &
compensation
structures provide the
basis for virtually all
Human Resource
decisions.**



Company Background and History

Educational Management Solutions (EMS) is recognized as a leader in providing consulting, training and software solutions specifically targeted to meet the Human Resource needs of educational systems across the Nation. Exclusively working with educational systems since 1997, EMS clients have included educational systems throughout the United States. EMS has an unmatched breadth of expertise gained from previous work in both the private and public sectors. The staff of EMS, having practical day-to-day experience in the management of school human resource departments, understands the needs of educational systems. Further, EMS has combined this experience in personnel management, compensation planning, employment regulations, and workers compensation with leading edge computer technology to provide educational systems solutions in the development, analysis, management and uses of job information.

National Company with California Roots

EMS was founded in and is still primarily operated from California. EMS has successfully performed services similar to those requested for dozens of California educational systems. Further, EMS has recently provided (or is currently providing) job classification process, market analysis and strategic salary structure planning for Alameda COE, Barstow Schools, Castro Valley Schools, Centinela UHSD, Fremont Unified, Livermore Schools, Lompoc Schools, Palmdale Schools, San Diego COE, San Lorenzo Schools, San Leandro Schools, Shasta COE, and Vista USD. These local and regional roots provide EMS a uniquely in-depth understanding of the culture and needs of California community colleges and K-12 Educational systems.

EMS's national presence includes locations in California, Washington, Wyoming, Kansas, Missouri, New Mexico, Georgia, and Maryland.

Education Based HR Expertise

The significant amount of school based human resource knowledge, experience and expertise allows EMS staff to provide a wide range of effective, efficient and legally compliant human resource solutions and realistic implementation strategies. EMS staff members have decades of experience in educational system human resource administrative roles. This experience provides EMS with an outstanding understanding of the unique culture and needs of educational systems.

Building Partnerships to Find Solutions

EMS strongly believes in a partnering approach that allows us to truly understand the specific needs of your District. Further, our in-depth collaboration with District staff allows us to more effectively and efficiently solve problems and create realistic implementation strategies that meet the specific needs of the District. From our client-centered planning sessions and communication processes to our comprehensive on and off-site research, needs assessment, training and client support teams, EMS can provide a level of comprehensive assistance that truly is unmatched.

Similar Projects / References

Following is a list of several references of school systems that have had re-classification studies performed by Educational Management Solutions.

Castro Valley School District

Contact: Sherri Beetz (510) 537-3000
Director of Human Resource
4400 Alma St, Castro Valley, CA 94546

Livermore Valley Joint School District

Contact: Yolanda Holms (925) 606-3268
Executive Director of Human Resources
685 East Jack London Blvd, Livermore, CA 94551

San Diego County Office of Education

Contact: Michele Fort-Merrill (858) 292-3588
Assistant Superintendent
6401 Linda Vista Road, San Diego, CA 92111

San Leandro Unified School District

Contact: John Thompson (510) 667-3523
Assistant Superintendent of Human Resources
835 E. 14th Street, San Leandro, CA 94577

Vista Unified School District

Contact: BethAnn Arko (760) 631-4537
Director of Human Resources
1234 Arcadia Ave., Vista, CA 92084

The following is a partial listing of public school systems that Educational Management Solutions has provided services that, in part or in whole, included components of the study as proposed.

Alameda City - California

Anne Arundel - Maryland

Atwater - California

Battleground - Washington

Blue Valley - Kansas

Carlsbad - California

Carlsbad - New Mexico

Castro Valley - California

Centenila Valley - California

Clover - South Carolina

College of Marin - California

Davenport - Iowa

Desert Sands - California

Dos Palos - California

Dry Creek Elem. - California

East Valley - Washington

Eureka - California

Fairbanks - Alaska

Floyd County - Georgia

Forest Grove - Oregon

Fortuna - California

Frederick - Maryland

Gilbert Public - Arizona

Glendale Elem. - Arizona

Golden Valley - California

Grand Island - Nebraska

Grandview - Washington

Great Falls - Montana

Grossmont Union - California

Hesperia - California

Hobbs - New Mexico

Issaquah - Washington

Lawrence - Kansas

Mariposa County - California

Marysville - California

Mesa - Arizona

Morongo - California

National City - California

New Britain - Connecticut

Oceanside - California

Omak - Washington

Palo Verde - California

Pendergast Elem. - Arizona

Placer COE - California

Planada - California

Pleasanton - California

Raymore-Peculiar - Missouri

Riverside COE - California

Roseville City - California

Roseville Joint - California

Roswell - New Mexico

Salina - Kansas

San Diego City - California

San Dieguito - California

San Leandro - California

San Lorenzo - California

Santa Clara COE - California

Sedro-Woolley - Washington

Sweetwater - California

St. Louis Parish - Louisiana

Tacoma - Washington

Tahoe-Truckee - California

Tahoma - Washington

Tolleson - Arizona

Walker - Georgia

Wapato - Washington

Warren - Michigan

Washington Union - California

West Fresno - California

West Valley - Washington

Yakima - Washington

Yuma HSD - Arizona

Projected Project Staff

Fred Corn (Project Team Support / Report Analysis) Fred has 16 years of experience in human resource management with specialization in employee benefits and compensation. Mr. Corn, in addition to his background in school district operations also has a degree in Computer Science and significant experience in programming and application of computer technologies for human resource operations. Mr. Corn is based out of the Central Regional Office in Kansas.

Sandra Dickerson (Job Analysis) Sandra has more than 30 years of experience as a teacher and school administrator. Ms. Dickerson was also recognized at the Most Distinguished Principal in the Kansas City Area by the Greater Kansas City Principal's Association. Ms. Dickerson currently serves as a student teacher supervisor for Graceland University. Ms. Dickerson works out of the Kansas City Metro area.

Beverly Goldie (Job Analysis) Beverly has over 20 years of experience in as a teacher and administrator in Elementary, Secondary and Adult Educations. In addition to her teaching credential in Elementary and Special Education, Dr. Goldie, has held the administrative positions of Principal, District Bilingual Education Coordinator, and Director of Instruction and Personnel. Prior to joining EMS Dr. Goldie directed the Workforce Development Education for San Joaquin County Office of Education. Ms. Goldie is based out of the Central Office of EMS in Murphys, California.

Betty Gray (Project Management/Data Analysis) Betty directs the Company's Project Operations. Ms. Gray has over 20 years experience in supervision, labor relations and employee training. Ms. Gray has extensive expertise in analyzing jobs for use in the development of pre-placement medical exams, compensation evaluations and personnel compliance. Ms. Gray will provide overall coordination of the project's team. Ms. Gray is based out of the Western Region Office in Oakland, California.

Larry Hunn (Data Analysis/Report Development) Larry has extensive experience in personnel management and workers compensation administration in both the public and private sectors. As a former educator and counselor, Mr. Hunn developed innovative approaches to assist students with special needs in transitioning from school to the workplace. Mr. Hunn is the founder of EMS and is based out of the Central Office in Murphys, California.

Randy Lamer (Project Management) Mr. Lamer has many years of experience working with educators, administrators, executives, and project teams to develop and effectively utilize a vast array of human resource management strategies. He has degrees in Human Resources and graduate degrees in Technical Teacher Education and Business Administration.

George Mathes (Job Analysis) George has 35 years of experience in education, including 15 years in human resources management. Mr. Mathes has been a teacher, principal and prior to joining EMS served as a director of human resources. In addition to his responsibilities with the company, Mr. Mathes serves as a regional coordinator for the North Central Association Commission on Accreditation and School Improvement. Mr. Mathes is based out of the Wyoming branch office.

Vida Santone (Job Analysis) Ms. Santone recently retired from Raytown Public Schools, Raytown Missouri where she most recently served as the Associate Superintendent of Human Resources. Ms. Santone currently serves as a student teacher supervisor for Graceland University. Ms. Santone works out of the Kansas City Metro area.

Matt Spencer (Job Analysis) Dr. Matt Spencer is a veteran education leader and human resource professional who served thirty-three years in public education in Missouri and California. During his twenty-six year career as an educational leader, he served in various roles including High School Principal, Director of Classified Personnel, Asst Superintendent for Human Resources, and Superintendent of Schools. Matt specializes in developing workplace bullying strategies and effective HR department structures. He works out of the Southern California area.

Scope of Work

Benefits of the EMS Approach

During the course of this Study EMS will provide the combination of training and consultation needed to maximize the benefits that can be gained by the District.

- **Nationally Recognized Leader in Educational System Human Resources Consulting:** Working with a consultant that is nationally known for successfully serving only educational systems throughout the United States ensures that the project will be done effectively and accurately.
- **Legally Compliant Function Based Job Descriptions:** A Study based upon the most current, legally compliant and defensible data collection and function based job description design processes provides the level of defensibility, legal compliance (ADA, FLSA, EEOC, etc.) and usability your school system requires.
- **Highest Level of Employee and Supervisor Buy-In:** Our unique “steering committee”, “focus group” and “supervisor validation” processes ensure the participation of all employees and supervisors that may be impacted by the Study’s recommendations and ensures buy-in of all parties to the study’s process and successful implementation.
- **School Validated Point-Factor Based Internal Wage Equity:** Our proprietary Multi Point-Factor analysis process has been created and validated with assistance from client school systems. This process ensures an analysis with the high level of internal integrity across all job classifications that is critical for understanding the relationships between jobs and the development of compensation structure recommendations.
- **Customized Local Market Study Results:** EMS provides customized market research processes that are based specifically on local (school and non-school) competitors which provides an accurate and up-to-date market salary analysis. This ensures that any final wage adjustment recommendations are based on competitiveness with the local market.
- **Competency Based Prerequisite Job Factors:** Documentation of the Knowledge, Skill, Ability, Responsibility and Working Conditions based competencies that are required to for employees to effectively perform the functions of each job classification assists in accurate hiring and addresses fair pay and prerequisite job factors.
- **Strategic Compensation Structure Planning:** Evaluation of current compensation structures and assistance in the development of *strategic* and *sustainable* compensation structures for all staff classifications as necessary to fully meet the needs, budget conditions and strategic direction of the school system. Further the development of implementation plans that provide direction in a timely and employee friendly manner will be completed.
- **HR Staff and Hiring Supervisor Training:** Throughout the study “steering committee” members, hiring supervisors and Human Resource staff will receive training on the processes used in the Study, the necessary legal requirements (ADA, FLSA, EEOC, etc) and will learn how to put completed job information to use in multiple ways.

- **Most Widely Used Job Description Software:** Our proprietary *JobsPlus*™ software (the exact same software EMS analysts utilize during the Study) will be licensed for use by District HR representatives. This software is the most widely used job description software used by school systems in the United States and will allow your Human Resource staff to efficiently maintain job information current and provide consistency in Human Resource decision-making for a wide variety of human resource functions.
- **Maximizing the Ongoing Usefulness of Data:** Our goal is to provide all of the information, tools and training necessary for your Human Resource staff to be able to maintain a uniform process for employee related decisions throughout District operations. While EMS staff members are always available to provide assistance, your Human Resource staff will be able to effectively and efficiently utilize, maintain and update job classifications and wage structures provided by the Study.

Description of Methodology

This is a Compensation Project of up to approximately 82 District job classifications as referenced on the information provided by Fountain Valley School District. The Project will incorporate “essential functions” based job analysis, application of an equity based point factor classification model specific to the field of education, internal validation and external validation of the current salaries, and specific recommendations.

This Project will be a collaborative effort between the Fountain Valley School District (District) and Educational Management Solutions (EMS). However, EMS will be responsible for the overall management of the Project, conducting the major processes and ensuring that the outcomes are achieved.

District Participation: The District will assign an individual to act in a coordinating role with EMS. The coordinating role of the District administrative staff will be primarily limited to scheduling Project activities that involve District personnel (e.g. meetings, incumbent focus groups, etc.) and distribution of EMS developed materials for employee feedback.

In addition, Fountain Valley School District will provide selected Human Resources staff members who will be trained in job “best practice” function-based description design and internal equity based strategic compensation planning.

Specific components of the Project will include:

Planning: This phase provides an opportunity to review and confirm the scope of the Project, identify critical activities, analyze the District’s current job descriptions and related practices, develop timelines, and assign specific responsibilities. This planning phase will reduce the Project’s duration and ensure efficient utilization of District resources. This phase includes:

Project Management - During this phase, EMS will meet with District representatives to confirm the classifications for analysis, Project process and timelines. Consideration will be given to the District’s desired level of defensibility, resources available, limitations of work setting/schedules and indirect cost factors. Once these factors have been reviewed, the sources

of information and the appropriate methods of data collection can be finalized. A Project Plan identifying key Project components, responsibilities and time frames of EMS and District personnel will be the output of this phase. The Plan will serve as a “road map” for the Project.

Job Analysis: The overriding philosophy of the Project is to develop reliable and defensible information upon which the Project’s recommendations are based. The heart of the Project is the job analysis process. This phase will determine the functions of a job and identify those essential functions in accordance with the Americans with Disabilities Act’s guidelines developed by the Equal Employment Opportunity Commission (EEOC). The process will organize, for each job classification, the essential and marginal job functions, the prerequisite requirements, and other related job information. This process will result in the development of up-to-date job descriptions for each classification and serve as the foundation of job information for the Project’s Job Valuation and Market Survey phases. **The process will ensure the opportunity for input of every employee currently performing in the studied job classifications.** This phase includes:

Orientation Meetings – Orientation meetings will be held for affected District staff, supervisors and administration. The purpose of these meetings will be to ensure that all interested parties understand the process that is about to take place and that they have appropriate input and access to the process. Supervisors will be given the opportunity to provide organizational information and specific information regarding the District’s current compensation structures and market competitiveness.

Focus Group Interviews - Each job classification will be analyzed through a combination of focus group and/or individual interviews of a sample of employees within each of the studied classifications. Participation of current employees performing the specific job functions has been held to be the most “defensible” process in the development of job information upon which compensation and future employment decisions are based. Employee involvement has the additional benefit of increasing “buy-in” to the final recommendations. The number of incumbents that participate in the Study will be based on a combination of District philosophy and available staff resources. It is estimated that up to 25 focus groups will be required to gather the required job information.

Validation of Data – Trained EMS representative(s) will meet with immediate supervisors and administrators to review and revise Drafts of collected job information data and to verify specific job specific competencies. EMS and District Human Resources staff will facilitate this process to ensure that the information is complete and accurate.

Job Description Drafts – Draft job descriptions for each studied classification will be developed following validation of the job content by supervisors. The draft job descriptions will contain job information that identifies the “essential” and “marginal” functions as defined by the Americans with Disabilities Act (ADA) and in conformance with the related guidelines of the Equal Employment Opportunities Commission (EEOC), ensure the functions are related to the purpose of the job, and address other related job information such as prerequisite job requirements of

skills, knowledge, abilities, etc. To expand the sample and provide the opportunity for “inclusion” of all employees in the job analysis process, these drafts will be distributed to every incumbent for review prior to development of the recommended job descriptions.

Why Doesn't EMS Use Position Information Questionnaires?

Best practice research indicates that requiring employees to complete position information questionnaires in an undirected manner is uncomfortable and generally not effective. This method of data collection is typically **only used in order to save cost, reduce study time and/or when high-quality analysts are not available**. In a 2014 survey performed by the Society of Human Resource Management (SHRM) in collaboration with and commissioned by ACT it was found that the leading method of conducting job analysis is Interviews (50%); followed by Observation (33%); and that Structured Questionnaires were utilized least often (27%). Additionally, in their college textbook *Human Resource Management – 9th Edition*, Robert L. Mathis & John H. Jackson identify some of the major disadvantages of this method as being that “the questionnaire method assumes that employees can accurately analyze and communicate information about their jobs. Employees may vary in their perceptions of the jobs, and even in their literacy.”

Our multi-staged data collection approach which includes 1) Focus Groups (Small group brainstorming interviews) followed by 2) supervisor validation meetings and then 3) distribution of draft job descriptions to all employees during our data collection and job analysis processes. This multi-layered structure maximizes both employee participation and accuracy of results. Small group interview (brainstorming) processes have been identified as “best practice” by industry experts. In a recent SHRM presentation Patricia A. Meglich, Ph.D., SPHR, stated that interviews generate “deep information” and “rich qualitative data”. The Congressional Management Foundation found that these small group – brain storming activities “make the process more enjoyable (and less avoidable) and usually will identify some relevant tasks that staff, working by themselves, may forget to include”. Finally, the authors of the textbook *Human Resource Management – 9th Edition* state that especially “For certain difficult-to-define jobs, group interviews are probably most appropriate”.

Over the past two decades, EMS has built upon the “best practice” industry standard practices to develop and perfect a process that is precisely suited for educational systems and allows all employees and supervisors guided opportunities to provide input in an effective and comfortable manner. In addition, this multi-step structure provides the checks and balances needed to ensure no relevant job information is missed and that the most accurate and actionable data possible is provided to our clients.

Compensation Structure Analysis: All current District compensation structures and guidelines will be collected and analyzed for strategic planning, format, consistency and overall comparability to the compensation structures of competing school and non-school market sources.

Job Valuation: This phase, also identified as *Internal Equity Analysis*, will include analyzing the job information gathered from the job analysis phase utilizing an education-based matrix of thirty four multi-level classification factors guided by "equal pay" principles. This will provide an analysis of the job's prerequisite requirements in relation to the degree of Complexity, Skills, Knowledge, Abilities, Responsibility and Working Conditions associated with performing the job. The analysis will serve as the foundation for development of findings regarding the internal equity of the District's current salary schedules. The phase will include:

Review of Internal Equity Point Factors - EMS will review with the Steering Committee the multi-point factor job evaluation system. The review provides the Committee with an understanding of internal equity principles of compensation.

Data Analysis - Each job's prerequisite requirements will be rated and a weighted value determined for each classification. Classifications will be ranked based on a job's weighted value compared to its placement on the salary schedule. Preliminary recommendations regarding appropriate salary schedule placement will result from this internal equity analysis.

Findings - The data analysis will result in the development of findings with regard to the internal equity of the District's salaries for the studied job classifications. These findings will provide a foundation for recommendations presented in the Study's Final Report.

Why Does EMS Use Point-Factor Comparisons

Point Methods are the most widely used job evaluation method because they are more sophisticated and objective than other (ranking and classification) methods. Advantages of using this system of internal equity analysis include the fact that it reduces supervisor and/or interviewer subjectivity / bias and provides a more comprehensive view of each job classification studied. Finally, this method also evaluates the essential components of every job studied before current pay structure and market competitiveness are considered. This, again, ensures a multi-tiered strategy of 1) internal equity analysis; 2) comparison to current wage structures; and then 3) identifying levels of market competitiveness.

EMS has developed a very sophisticated yet easy to utilize, school specific point-factor analysis rubric consisting of 34 competencies. Over two decades, EMS has worked with client educational systems to identify and refine these competencies and to identify precise wording that is then used to delineate consistent criteria for developing the internal equity structure best suited for each of our client educational systems. These competencies are designed to identify the skills, knowledge, working conditions, levels of responsibility and abilities that an incumbent needs to possess to successfully complete the functions of each job classification. This process ensures consistency and the highest level of accuracy.

Market Survey: EMS will conduct an analysis of the compensation for comparable positions at Districts and other employers within the competitive marketplace. It is recommended that the market sample be uniform for all studied job classifications to reinforce the “fairness” of the process. In selecting sources to be surveyed, priority will be given to those within the geographic proximity to the District and/or of a similar size and scope. This phase will include:

Design – In consultation with District administration, EMS will confirm with the Steering Committee the organizations to be surveyed and the representative job classifications to serve as benchmarks. While specific numbers cannot be quantified at this time, based on past experience, it is anticipated that a combination of 11 educational systems and/or mutually identified public agencies and/or private sector employers will be surveyed. Approximately 35% of the current job classifications in each grouping will serve as benchmark classifications. The final numbers of market sources and benchmark classifications will be determined in consultation with the District.

Classification Data Collection – Compensation practices for the matching benchmark positions will be gathered through a combination of surveys and interviews with the appropriate personnel at each of the surveyed Districts. Benchmark jobs often have similar titles in surveyed organizations but not necessarily similar functions and/or prerequisite requirements. When this is the case, only data from jobs with similar functions and prerequisite requirements will be recorded.

Data Analysis – The market salaries and related compensation factors for the benchmark classifications will be analyzed. Selected benchmark classifications will be representative of the job classifications across the ranges of each of the salary schedules of the studied classifications. Other classifications will be slotted as to their relative position to the benchmark classifications within each schedule.

Classification Findings – The data analysis will result in the development of preliminary findings regarding the market competitiveness of the District’s salaries for the benchmark classifications. These findings will provide a foundation for recommendations presented in the Study’s Final Report.

Strategic Compensation System Design: A comprehensive analysis of current compensation structures, District goals and objectives and competing employer compensation structures will be completed. From this information, in conjunction with District leadership, EMS will develop recommended *strategic* and *sustainable* compensation structures for all studied job classifications. This strategic structure will provide the platform necessary to fully meet the needs, budget conditions and strategic direction of the school system. Further, the development of implementation plans that provide direction in a timely and employee friendly manner will be completed.

Report Development: A *Classification Study Report of Findings & Recommendations* will be produced that integrates all of the Study components with findings, conclusions, recommendations and implementation strategies. This phase includes:

Preliminary Findings - Preliminary findings of both the Internal Equity Analysis and External Market Analysis will be developed and reviewed with the Steering Committee and District Administration for input prior to development of the final report.

Final Report - The Study's *Report of Findings & Recommendations* will be submitted to the District for action. The Report will provide the following:

- Recommended Job Descriptions (*Job Classification Specifications*) that are in conformance with applicable laws, rules and regulations.
- Salary placement recommendations of specific classifications based on the integration of findings from the Job Valuation (internal equity) and Market Survey (external equity) analyses.
- Recommended benefit structures.
- Recommended salary administration and compensation practices.
- An appeals procedure to address reclassification requests over time.

Final Report Presentation – Following development of the Final Report, EMS will be available to make a single presentation of a summary of the Study's Findings and Recommendations if requested at no cost. Additional requested presentations will be provided with charges limited to out-of-pocket expenses.

Final Recommended Job Descriptions: Final recommended job descriptions will be provided for final approval and usage. Final job descriptions will contain job information that identifies the "essential" and "marginal" functions as defined by the Americans with Disabilities Act (ADA) and in conformance with the related guidelines of the Equal Employment Opportunities Commission (EEOC), ensure the functions are related to the purpose of the job, and address other related job information such as prerequisite job requirements of skills, knowledge, abilities, etc. In addition, job classifications that meet the exemptions will be identified in the Fair Labor Standards Act (FLSA) will be identified.

These job descriptions, in conjunction with *JobsPlus*™, can be used in a wide variety of ways including: Recruiting, selection, hiring, employee appraisals, staffing analysis, wage planning, ADA accommodations, workers compensation, etc.

Software Application: The District will be licensed with the proprietary software *JobsPlus*™ for use in the development and management of job information. The software will contain all of the job information gathered during the course of this Project and will allow the District to continuing maintaining a fair, equitable and defensible process in making job related decisions based on accurate job classification data. This phase would include:

Software Customization - Data will be provided in a software format which can be utilized for the development and updating of Job Descriptions, distributing Job Announcements, development of Performance Appraisals and Individual Work Improvement Plans, and analyze Reasonable Accommodation and/or Early Return-to-Work decisions.

Software Training - District personnel will receive “hands on” training. Training will focus on maintaining collected job information, generating new job descriptions, and utilizing each of the software features.

Software Installation - At the conclusion of training, the District will be provided the most current version of the software *JobsPlus™* in accordance with current licensing agreements.

License & Client Support - EMS will license the software for use by the District through 6/30/2016. The annual software license fee of \$695 will be waived through this period.

Why EMS Allows Clients to Use JobsPlus™?

Educational Management Solutions is committed to providing the ***training and tools you need to maintain accurate job descriptions and classification placements after the completion of the study.***

In addition to the post-study reference materials provided by other consultants, EMS will license Fountain Valley School District to use our proprietary software *Jobs Plus™* at no additional cost.

Our exclusive *Jobs Plus™* software solution is the most utilized job description design and classification software solution used by school systems across the United States. With this software solution your HR staff will be able to follow a step-by-step process to maintain the accuracy and legal compliance of your job descriptions and related classifications as you walk through an organized ongoing reclassification process with employees and supervisors when functional job changes occur.



In addition, JobsPlus™ provides reports and analysis for Job Postings, Hiring and Placement, Ongoing Wage equity, Workers Compensation, ADA Accommodation, and Employee Performance Evaluations. With JobsPlus™, EMS truly is your partner for effective, school-specific HR Solutions.

Project Integration: EMS and District Administration will work jointly to assure acceptance of the process as one that reflected “fairness”. Every effort will have been made to secure input from affected employees and administration prior to making recommendations. EMS personnel will be available for a 90-day period for phone and web-based consultation at no additional cost to assist the District in implementing the recommendations contained in the Project’s *Report of Findings & Recommendations*.

Project Timeline

Following are projected Project component completion dates. The key factor in maintaining this schedule will be the District's ability to coordinate and schedule resources. The following timeline assumes a start date of December 6, 2015

<u>ACTIVITY</u>	<u>Approximate Project Timeline</u>
Planning	
<u>Study Management:</u> includes collaboration with District Administration to review scope of Study; identification of primary contacts; defining job classifications and role of steering committee; scheduling initial meeting of committee; scheduling focus groups; reviewing timelines, etc.	December, 2015
<u>Steering Committee Development & Orientation:</u> includes review of Study activities, overview of processes, and identification of market sources.	January 2016
Job Analysis	
<u>Begin Data Collection:</u> includes conducting focus group and individual interviews. Focus groups may be completed in two separate onsite visits based on District specifications.	January 2016
<u>Complete Classification Data Collection:</u> completion of scheduled focus groups. Makeup sessions may be scheduled as appropriate during the course of the study.	January 2016
<u>Validation of Classification Data:</u> includes development of draft job information collected for distribution to supervisory staff and focus group participants for review.	February 2016
<u>Return of Classification Data:</u> includes return of draft job analyses for analysis and modification as appropriate.	April 2016
<u>Final Job Descriptions:</u> includes development of draft job descriptions based on validation process for distribution to all incumbents.	May 2016
Job Valuation	
<u>Review of Classification Instrument:</u> includes training on process and review of education-based job valuation weighting factors.	January 2016
<u>Data Analysis:</u> includes job evaluation factor weighting and comparison to salary schedule(s).	February 2016
<u>Application of Classification Instrument:</u> includes evaluation of all classifications.	March 2016

Market Survey

Design: includes training on process, identification of Districts and other public/private organizations to be surveyed, and selection of job classifications as benchmarks. January 2016

Begin Data Collection: includes combination of personal and phone interviews with identified survey sources and follow-up phone contact as may be required. February 2016

Complete Data Collection & Data Analysis: includes analysis of market data and identification of additional follow-up as may be required. March 2016

Report Development

Classification Recommendations: includes review of preliminary recommendations with District Administration and Steering Committee for input. April 2016

Final Report: includes description of all Study phases, final job descriptions, cost and non-cost recommendations, and implementation planning strategies. May 2016

Software Applications

Software Customization: includes loading software with Study's information. May 2016

Software Training & Update: includes installation and formal hands-on training of software. Scheduled at District's convenience

Client Support: initiated with software license that includes unlimited phone support through June 2016. Following software training

Notes:

- * *Completion of Study is dependent on the District's ability to schedule resources within the indicated time frames.*
- * *Time frames can be adjusted based on the District's requirements.*

Recommend Appeals Process

Educational Management Solutions and District Administration will work jointly to assure acceptance of the process as one that reflected “fairness”. Every reasonable effort will be made to secure input from employees and gain consensus on information upon which the recommendations are made. However, there are circumstances that can generate questions from specific employees and/or groups of employees. Employees should have an opportunity for a reasonable hearing for their questions. Throughout the appeals process, while responding to employees’ questions the following concepts/distinctions are important.

Job vs. Position - A specific employee’s job assignment may require performance of job functions different from the norm due to unique demands of a particular job setting, a supervisor’s expectations, an employee’s interest and desire and/or in situations of providing for growth. None of these situations necessarily would indicate that the employee has a “different job” or is “working out of class” but rather the employee is defining a *position description* versus a *job description*.

Function vs. Methods or Tasks - Typically jobs have been defined by a combination of functions, methods, tasks, requirements, etc. The defining of a job by its functions (essential and non-essential) is the most inclusive approach and has been found to be defensible when using as the basis for employment decisions. Job functions are most closely related to the overall purpose of a job with tasks serving as sub components or steps required to complete a function and methods relating to how the job is performed. Often employees may focus on how the job is done rather than that of the purpose of the job as defined by the job functions.

Changes in Functions - Due to organizational changes, environmental (site) conditions, different equipment and/or new technology, job functions may be added or deleted or job requirements change over time. This factor is a significant concern in updating all job descriptions is a significant component of the Classification Project.

Incomplete Data - During the processes of updating job information there may be instances where the job information collected is incomplete. While every effort is made to keep this situation from occurring it is conceivable that the sample of incumbents that participated in the Project was not representative of the job class as a whole. The validation process provides employees an opportunity to review the focus group data, supervisor’s review and committee review should have eliminated this concern.

The appeal process for the Classification Project and that used for periodic requests for reclassification should be essentially the same. The following suggested guidelines apply equally to both processes:

Timing - It is recommended that a specific timeframe (i.e. 30 days annually) be established for appeals or requests for reclassification. This condenses the administrative efforts, allowing the least disruptions to workloads, focuses the effort of all parties to reach sound decisions and is least disruptive to morale.

Written Documentation - A Job Classification Review Form developed setting out specific procedures incorporating the following:

- Procedures for submission
- Procedures for review and disposition
- Basis of request by employee

Basis of Request - Terminology and definitions should be consistent and understood by all parties, i.e. essential functions, task/method, requirements, etc. The basis of the request should be guided by factual information on how the job differs from that described. Valid basis for review should be focused on the following:

- Essential Functions performed have changed and are at variance with Job Description
- Job Requirements have changed and are at variance with Job Description
- Standards of Performance have changed requiring difference skills, knowledge and abilities
- Initial decisions were based on inaccurate information

Classification Review Committee - The District may wish to develop an appeals committee. Such a committee, with the process and authority (fact finding and advisory) clearly defined, can provide both valid input and objectivity to the eventual decision.

Decision Making Process: The process may vary based on the stated justification for the request, however, assuming that the initial job data is current, the normal review should focus only the following three areas:

- Evaluation of Published Job Functions. Analysis should ensure that employee's justification statement of new and/or additional functions is not a semantic restatement of a function, a listing of tasks and/or the usual and customary methods of performing the function.
- Review of the Pre-requisite Job Requirements. Due to organizational changes, new equipment, and/or new technology employees may perceive that the job has changed to an extent justifying re-classification. In today's labor market it is not unusual for 50% of the skills and knowledge required for a job to be out of date within 3 years. This is a common trend across all industries and new requirements placed on an employee to maintain performance should not alone be the factor guiding re-classification. Measures can be used to determine how changes over time have impacted the skills, knowledge, abilities, responsibilities and working conditions necessary to perform the jobs' functions. For each job classification over 30 factors were evaluated as part of this Project and review of these factors can provide a level of objectivity for all parties. It is also necessary to determine if changes in job requirements indicate a trend that has impacted all positions or only a few.

- Impact on Internal Relationships. An understanding of how a potential recommendation impacts other positions, the overall salary schedule structure and finances is equally important. Condensing the time period for review can assist in putting the recommendations into perspective in relationship to the overall personnel and financial impact.

Ongoing Maintenance of Job Classifications

The final goal of Educational Management Solutions will be to equip your District with the information, training and tools needed to maintain the accuracy of the job description design and compensation structuring provided by the Project itself.

Upon the completion of the classification Project, Educational Management Solutions will provide comprehensive, customized training to your Human Resources staff. Further, we will work with your HR staff and employee groups to design an ongoing reclassification process that will meet the needs your District and complies with Commission guidelines.

Through the use of this training, our detailed instruction manual and (most importantly) our exclusive *Jobs PlusTM* job description design and classification software solution, your HR staff will have all of the tools you need to easily and accurately maintain your job descriptions and related classifications.

Our exclusive *Jobs PlusTM* software solution is the most utilized job description design and classification software solution used by school systems across the United States. With this software solution your HR staff will be able to follow a step-by-step process to maintain the accuracy and legal compliance of your job descriptions and related classifications as you walk through an organized ongoing reclassification process with employees and supervisors when functional job changes occur.

Project Cost and Method of Payment

EMS has analyzed the District's objectives and the following references the Study's phased components as described in the body of the referenced proposal. Also identified are the deliverables of each phase for purposes of monitoring and invoicing. **The total cost for completion of all listed job classifications within a single year is \$48,995 including all travel, printing and related expenses.**

NOTE: Pricing break-outs are listed on the next page in case district decides to divide the study into multiple yearly segments (or not perform the study on one or more categories of listed job classifications)

Planning – Plan Development:

Payment: 20%

The deliverable will be a finalized project schedule detailing activities, targeted completion dates and responsibilities.

Job Analysis – All Classifications:

Payment: 30%

The deliverable will be completion of the scheduled data collection / focus groups.

Job Analysis - Validation of Data:

Payment: 20%

The deliverable will be submission of initial drafts of the collected data for validation by supervisors, steering committee members and/or administration.

Market Survey:

Payment: 15%

The deliverable will be completion of the Market Survey and Analysis for review with District administration.

Findings & Recommendations:

Payment: 10%

The deliverable will include review of preliminary findings and strategic compensation structure development with District Administration and Steering Committee for additional input.

Report Development – Final Report:

Payment: 5%

The deliverable will be completion of the Study with the *Compensation Study: Report of Findings & Recommendations*.

Software Applications: Software/Training/Installation: no additional cost

The deliverable will be the software referenced in the *Description of Methodology - Software Applications* section of this proposal. Support will be provided as described until June of 2016 following installation with the annual license support fee of \$695 waived during this period.

Project Integration:

limited to out-of-pocket expenses

EMS personnel will be available during a 90-day period immediately following submission of the Study's *Report of Findings & Recommendations* for consultation with regard to utilization of developed job information and implementation of the recommendations. Charges to the District will be limited to out-of-pocket expenses for requested on-site activities during this period. An exception will be for the initial presentation, if requested, of the Study's Findings and Recommendations that will be provided at no charge. Services provided related to the Study beyond this 90-day period for requested on-site services will be charged at a rate of \$750 per consultant per day plus expenses.

ANNOTATED SAMPLE

JOB DESCRIPTION Anytown School District

Bus Driver

Purpose Statement

The job of Bus Driver is done for the purpose/s of transporting students over scheduled routes and/or to/from special excursions, ensuring the safety of students during transport, load/unload responsibilities for the inspection and light maintenance of assigned bus.

Purpose Statement provides a general description of the job. The statement needs to incorporate the purposes of the function statements.

Essential Functions

- Assesses incidents, complaints, accidents and/or potential emergency situations (e.g. road hazards, medical emergencies, accidents, etc.) for the purpose of resolving and/or recommending a resolution to the situation.
- Assists students and other passengers on and off buses including both e
- Attends various meetings, (e.g. classroom and behind the wheel training, safety meetings, inservice, administrative conferences, etc.) for the purpose of maintaining skills and meeting the certificate requirement/s of a school bus driver.
- Cleans assigned vehicles, both interior and exterior for the purpose of ensuring safety, appearance, and sanitation of vehicle.
- Conducts emergency evacuation drills for the purpose of ensuring efficiency of procedures and complying with mandated requirements.
- Drives school buses for the purpose of transporting passengers over scheduled routes to and from school and/or field trips in a safe and timely manner.
- Fuels assigned vehicle (e.g. oil, water, fuel, etc.) for the purpose of maintaining vehicle in a safe and operating condition.
- Monitors students and other passengers during transit including advising of appropriate behavior for the purpose of reinforcing established regulations and maintaining passenger safety.
- Performs pre-trip and post-trip inspections (e.g. fluid levels, tire pressure, exterior condition, mirrors, etc.) for the purpose of ensuring the safe operating condition of the vehicle and complying with mandated guidelines.
- Prepares documents and reports (e.g. monthly manifest, incident/accident reports, inspections records, passenger misconduct, mileage logs, student counts, route description updates, maintenance orders, driver's log, etc.) for the purpose of providing written support and/or conveying required information.
- Reports observations and/or incidents (e.g. discipline, inappropriate social behavior, etc.) for the purpose of communicating information to appropriate personnel.
- Responds to inquiries (e.g. students, parents, other school personnel, etc.) for the purpose of providing information and/or direction.
- Secures students requiring special accommodations (e.g. car seats, wheelchairs, restraints, etc.) for the purpose of ensuring their safety during transport.

Functions are identified as either *essential* or *marginal* as defined in accordance with the Americans with Disabilities Act (ADA). Function statements include a *purpose* as required by the Act. Function Statements are in alphabetical order so as not to assume a level of frequency or importance.

Other Functions

- Assists other personnel as may be required for the purpose of contributing to the efficiency and effectiveness of the work unit.

A job's *marginal* functions as defined in ADA guidelines are referenced as "Other" in the job description so as not to reflect that they are of a lesser value in relation to an employee's job performance.

Classification & Compensation Study

Final Report Format – Sample Table of Contents

(With explanations: Noted in Blue)

Chapter 1 – Executive Summary

This section of the report provides an *Executive Summary* of the Classification Study's process, findings and recommendations. This section is frequently used to provide an overview of the project to Board and/or Commission Members. Chapter topics include a re-statement of objectives, a summary of the processes used to conduct the Study, an overview of the findings and recommendations, and summary of the implementation strategies. Topic headings typically include:

- **Objectives**
- **Processes**
 - Project Planning**
 - Compensation Structure Analysis**
 - Job Analysis**
 - Job Evaluation**
 - Market Survey**
- **Findings**
 - Salary Schedule(s)**
 - Internal Equity**
 - Market Competitiveness**
- **Recommendations**
 - Salary Schedule and Administrative Practices**
 - Job Titles**
 - Job Classification Schedule Placement**
- **Implementation Strategies**

Chapter 2 – Study Process

This section provides a detailed overview of the processes used to conduct the study. The focus is on providing an understanding of the completeness of the process and the inclusion of all stakeholders in the process. Specific topics addressed include the background and/or factors that lead to the District's decision to conduct the study, the phases of the Study (Planning; Job Analysis; Data Collection; Data Validation; Internal Equity; and Market Survey processes). Included in this section is a detailed overview of the factors that were considered in the development of Findings and Recommendations. Topic headings typically include:

- **Background**
- **Approach**
- **Project Phases**
 - Planning**
 - Job Analysis**
 - Data Collection**
 - Validation of Data**
 - Job Evaluation**
 - Market Surveys**
- **Data Analysis & Implementation**

Chapter 3 – Findings & Recommendations

This section provides a detailed description of the Study's specific Findings and Recommendations. Topics (while dependent on specific findings) typically include:

- **Findings**
 - Current Salary Structure
 - Job Valuation (Internal Equity Analysis)
 - Salary Levels Discrepancies of specific classifications based on Internal Equity Analysis
 - Market Analysis (External Equity Analysis)
 - Competitiveness of District's Salaries in relation to Market Median
- **Recommendations**
 - Salary Schedule Modifications
 - Titles of Job Classifications
 - Salary Schedule Placement
 - Placement on Schedule

Chapter 4 – Implementation Planning

This section provides a review appropriate implementation strategies based on the developed recommendations that address both those with no financial impact and those that have a financial impact. Topic headings typically include:

- **Implementation Priorities**
 - Adoption of Job Descriptions
 - Changes to Job Titles
 - Consolidation of Job Classifications
 - New Job Classifications
 - Schedule Placement based on Internal Equity
 - Schedule Placement based on Market Competitiveness
- **Appeal Process Compensation**
- **Maintenance of Job Information and Compensation Structure**

Chapter 5 – Exhibits

This section provides definitions and information regarding the Study as well as detailed analysis that support the Study's Findings and Recommendations. Specific exhibits include:

- **Glossary**
 - A Glossary – Terms
 - B Glossary - Reports
- **Definitions**
 - A Steering Committee - *list of members.*
 - B Focus Group Schedule – *schedule and list of participants in focus groups.*
 - C Data Collection Forms - *samples of questionnaires and other data gathering forms.*
 - D Job Valuation Factors – *description of Internal Equity Rating Criteria of 34 factors.*
 - E Market Survey Organizations – *listing of Education & Non-Education surveyed employers.*
 - F Benchmark Positions – *list of classifications that served as benchmarks for market survey.*

- **Data Analysis** - *dependent on scope of the study this section is typically duplicated for the different groups of classifications (i.e. classified, certified, management, confidential, supervisory, etc.)*
 - A Analysis – Current Classified Salary Schedule
 - B Recommended Title Changes
 - C Internal Equity Analysis with Charts
 - D External Market Survey -
 - D₁ Average and Medians - Summary
 - D₂ Average and Medians – All Sources with Charts
 - D₃ Average and Medians – Detail of Sources
 - D₄ Ranking Within Market Survey Sources
 - D₅ Benefit Analysis – *comparison of District's to Market Sources.*
 - E Benefit Analysis – *comparison of District's to Market Sources.*
 - F Adjusted Market Survey – *External Market Analysis Adjusted for Recommendations.*
 - F₁ Average and Medians - All Sources with Charts
 - F₂ Detail of All Reported Data
 - F₃ Ranking Within Market Survey Sources
- **Recommendations** – *a summary of the recommendations listing each studied job title, salary range, recommended title, recommended salary range and rationale for each recommendations.*
- **Administrative Practices** – *Dependent on the Findings specific practices may be recommended to provide the District with guidance in maintaining their job information and salary equity over time.*
 - A Appeal/Reclassification Process
 - A₁ Process Description
 - A₂ Appeal Worksheets
 - B Reclassification Process
 - B₁ Process Description
 - B₂ Reclassification Worksheets
 - C Software Applications
 - C₁ Job Description Development
 - C₂ System Reports



Fountain Valley School District
Support Services

M E M O R A N D U M

TO: Board of Trustees
FROM: Cara Robinson, Director, Support Services
SUBJECT: **Approval of the 2017 Special Education Extended School Year Program (ESY) and August Program**
DATE: March 6, 2017

Background:

The Extended School Year provides students for special education services with educational services for the following reason:

- A child suffers an inordinate or disproportionate degree of regression during the portion of the year in which the customary 180 day school year is not in session; and
- It takes an inordinate or unacceptable length of time for a child to recoup those lost skills (academic, emotional, or behavioral) upon returning to school

The following is the 2017 Fountain Valley School District Extended School Year plan:

June 23 rd (Friday)	Last day of 2016 - 2017 School Year for students
June 26 th (Monday) June 27 th – July 27 th	Extended School Year Program for Special Education students to be held at Plavan Elementary School. <u>First week RUNS THUR-FRI 6/27 – 6/30</u> <u>Last three weeks RUN MON-THUR</u> <u>(Tuesday, July 4th will be a holiday).</u>
	Staffing of Credentialed and Classified Employees for classes taught from Preschool to Grade 7.
	Additional Support Staff: Speech and Language Pathologists (2) APE Specialist School Psychologist District Nurse
August 21 st – 31 st	August Program – <u>MONDAY-THURSDAY</u> (no Friday sessions) early start Preschool and Kinder for select small group of students (4 days per week for a total of 8 days). Held at Newland Elementary School.

Fiscal Impact:

Approximately \$25,000.00

Recommendation:

The Board of Trustees approves the Extended School Year Program at Plavan Elementary School and August Program at Newland Elementary School.